Jezzica Israelsson

Making themselves heard

Women’s and men’s voice through the regional petitioning process in Sweden, 1758–1880
Dissertation presented at Uppsala University to be publicly examined in Geijersalen, sal 6-1023, Thunbergsvägen 3P, Uppsala, Friday, 31 May 2024 at 09:15 for the degree of Doctor of Philosophy. The examination will be conducted in Swedish. Faculty examiner: Docent Magnus Linnarsson (Department of History, Stockholm University).

Abstract

In the eighteenth and nineteenth centuries, thousands of women and men contacted the Governor’s Administration of Västmanland (Länsstyrelsen i Västmanlands län), handing in petitions concerning a wide range of matters. This thesis studies these cases to deepen our understanding of women’s and men’s ability and need to make themselves heard through the regional petitioning process. It also elucidates how this practice was intertwined with people's endeavours to make a living by focusing on the participation’s connection to resources. By studying petition registers and a corpus of nearly 3,000 surviving petition files, it contributes to existing scholarship in three important ways.

First, the thesis introduces an extended theoretical conceptualisation of the regional petitioning process, where the relationship between petitioner and respondent is integral to the petitioning itself. This inclusion shows that the commonest reason why people needed to make themselves heard, thus establishing a relationship with the governor and his administration in the first place, was because of interactions and conflicts with other people over some resource, primarily credit, land or working roles. Everyday interactions led people to use the regional administration in legally regulated disputes, which ultimately had political implications.

Second, by comparing the participation of women and men as well as that of labouring people to other groups, the thesis sheds light on how the ability and need to make yourself heard varied with gender, marital status and socioeconomic status. To participate in this manner was expensive, which undoubtedly affected poor people’s ability to do so. Nevertheless, we find people from the lowest rungs of society who vehemently protected their rights, sometimes as petitioners but more often as respondents. Women's participation at the administration, as in almost all official contexts at this time, was lower than men’s, sometimes only a fraction. Despite their low levels of participation, it nevertheless took many forms, a variety that continued into the nineteenth century.

Third, the investigation studies how the ways people made themselves heard through the regional petitioning process evolved over time, making it one of few Swedish studies of petitioners and respondents beyond the beginning of the nineteenth century. Its temporal setting has yielded previously unknown insights into how the development of voice through the petitioning process was connected to administrative bureaucratisation, aspects of the judicial revolution, the gradual but non-linear disappearance of household culture and the emergence of a civil citizen.

Keywords: petitions; petitioning process; governor; voice; eighteenth century; nineteenth century; political interaction; credit; land; working roles; resources; legal literacy; legal pluralism; household culture; gender; socioeconomic status; scribes

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In memory of Theresa Johnsson
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As part of GaW I had the opportunity to present my work to the project’s scientific advisory group and I am grateful to all who took part and generously shared their expertise. The petitions project also led to several valuable exchanges with Linda Oja, whose enthusiasm has been very encouraging.

Professor Hilde Sandvik reviewed the entire manuscript, and her comments helped me sharpen the analysis. I also wish to extend my thanks to Dag Lindström, who read and commented on the manuscript in its final stages. Charlotte Merton copy-edited the book carefully, vastly improving the language. And finally, a sincere thank you to Johanna Bengtsson for the fabulous cover.

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Finally, to do research, it is necessary to be able to take a break from it all and spend time with other friends and family. Ida Viderlund and Jennie Olsson, and Cecilia Swanström, thank you for always being there. My parents, Merit and Björn Israelsson – yes Dad, I have finished now. And finally, Andreas and Signe, you are my sunshine.

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Abbreviations

ÄB1734  Inheritance Act of 1734 (Ärvdabalken)
AD    ArkivDigital
BB1734  Building Act of 1734 (Bygningabalken)
FU    Frihetstidens utskottshandlingar
GA    Governor’s Administration (Länsstyrelsen)
GAV   Governor’s Administration of Västmanland (Länsstyrelsen i Västmanlands län)
GB1734  Marriage Act of 1734 (Giftermålsbalken)
HB1734  Trade Act of 1734 (Handelsbalken)
IU1635  Governors’ Instructions of 1635 (1635 års landshövdinge-instruktion)
IU1687  Governors’ Instructions of 1687 (1687 års landshövdinge-instruktion)
IU1734  Governors’ Instructions of 1734 (1734 års landshövdinge-instruktion)
JB1734  Land Act of 1734 (Jordabalken)
KB    National Library of Sweden (Kungliga biblioteket)
KEKdH  Kammar-, ekonomi-, och kommersdeputationen
KF1798  Royal Ordinance on debt cases, 28 Jun. 1798 (Kongl. Maj:ts Nådiga Förordning angående Wisse omständigheter uti Lagsöknings- och Utmätning-Mål, som hädaneafter komma at i akt tagas)
<table>
<thead>
<tr>
<th>Reference</th>
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<tbody>
<tr>
<td>KF1877</td>
<td>Royal Ordinance on promulgation of the new enforcement law, 10 Aug. 1877 (<em>Kungl. Maj:ts nådiga förordning om nya utsökningslagens införande</em>)</td>
</tr>
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<td>KK</td>
<td>Kammarkollegiet</td>
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<tr>
<td>KK1830</td>
<td>Royal Announcement about the fee for stamped paper, 23 Jan. 1830 (<em>Kongl. Maj:ts nådiga kungörelse angående Stämplade Pappers-afgiften</em>)</td>
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<tr>
<td>KS1748</td>
<td>Royal Ordinance on stamped paper, 14 Jan. 1748 (<em>Kongl. Maj:ts nådiga förordning angående stämplat papper</em>)</td>
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<tr>
<td>KSE1669</td>
<td>Royal Enforcement Ordinance, 10 Jul. 1699 (<em>Kungl. Maj:ts stadga om executioner i gemen</em>)</td>
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<tr>
<td>Lka</td>
<td>County Secretariat (Landskansliet)</td>
</tr>
<tr>
<td>Lko</td>
<td>County Office (Landskontoret)</td>
</tr>
<tr>
<td>LMS-arkiv</td>
<td>Swedish Mapping, Cadastral and Land Registration Authority, Land Survey Board Archive (Lantmäteriet, Lantmäteristyrelsens arkiv)</td>
</tr>
<tr>
<td>LU</td>
<td>Archive of Governor’s Administration in Uppsala (Länsstyrelsens i Uppsala län arkiv)</td>
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<tr>
<td>LV</td>
<td>Archive of the Governor’s Administration in Västmanland (Länsstyrelsens i Västmanlands län arkiv)</td>
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<tr>
<td>LÖ</td>
<td>Archive of the Governor’s Administration in Örebro (Länsstyrelsens i Örebro län arkiv)</td>
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<tr>
<td>MATE</td>
<td>The military allotment and tenure system (<em>indelningsverket</em>)</td>
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<tr>
<td>MB1734</td>
<td>Crime Act of 1734 (<em>Missgärningsbalken</em>)</td>
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<tr>
<td>OED</td>
<td><em>Oxford English Dictionary</em></td>
</tr>
<tr>
<td>RA</td>
<td>Swedish National Archives (Riksarkivet)</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
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<td>-------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>RB1734</td>
<td>Procedural Act of 1734 (<em>Rättegångsbalken</em>)</td>
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<tr>
<td>SAOB</td>
<td><em>Svenska Akademiens Ordbok</em></td>
</tr>
<tr>
<td>SB1734</td>
<td>Penalty Act of 1734 (<em>Straffbalken</em>)</td>
</tr>
<tr>
<td>SFS</td>
<td>Swedish Code of Statutes (Svensk författningssamling)</td>
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<tr>
<td>SOT</td>
<td>Swedish Code of Statutes until 1833 (Svenskt offentligt tryck till 1833 also known as Årstrycket)</td>
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<tr>
<td>SOU</td>
<td>Swedish Government Official Reports (Statens offentliga utredningar)</td>
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<td>UB1734</td>
<td>Enforcement Act of 1734 (<em>Utsökningsbalken</em>)</td>
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<tr>
<td>UL1877</td>
<td>Enforcement law of 1877 (<em>Utsökningslagen</em>)</td>
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<tr>
<td>ULA</td>
<td>Swedish National Archives in Uppsala (Riksarkivet i Uppsala) [formerly Landsarkivet i Uppsala]</td>
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Working with sources in Swedish while writing in English calls for some words on translation. When translating, whether direct quotes or concepts, clarity must be balanced with being faithful to the source. Quotes translated word for word would be unreadable and I have therefore translated them in a way which conveys their meaning. This means that some words, which for example denote a specific Swedish concept, have been translated in more general terms, unless the concept itself was integral to the meaning. To assist the reader, I have included the original Swedish in the notes.

I have opted to retain a handful of Swedish terms in the running text, primarily those that involve the legal position of women or the organisation of the Swedish armed forces, either because the English terminology has very different connotations to the Swedish or there is no standard translation.

Finally, people spelled names in a variety of ways, even in the same case. Whenever there was more than one spelling, I used the one more familiar today. Similarly, many people had patronymic surnames (which are not technically surnames at all) so on first mention I use both their given name and patronymic name and after that their given name.
1 Introduction

And now we submit our response, our complaint, for fair examination at the Enlightened Governor’s Administration, knowing full well that our cause will not be considered as a prism but held under the scrutiny of the universal power of Law, which is as holy for the suffering innocent, as for its origin. Asphäll 2 April 1838. Olof Ersson, Christina Ersdotter. Written on request by S. M. Ahlström.¹

These words concluded the crofters Olof Ersson’s and Christina Ersdotter’s response to why they were entitled to stay on their crofts when faced with an application for enforcement of their eviction. The married man and widowed woman were two of the thousands of people in the eighteenth and nineteenth centuries who had the reason and means to make themselves heard before the Governor’s Administration of Västmanland (GAV), a Swedish province, in order to defend their perceived rights and demand fairness and justice.² Theirs was neither a letter to influence policy makers nor a local collective protest; it was created by the need to survive. It was not even their choice to write: they were responding to another’s claim directed against them. Nevertheless, the GAV required them to give their view on the matter, and they – as their final remarks show – expected it to be heard.

This thesis aims to deepen our understanding of women’s and men’s ability and need to make themselves heard – to have voice – through the regional petitioning process in the eighteenth and nineteenth centuries.³ It will also elucidate how petitioning as a political practice was intertwined with people’s endeavours to make a living, by examining voice in terms of access to, use of, and arguments about different resources.

¹ 1838 Case 592: ‘Och nu öfverlämna wi wår förklaring, wår klagan till den högtuplyste Landshöfdinge Embetets rättvisa pröfning, väl vetande, att wår sak ej där blifver betraktad som en prisma, utan med Lagens alltomfattande magt, lika helig för den oskyldigt lidande, som för uphofvet dertill. Asphäll den 2 april 1838. Olof Ersson, Christina Ersdotter. På begäran upsatt av S M Ahlström.’ All translations are my own unless otherwise noted.
² In the seventeenth century, Cromwell’s ambassador Bulstrode Whitelocke compared the Swedish governors – each of whom had charge of a Governor’s Administration (länsstyrelse) (GA) – to the English high sheriffs, and the territories they ruled with shires. John Robinson compared their authority to ‘that of Lord Lieutenant, and Sheriff together’, see Asker, I konungens stad, 37–9 at 39.
³ By regional, I mean at the administrative level of the Swedish counties (län). Below the counties were the bailiwicks (fögderi), sheriff’s districts (länsmansdistrikt), and the parish (socken). For schematics of Sweden’s administration and petitioning, see Almbjär, Voice?, 48.
This is a study of how people from broad layers of Swedish society, and especially the resource poor, managed to bring issues they found important enough to sacrifice money and time on to the governor and his administration. By doing so they claimed to be recognised as participants in the process itself and in society. As subjects, servants, or citizens, they used state mechanisms and requested that their community’s norms and laws be applied to them and their problems.

Studies of people who petitioned to make themselves heard have primarily conceptualised the procedure of turning to a GA against the framework of state formation and the local community’s political interaction with central government. The questions have often revolved around whether peasants were or were not able to exert influence on the state’s decision-making processes through their petitions. These perspectives on petitioning have engendered invaluable insights about ordinary people’s communication with the authorities and how emerging early modern states were formed both from above and below. However, one consequence of setting regional petitioning in these contexts is that a crucial element for understanding why people made themselves heard through it has been underemphasised. For while regional petitioners asked the state for help, they most often directed the demand itself to another person or group. In this way, regional petitioning was more similar to petitioning a court than a legislative body or the mass petitioning of the nineteenth century.

The introductory case above is illuminating. It started when the leaseholder of the land (arrendator), J. E. Hörstadius, sent an application asking the GAV to ‘order [crofters] to move from their crofts on 14 March, and if they tarry, to … evict them.’ While Hörstadius’ request was an interaction with the state, it was contingent upon his existing relationship with the crofters. It was not a response to a state measure but to the crofters’ actions, and its purpose was to resolve a conflict over a resource. In other words, regional petitioning had a dual character, involving a relationship with the state and with the opposing party. A study of the role of the state, petitioner, and respondent and their mutual relationships can contribute to a fuller understanding of how and why

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4 Aronsson, Bönder gör politik, 243, 288–300; Frohnert, ‘Administration’, 189, 250–5; Jonsson, De norrländska landshövdingarna, 191; Linde, Statsmakt, 27–9, 127–32; Linde, I fädrens spår?, 10. These studies have different views on the character of this interaction and its range. State formation and state interaction have also been common frameworks for studies of other Swedish petitions, see, for example, Ailes, ‘Wars, widows’; Almbjär, Voice?, 1–5; Bergman, Makt, möten, 12, 41–2; Prytz, Familjen i kronans tjänst. Beyond Sweden there are a great many examples, including Blickle, ‘Conclusions’, 332–6; Bregnsbo, Folk skriver, 17–19; Hoyle, ‘Petitioning as popular politics’; Njåstad, ‘Conflict, state formation and literacy’; Skogen, ‘Allmugens kanal’, 15.

5 1838 Case 592: ‘[att torparna] måtte åläggas att nu instundande 14 mars från sine torp afflytta och vid treskande deruti, at de … måtte blifva skiljde.’

6 An important study that highlights this duality is Frohnert’s investigation of the GA as an arena for conflict management, see Frohnert, ‘Kronan’, 143–4, 163–5.
people made themselves heard through the petitioning process at a time characterised by political and economic change.\footnote{For an explanation of the term respondent, see Section 1.1.2.}

1.1 Theorising to make yourself heard through the regional petitioning process

1.1.1 Conceptualising the regional petitioning process

Petitioning is an ancient practice known worldwide, from Asia to Europe to North and South America.\footnote{Almbjär, ‘Problem with early-modern petitions’, 1013; Dantas da Cruz, ‘Introduction’, 1–4; Jones & King, ‘From Petition’, 56–7; Miller, Nation of Petitioners, 11; Heerma van Voss, ‘Introduction’, 1; Zaret, ‘Petition-and-Response’, 435–6.} By exercising their right to approach the authorities, people from paupers to elites expressed their needs and wants, trying to shape and change their lives in any and all respects, large and small. A now vast body of research using petitions has shown that these people were not simply recipients of state measures; they also influenced and negotiated – and expected to be heard.\footnote{For examples of the many from different parts of the world, see Blickle, ‘Conclusions’, 335; Carpenter, Democracy by Petition, 25; De & Travers, ‘Petitioning and Political Cultures’; Hardwick, Family business, 2; Jones & King, ‘Obligation’, 6.} However, the word petition describes a multitude of practices, some less related to one another than others. Before we can study how people made themselves heard through the regional petitioning process, it is therefore necessary to detail the specific context of which these letters were part and how the act of petitioning can be conceptualised. The following three sections treat how previous studies have defined the ‘petition’ and how I use it and related terms in the thesis, how regional petitioning can be conceptualised from a concrete description of it as a process, and finally, how such a conceptualisation contributes to our understanding of what petitioning could be.

1.1.1.1 Defining the petition?

In 2001, Lex Heerma van Voss coined the often-used definition of petitions as ‘demands for a favour, or for the redressing of an injustice, directed to some established authority.’\footnote{Heerma van Voss, ‘Introduction’, 1. In a few studies, the definition is extended further, including, for example, letters of thanks to parliamentary MPs and information provided to the central authorities by civil servants, see Haaparinne, Voice, 61–2; Maliks, Vilkår for offentlighet, 79, 156–66.} Throughout history, petitions have been made to the authorities, more or less formally, by a wide variety of people in various
constellations about a plethora of matters. As Heerma van Voss states, ‘petitions seem to be a global phenomenon, stretching back in time almost as far as writing.’ For example, individual and collective requests in courts, to noble masters, parliaments and diets, monarchs and their councils, trading companies, and administrative bodies are all described as petitions, even though the reasons for and processes of doing so could vary enormously. Of course, this is not necessarily a problem as long as one does not try to achieve an operative definition that encompasses all these demands. Nevertheless, the general character of the word ‘petition’, which includes such a variety of practices, makes comparisons over time and between different petitioning systems precarious. There is also a risk of equating the word and therefore the practices’ development with certain kinds of requests if we are not careful to describe the process of which the studied petitions are part.

Historians of German-speaking areas in particular have tried to define and distinguish different types of demands and their contexts. For example, Beat Kümin has emphasised the need for precision regarding different kinds of petitioning aims. In the case of requests in the Holy Roman Empire, he distinguished ‘petitions’ as requests by individuals or collectives for the confirmation of new political rights, from claims grounded in existing privileges, grievances presented to representative assemblies (gravamina), legal supplications and individual pleas for assistance, favours, and financial support. Andreas Würgler has described how the word ‘petition’ was not used extensively before 1800 and was then strongly connected to constitutionalism, while the older gravamina and supplik could refer to administration, justice as well as politics. He also points out that gravamina

12 Heerma van Voss, ‘Introduction’, 2. Petitions could be oral too, but it was likely quite unusual in the period studied here, see Johnsson, Vârt fredliga samhälle, 218.
14 Gustafsson, ‘Att draga till Malmö’, 79 points out that there is a tendency (in early modern Danish research) to equate petitions with petitions to the king. In research on the nineteenth century, petitioning sometimes seems to refer only to mass petitioning, or at least collective petitions. For the Danish context, Mikkelsen, ‘Denmark 1700–1849’, n. 11 describes the petition in the nineteenth century as a ‘new collective manifestation’, to be distinguished from the earlier, humble supplication. For the earlier period, however, it is sometimes implied that a petition was by definition supplicatory and humble, see, for example, Jones & King, ‘Voices from the Far North’, 87, 94; Kerber, Women of the Republic, 85.
15 See also Miller, Nation of Petitioners, 11–14.
16 Kümin’s distinctions are described in Bowie & Munck, ‘Early modern political petitioning’, 273.
referred to collective grievances submitted by the estates to representative assemblies, whereas supplications were much more heterogeneous. Studying sixteenth-century Hesse, Helmut Neuhaus proposes a distinction between supplications based on the recipient’s grace versus legal or administrative petitions. A similar division by German legal historians is between ‘supplications for favours’ (for an act of mercy or aid) and ‘supplications for justice’ (in judicial or administrative matters) connected to an extrajudicial procedure or a formalised ‘legal remedy in an ordinary court process.’

The researcher must certainly be mindful of these distinctions, not least because making yourself heard due to an enforceable legal right or a favour entails differences in the relationship between petitioner and petitioned. However, such divisions, as this thesis will show (Chapter 2), are also the product of a more recent time. Early modern petitioners and officials alike did not necessarily categorise the incoming demands so strictly. For example, contemporaries used many different words to describe requests presented to authorities. In their letters to the GAV, petitioners and respondents described them as supplications (supplik), applications (ansökning), begging letters (böneskrift), plaints (stämningsmemorial), and grievances (besvärsskrift).

The diversity of the terminology was combined with a variety of demands and petitioner constellations. Most were individual, private requests, in the sense that they only involved the petitioner and respondent. Some had a broader political scope – involving, say, an entire parish – or directly concerned political issues such as the local franchise. Therefore, firm divisions between petitions based on grace, law, or for political, legal, or economic purposes are not viable for Swedish regional petitions. Instead, as

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18 Neuhaus distinction is described in Bregnsbo, Folk skriver, 26–7.
20 For examples of emerging distinctions and nomenclatures in the late eighteenth century, see Palacios Cerezales, ‘Petitioning for empire’, 99–101; O’Connor, ‘Action at a Distance’, 207; Oddens, ‘Greatest Right’, 635. As Almbjär, Voice?, 209–12 shows in his thesis on petitions to the Swedish Diet in the Age of Liberty, what he terms patriarchal (the king’s responsibility to receive petitions from his subject as a benevolent monarch), administrative (petitions as part of a formalised administrative procedure) and judicial (petitions based in the king’s prerogative to determine legal disputes) aspects of petitioning were all present in the eighteenth century.
22 Palacios Cerezales, ‘Re-imagining Petitioning’, 489; De & Travers, ‘Petitioning and Political Cultures’, 5–6; Muller, ‘From Requête to Petition’, 660, n. 3; Oja, Kärt besvär, 6.
23 See, for example, Supplik: 1758 Case 51; 1803 Case 376; 1838 Case 528. Ansökning: 1758 Case 56; 1803 Case 80; 1838 Case 899; 1880 Case 205. Böneskrift: 1758 Case 88; 1803 Case 477; 1838 Case 592. In 1803 and 1838, the word böneskrift seemed to denote petitions to the king. Stämning: 1803 Case 632; 1838 Case 1217; 1880 Case 171. Besvärsskrift: 1758 Case 340; 1803 Case 1009; 1838 Case 883; 1880 Case 195.
Brodie Waddell has pointed out regarding petitions in Britain, there was a ‘spectrum of different types of petitionary texts, rather than stark divisions.’ A local petition could be collective and claim rights and popular support, while a printed one could be about private issues.\(^{25}\)

This contemporary practical variety and plethora of terms have led me to avoid starting with a detailed definition of the regional petition. For now it is enough to say it was a request from a person or group to the GA of Västmanland. Instead, the grounds on which petitioners made demands and how those grounds changed are empirical questions. If we can see sharper distinctions and definitions in the requests over time, it says something about the contents of the petitionary relationship between petitioner and recipient, and, ultimately, about the conditions and framework for voice. Therefore, the nature of the requests is part of what I will investigate. When choosing which requests to include, I started with the contemporary petition registers complemented by a set of selection principles.\(^{26}\)

At the same time, not having a strict definition does not preclude being clear about what I mean with specific words. At the GA of Västmanland, most requests were filed in what was called the ‘Supplication register’ in the eighteenth century and the ‘Application register’ in the nineteenth century.\(^{27}\) Therefore, and because of the empirical results to which I shall return (Chapter 2), I have endeavoured to speak of eighteenth-century requests as supplications and their nineteenth-century equivalents as applications, but to describe demands to the GA of Västmanland in general or over the whole period I use ‘petition’ and ‘petitioning’. The reasons for this are twofold. First, it is practical. I need a word to use when discussing the practice as a whole, and its general definition in the *Oxford English Dictionary* suits the primary sources I study.\(^{28}\) Second, I have set out to add new knowledge to the field of petitioning research. Avoiding the word would obscure this contribution. But, importantly, to remind the reader from time to time that these were petitions in a particular context, whose process was similar to some and more dissimilar

\(^{25}\) Waddell, ‘Was early modern England a petitioning society?’
\(^{26}\) Of cases in the petitions register, I have excluded those that did not contain a plea, such as lists from officials, orders to transport prisoners, or when a previous petitioner showed the GAV the Court of Appeal’s verdict as well as petitions that had been registered several times. Any unregistered files I found were included based on their destination (branch of the GAV), the case matter compared to what I had found in registers, its sender, and its form. For the registers and files, see Section 1.4.3.1; for the selection criteria, see Appendix 2.
\(^{27}\) By 1838, the ‘Application register’ was divided according to types of cases. By 1880, the overarching denomination ‘Application register’ had been scrapped and different registers were kept according to case matter.
\(^{28}\) *OED*, s.v. ‘petition’, definition (2) ‘A written or formal request’, and specifically (2.b) ‘a formal written request or supplication (now) *esp.* one signed by many people, appealing to an individual or group in authority (as a sovereign, legislature, administrative body, etc.) for some favour, right, or mercy, or in respect of a particular cause.’
to others, I qualify them as ‘regional’ petitions. In the following section, I will describe this context and how I conceptualise petitioning as part of a process.

1.1.1.2 A regional petitioning process connected to resources
In an article about British petitions to Parliament, Henry Miller and Richard Huzzey describe petitioning as ‘the practices associated with the drafting, signing and presentation of petitions’.29 Despite significant differences between parliamentary and regional petitions, the notion that a petition itself was contingent upon actions before and after it was handed in is relevant for both kinds of requests. I understand petitioning as a process involving all these actions, including the actions that created the need to solicit and the government authority’s (myndighetens) handling after its reception.

These actions can be described through the documents they engendered. Many regional petitions originated in an interaction between two individuals or smaller groups, often involving an enforceable contract that had not been upheld for some reason.30 Thus, one contracting party decided to hand in a petition with the necessary appended documents to the GAV in order to receive help to rectify the situation. Having arrived at the GAV, the petition was delivered to the opposing party, who was obliged to give a response with their version of events.31 The response was handed in to the GAV and, if necessary, sent on to party one for comments. When the GAV had enough information, they rendered a formal decision. Therefore, what remains in the archives for us to study are more appropriately described as petitioning cases (supplikmål) rather than petitions.32

In my conceptualisation of regional petitioning, it is an ongoing process (Fig. 1.1). First, it involved actors, illustrated by the ends of the triangle. Second, the process was based on and created relationships between the actors, represented by the arrows. In studies of how people used petitioning, the vertical, left-hand arrow between petitioner and state has interested researchers the most (Section 1.1.1.3). However, there would have been little regional petitioning without the horizontal relationship. As such, the relationship between the parties and their interactions preceding the petition was a fundamental feature of the regional petitioning process. One of this thesis’s contributions to the research on how people used petitioning is its emphasis on the importance of all these relationships for understanding this phenomenon, and, by extension, why petitioners and respondents made themselves heard.

29 Huzzey & Miller, ‘Petitions, Parliament’, 125; see also Miller, Nation of Petitioners, 181.
30 See Frohnert, ‘Administration’, 254. I shall return to the details of these interactions in Chapter 5.
31 The penalty for not responding could be a fine or automatically losing the case, depending on the period.
32 Israelsson, ‘Supplikmål’, 150. For a chronological illustration of the process, see Oja, Kärt besvär, 25.
Further concretisation of the horizontal relationship can be obtained by examining the petition’s aim. With their requests, the petitioners sought to rectify a previous interaction with the respondent, which normally involved accessing or using a material resource. For example, in the introductory example regarding eviction, the parties had a contract regulating the use of a plot of land (the resource). When the respondent failed to fulfil the contract’s obligations, the petitioner questioned their access to the land, claiming a right to evict them, and asked for the state’s help to that end. The relationship between the parties can thus be construed as one of rights and obligations relating to resources.

Rights and duties in relation to resources were integral to the vertical relationships as well. First, the petitioner used the GAV as a resource to rectify something. As Steve Hindle and others have argued for early modern law courts, subjects drew upon the crown’s ‘institutions as a resource to serve their own interests.’ However, the ability to do so was contingent on rights and obligations. Some countries regulated the right to petition in the constitution, while others based it on norms of what a good ruler was obligated to do. Conversely, the governor used the contents of petitions as a resource to gain the information he needed to fulfil his obligation to promote the region’s welfare. Second, the ability to hand in a petition and response also required

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both financial and legal resources. You had to pay fees and have access to a scribe, which possibly affected poorer people more than others. Although petitioning was formally open to all, the legal right for some to speak for themselves was not self-evident, perhaps leaving some women at a particular disadvantage (Section 1.3.2). Third, in the letters themselves, the parties used laws, rhetorical methods, and documents as resources to argue their case, both in relation the government authority and the opposing party. Here, the issue of rights and obligations was constantly present.

Since the resources required to participate in both the horizontal and vertical relationships were unequally distributed, it would likely have affected both the ability and need to make yourself heard. I will therefore delve deeper into the resources behind the need to petition, the practical and formal resources it took to contact the GAV, and how they differed between women and men of different backgrounds.

Making yourself heard through the regional petitioning process can thus be understood as participation in two intertwined relationships, one with the state and one with the other party. An answer to why women and men made themselves heard through the regional petitioning process thus requires that we examine the nature of this horizontal relationship.

1.1.1.3 The horizontal relationship extending our theoretical understanding of petitioning

By emphasising the parties’ interaction over resources as a reason for making yourself heard through the petitioning process, this thesis nuances to our theoretical understanding of what petitioning was and could be. Being such a multifaceted phenomenon, it has, of course, been studied from many perspectives, but the vertical relationship between the petitioner and the state has been of overarching interest, both in Sweden and elsewhere. As some scholars have described it, petitioning has often been studied in and from a political viewpoint. In this endeavour, researchers have understood petitioning as a form of communication and political interaction with the established authority, characterised by both negotiation and resistance, as a form of popular politics or a way to solve conflicts between state and local society. Naturally, when studying the petitioner’s influence on or resistance

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34 Sewell, *Logics of History*, 133–6. Sewell’s definition of resources, in his reformulation of Anthony Giddens’ theory of structure, as human (for example, knowledge, physical strength) and non-human (for example, objects, texts) has loosely inspired my thinking about what resources could be.


to the state, the focus has often been on petitions with a more directly political purpose, such as appeals for legislative change, matters presented by groups or communities concerning decisions from local institutions, or issues of state interest such as taxation. However, studies with a more comprehensive approach, for example, by studying all petitions handed to a particular authority, have also done so intending to learn more about the range of the petitioners’ political interactions, how they were part of popular politics, or how handling petitions had a role in state formation.

The focus on the vertical relationship between the petitioner and ruling authority has not hidden the horizontal relationship; rather, it renders it and the accompanying respondent less visible and subordinate to the vertical. For example, none of the Swedish studies that quantify petitioners and petitions in regional administrations have a corresponding quantification of respondents. Yet, respondents too interacted with and handed in requests to the government authority, because people’s original reason for petitioning was very often a conflict with other individuals or smaller groups.

That early modern petitioning on different levels was used to solve conflicts in local society has by no means gone unnoticed. However, in line with the aim of discovering more about the relationship with or political influence on the state, the focus is often collective petitioning due to conflict. I would argue that the horizontal relationship’s importance for how petitioning should be understood as a means for making yourself heard has still not been

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37 See, for example, Aronsson, Bönder gör politik, 288–300; Bowie & Munck, ‘Early modern political petitioning’, 275; Linde, Statsmak, 128–32; Linde, I fädrens spår?, 97–9.
38 Almbjär, Voice?, 18; Bregnsbo, Folk skriver; Frohnert, ‘Administration’, 250; Jonsson, De norrländska landshövdingarna, 36; Miller, Nation of Petitioners.
39 In recent state formation research, the relationship between actors has been given increased importance. For example, Linnarsson, ‘Contested customs’, uses gravamina to argue that conflicts in local society (more specifically between towns and the private company in charge of the customs service) were an important part of state formation. Linnarsson highlights how, in terms of political interaction, his case should be seen as a triangle local (the towns)-private (the company)-central (the state), rather than only on the axis central-local.
41 For example, see Palacios Cerezales, ‘Re-imagining Petitioning’, 488; Cederholm, De värjde sin rätt, 304; Gustafsson, Political Interaction, 112–19; Huzzey & Miller, ‘Petitions, Parliament’, 154; Miller, Nation of Petitioners, 181; Munck, ‘Petitions and “legitimate” engagement’, 384–6; Njästad, ‘Conflict, state formation and literacy’, 64, 67; Oddens, ‘Experience of state formation’, 7; Sandvik, ‘Norway 1750–1850’, 173–5. For three examples of studies that focus on both conflicts between collectives and individuals, see Aronsson, Bönder gör politik, 288–306; Frohnert, ‘Kronan’; Würgler, ‘Voices’. Frohnert, ‘Kronan’, 144 notes how a local conflict with larger groups, such as one or several hundreds (härad), are of a more political nature.
emphasised enough, especially not in relation to the petitioning of individuals and smaller groups. As Harald Gustafsson rightly points out, the official raison d'être for administrations in the eighteenth century was not to solve local conflicts but to carry out government orders and collect revenue.\textsuperscript{42} However, as will become evident, to solve local conflicts was how many people used it, collectively and independently.

Even though much petitioning emerged from conflicts with other individuals or smaller groups over issues that were not meant to directly affect the relationship with the state, they can still shed light on it. Petitioning, regardless of topic or constellation, entailed contact with a superior authority in an institutional setting and was therefore inherently political. As Karin Bowie and Thomas Munck note, petitions ‘often threw light on how power and authority were used throughout society. In that sense, petitioning was political, though only some petitions related to matters of policy’, and created a ‘type of participatory politics broadly defined’.\textsuperscript{43} Thus, my study builds on the research that has studied petitioning to find out more about the petitioner’s relationship to the state, but I would argue that to understand it as a means to make yourself heard more broadly, we should include the horizontal relationship between both groups and individuals in the analysis.

1.1.2 The concept of voice bridging periodisations

The period of study is the eighteenth and nineteenth centuries. It has been argued that the functions and use of petitioning changed in these two centuries. While medieval and early modern petitioning has been described by David Zaret as an instrument of state connected to paternal benevolence towards the subjects, later petitioning is related to its role in the emergence of democracy and citizenship rights.\textsuperscript{44} For example, in the introduction to a special issue of Social Science History devoted to the ‘transformation of petitioning into a vehicle for mass popular politics’, Miller states that the long nineteenth century ‘was “the century of democratization” if not democracy. This period was marked by the establishment or development of constitutional, liberal, and representative systems that provided some guarantees of the rights of

\textsuperscript{42} Gustafsson, Political Interaction, 119. Gustafsson talks specifically about Swedish administrations.
\textsuperscript{43} Bowie & Munck, ‘Early modern political petitioning’, 274. For Scotland, Alan R. MacDonald, ‘Neither inside nor outside’, 293–4 argues that the more often studied political petitions were based on practices of private petitioning and that ‘Closer study of everyday petitioning provides an important foundation from which interactions between governors and the governed can be understood.’; see also O’Connor, ‘Action at a Distance’, 205, who describes the petition as ‘a political encounter’.
citizens and subjects.' 45 Yet, while some things changed at the turn of the nineteenth century, some stayed the same. Huzzey and Miller, studying mass petitioning in nineteenth-century Britain, find that ‘few elements of … petitioning were entirely new’, although its political scope and intensity changed. Similarly, Diego Palacios Cerezales states that during the Age of Revolutions, ‘Petitioning was old and new at the same time’. 46 To examine these changes and continuities, several scholars have therefore highlighted the need to traverse the bridge between early modern and modern petitioning. 47 To study how people made themselves heard through the regional petitioning process in a way that allows for these temporal differences, I use the concept of voice.

1.1.2.1 Voice as participation based on rights and obligations situated in time

People have always needed to make themselves heard with the powers that be in order to affect and change their lives. Maria Ågren argues that legal systems’ and states’ inclusiveness played a crucial role in how people could provide for themselves.

It mattered whether legal systems were open to complaints and demands only from those with the formal power in the household or if they listened to everyone. It mattered whether legal systems ascribed the right to ownership to both genders or only to one. At issue are the relations between individuals within households and between individuals, households, and the state. It is the character of this network of relations – which could be called an early form of ‘civic inclusion’ – that can and must be examined over time and place. 48

Ågren emphasises the importance of all members of society being able to make demands on the authorities, or in other words, to participate and be heard. However, the conditions for participation have varied over time, not

46 Palacios Cerezales, ‘Petitioning for empire’, 100; Huzzey & Miller, ‘ Petitions, Parliament’, 128–9 at 128. For example, using print to communicate petitions and linking petitions with demonstrations was known in the early modern period, while the connection between petitions and the benevolence of the ruler continued to be used by Napoleon in the early nineteenth century.
least during the period studied here. For example, in the hierarchical society of early modern Sweden, making yourself heard in the Diet depended on belonging to one of the four Estates: nobles, priests, burghers or peasants. However, towards the mid eighteenth century, the privileges of corporate society were challenged, and there was an increasing focus on the individual’s rights rather than those of corporate bodies. Popular sovereignty and citizenship emerged as alternative ways to define the individual’s relationship to the state and one another. In addition, the state administration was increasingly bureaucratised over the eighteenth and nineteenth centuries, the legal system was increasingly formalised and centralised, and by the second half of the nineteenth century, large parts of the population demanded the franchise, by some perceived as more valuable than the right to petition. Thus, it is likely that the possibilities and ways people made themselves heard were different in 1750 than in 1880.

Throughout these changes, the right to participate in the regional petitioning process remained nominally open to all, regardless of gender, estate, rank, or socioeconomic status. The GAs (länsstyrelserna) did not always heed their claims; nevertheless, people could approach the state with many issues. Thus, the regional petitioning process offers a concrete example of how states and rulers have purported to listen to their subjects and allow us to study the ‘network of relations’ described by Ågren over a long time.

Thus while petitioning in the early modern period has often been studied within the frameworks of state formation and the subjects’ ability to interact with rulers, nineteenth-century petitioning is often seen as part of democratisation and representation. Yet, as I interpret it, despite their different viewpoints and goals, this research is united by its continual highlighting of petitioning as a form of societal participation, often grounded in mutual rights and obligations, which could make it possible to affect and change your situation.

The notion of participation based on rights and duties is also fundamental to having voice. The *OED* defines ‘voice’ of this kind in a way which clarifies that the ideas of participation, rights, and changing your situation are its

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building blocks. To have voice originally meant having the right or privilege of speaking or voting in a legislative assembly. Later, it has also been used to describe the right or privilege to exercise control or influence over something, the right or power to take part in the control or management of something, and the right to express a preference or opinion.\(^{52}\)

Theoretically, the concept was first developed by economist Albert O. Hirschman as a way to think about the performances of firms and consumers’ abilities to influence the quality of products. Hirschman postulated that voice, defined as ‘any attempt at all to change, rather than to escape from, an objectionable state of affairs’, worked in unison with ‘exit’, for example, buying products from someone else. Hirschman gave ‘individual or collective petition’ to the management as an example of voice.\(^{53}\) Since thesis is concerned solely with how people made themselves heard (and not its relation to exit), I will not use this complete theoretical framework. Still, like Hirschman, I see petitioning as a means to exercise and have voice in society.

Since Hirschman, voice has been applied broadly in different fields, for example, in research about labour relations and social justice.\(^{54}\) In contemporary research, voice has been connected to citizenship and democracy. For example, researching poverty and social justice in the twenty-first century, Ruth Lister defines voice as ‘the right to a say. It means being listened to and heard in democratic spaces’.\(^{55}\) Such a connection has been made in historical research as well, for example, by Florin and Kvarnström, who use voice (‘speaking for yourself’ and ‘making demands’) as a way to understand women’s negotiation for citizenship in the nineteenth and twentieth centuries.\(^{56}\)

This association with voice, democracy and citizenship might seem to preclude using it for earlier periods when governments were not democratic, and a country’s inhabitants were thought of as subjects with obligations more than citizens with rights. However, as Jack Greene has noted, ‘most states have a range of established practices through which the governed may exercise Voice’, including petitioning.\(^{57}\) In addition, I would argue that the common understanding of voice as a right or privilege to participate in order to influence enables its application for other times than the present. Although the basis for a right or privilege could vary across time and be unequally distributed in both theory and practice, having the ability to influence our lives

\(^{52}\) *OED*, s.v. ‘voice’ (definitions 3b and 10b).
\(^{53}\) Hirschman, *Exit, voice and loyalty*, 15–16, 30–1 at 30. As Hirschman himself noted, the function of voice and its manifestations within political systems had been studied before he launched his theoretical framework.
\(^{55}\) Lister, ‘Recognition and voice’, 102. For another example of the connection between voice, citizenship, and democracy, see Bifulco, ‘Citizen participation, agency and voice’.
– to have a say and be recognised for it – has, as Ågren says, always been important and necessary. Therefore, the notion of voice, defined here as participation based on rights, privileges and obligations, can be used for both historical and contemporary societies.58 However, to do so, we must take stock of what these rights and obligations were at different times, and how they related to the petitioning process.

1.1.2.2 Rights and obligations and the regional petitioning process in the eighteenth century

Rights and obligations have existed in virtually all societies, but their conceptualisation as universal and equal is relatively new.59 Their formal distribution has varied over time, as has the ability to exercise rights in practice. Early modern Sweden, especially before the mid eighteenth century, was a society of corporations, where subjects in each corporation had their place. Rights and obligations were specific, connected to the position in the collective rather than associated with the individual.60 In other words, inequality was built into the system.

Another relatively new idea is that rights must be enforceable through state laws. As the legal scholar Brian Tamanaha has argued, historical societies were characterised by legal pluralism – a diversity of legal orders, where written, enforceable laws produced by the state were only one source of rights – and instead ‘within a single system and social arena there could be different bodies of legal norms, especially of customary law.’61 Thus another source of rights and obligations in early modern Sweden that often but not necessarily was enshrined in state laws were the ideas that formed what Karin Hassan Jansson has termed ‘household culture’. These ideas, visible in the Lutheran Table of Duties (Hustavlan), set out mutual rights and obligations for people based on their position in the hierarchical order.62 In the Table of Duties, society was perceived as consisting of three spheres – the ecclesiastical (the church), the political (the government), and the economic (the household) –

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58 For an example of where Hirschman’s model including ‘voice’ has been used for a period before the nineteenth century, see Stanziani, Labor on the Fringes of Empire. In colonial historiography, the notion of voice has been used extensively, but, as I interpret it, with a slightly different meaning, in an endeavour to recover the ‘voices’, experiences and ‘historical subjectivities’ of enslaved people, see Simonsen, Slave stories, 15–17 at 17.

59 The following two sections cover a century each. This does not mean that I see the rights and obligations so described as locked into a strict periodisation, and that the turn of the eighteenth century would somehow be a shift; rather, the development of rights and obligations was gradual and spanned both centuries.

60 Hinnemo, Inför högsta instans, 18; Melkersson, Staten, ordningen, 36, 211–15; Strömberg-Back, Lagen, rätten, läran, 26–7; Ågren, Jord och gäld, 15–16.


62 Jansson, ‘Hushållskultur’, 18. For Denmark, Nina Koefoed, ‘Authorities who care’, 435–6 argues that the first part of the Danish Code of 1683 was a legal codification of Luther’s doctrine of the three estates (spheres).
which constituted the basic units within which the exercise of power was regulated. All people belonged to each sphere but had different roles in each. Some were masters (pastors, magistrates, and heads of the household) to which the rest (congregations, subjects, and household members) owed obedience and subordination. On the other hand, the masters had (among other things) an obligation to care for their subordinates and ensure their worldly and spiritual welfare. These mutual obligations could and were used by both those in superior and inferior positions, for example, in courts of law, thereby giving people grounds for their claims.

How best to understand the plurality of rights and obligations in the corporative society as a part of voice in the petitioning process? To make this more concrete, I will use an example I will return to later (Chapter 2). In the regional petitioning process, as modelled above, one can imagine rights and obligations between the state and petitioner/respondent on the one hand and between petitioner and respondent on the other. One part of the relationship between the petitioner and the GA concerns the right to petition and the basis for this right. Researchers often conceive petitioning in the medieval and early modern periods based on a reciprocal relationship between ruler and ruled. To receive supplications was an obligation integral to good rulership, where the monarch was supposed to be benevolent and merciful towards his subjects in return for loyalty, obedience, and deference. If the ruler did not meet his obligations, his legitimacy could be questioned. Hence, the obligation to receive them and the corresponding right to approach the ruler was grounded in household culture’s reciprocal and hierarchical obligations rather than in written law.

Miller describes early modern supplications – based on this reciprocal relationship – as being different from later petitioning. He argues that by the end of the eighteenth century, a right to petition emerged, which was seen as a ‘right of citizens and subjects and was enshrined in written constitutions’. However, it would be wrong to portray the rights and obligations that lay at the basis of earlier petitioning as something entirely different to petitioning in the late eighteenth and nineteenth centuries. In England, the Bill of Rights

63 Pleijel, Hustavians värld, 30–35; Stadin, Stånd och genus, 17–21.
64 Koefoed, ‘Authorities who care’, 442–3. As Koefoed points out, the duty to care could also mean a duty to punish.
66 The obligation to receive supplications extended to the monarch’s representatives. For other qualities of rulership, see Almbjär, Voice?, 43; Bregnsbo, ‘The Crisis’, 22; Zaret, ‘Petition-and-Response’, 438.
67 Marchal-Albert et al., ‘La supplication’, par. 32 (unpag.). Whiting, Women and Petitioning, 7 describes this right as more fundamental than rights in the formal, legalistic sense.
enshrined petitioning the Crown as a statutory right in 1689. In absolutist Denmark, the legislator provided a basis for petitioning the king in the law code of 1683. In Sweden, the right to turn to the monarch, government, or other authorities about a variety of issues was regulated in various laws long before the end of the eighteenth century. For example, the law code of 1734 gave creditors the right to petition the GA for debt enforcement. In this issue, petitioning was not dependent upon the monarch’s benevolence but constituted an explicit legal right based on written state laws. Thus, we can see how several sources gave early modern people the right to petition. It derived from the hierarchical relationship between ruler and ruled and from constitutions as well as from specific statutes regulating certain issues.

One can also imagine such a plurality of rights and obligations in other parts of the petitioning process. For example, based on Lindström and Jansson’s findings about the use of notions of household culture in legal argument, as well as my own studies of the use of the language of poverty in petitions, several sources of rights and obligations likely affected how petitioners and respondents positioned themselves in relation to the governor as well as how they chose to argue more broadly. Therefore, an important part of investigating voice is to see how the state, petitioners, and respondents constructed the petitionary relationship (the right of the petitioner to petition and the obligation to receive it), and how people argued in relation to themselves and the opposing party. And, importantly, how it changed over time.

1.1.2.3 Rights and obligations and the regional petitioning process in the nineteenth century

In the two centuries studied here, several changes occurred that affected conceptualisations of rights and obligations. First, on the level of the legal system, the period saw the effects of what in scholarship has been termed the judicial revolution (judiciella revolutionen), a process that started in the centuries before. With the instituting of higher courts that could control the decisions of the lower, local ones came professionalisation of the legal profession and a greater emphasis on written evidence and written state law.

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69 Poole, ‘Petitioners and Rebels’, 554.
70 Munck, ‘Petitions and “legitimate” engagement’, 380.
71 Sweden’s fundamental laws (grundlagar) took for granted that people would turn to the authorities with different complaints, see the constitution of 1634, art. 57 (1634 års regeringsform), in Hildebrand, Sveriges regeringsformer, 37, and the constitution of 1720, art. 20, in Hildebrand, Sveriges regeringsformer, 97–8. In the Diet Act (Riksdagsordning) of 1723, the right to hand in petitions to the Diet was constitutionally enshrined, see Almbjär, Voice?, 78.
73 Israelsson, ‘“That Your Grace Would Help”’; Lindström & Jansson, ‘Pigan i fadersväldet’.
In addition, over the nineteenth century, the way laws were written and applied changed. Carl-Johan Gadd has argued that earlier legislation was made deliberately unclear and open to conflicting interpretations due to varied regional needs. When the central government’s knowledge of local conditions was limited, laws needed to be open for different applications depending on the particular situation. After 1800, legislation became more comprehensive and exact and local customs were increasingly codified. But the view of what constituted law changed too. As Tamanaha notes, the legal pluralism in Western European states was reduced as the emergence and development of state law eroded customary norms and religious law:

The key characteristic they lost over time was their former, equal standing and autonomous legal status. Once considered independently applicable bodies of law, owing to the takeover of state law they rather became norms, still socially influential, but now carrying a different status from that of official state law.

The legal changes were directly connected to a broader transformation where the corporative elements of Swedish society lost influence, and rights became more associated with the individual. Strömberg-Back describes one such connection, noting, like Tamanaha, that in a society based on individual rather than corporate rights, rights in the sense of something legally binding are increasingly separated from what is morally binding, the former being more connected to power. The change from a society of corporations towards one where rights and obligations were individual has been described as a gradual process from people being subjects to becoming citizens.

How were these changes connected to petitioning as a means for voice? For Sweden, research that systematically examines nineteenth-century petitioning is scarce (Section 1.3.1). In other countries, the development of petitioning in the nineteenth century has been studied more, and petitioning’s role in the emergence of citizenship has been highlighted. However, the petitions these researchers have examined are mass political petitions directed at central government, often appealing to public opinion, and ‘Underpinning this activity was a novel assumption … petitioning as a right of citizens who invoked other universal rights in support of contentious claims.’

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75 Gadd, ‘Varför är äldre näringslagstiftning så oklar?’, 97–100; Ighe, Ifaderns ställe, 106–107, 125.
76 Tamanaha, ‘Understanding Legal Pluralism’, 381. For an increasing importance of statutory law in the early modern period, see Vermeesch, ‘Reflections’, 60.
77 Strömberg-Back, Lagen, rätten, läran, 32.
80 Zaret, ‘Petition-and-Response’, 443. In contrast to Zaret, Miller, Nation of Petitioners, 9, 105–106, 278–9 has recently argued that subjecthood continued to be an important basis for petitioning in the nineteenth century, toning down its connection to citizenship.
However, the early modern period was characterised by many different kinds of petitioning (Section 1.1.1.1). Some we know developed into the practice of mass petitioning, but others did not. Huzzey and Miller have argued that what they term ‘personal petitions’, such as requests for alms or clemency at the local level, ‘gradually gave way to the letter and preprinted application form’ in the nineteenth century.81 Continuing on from the statement that mass petitioning was grounded in the right of citizens, Zaret offers us another possibility for how petitions could have developed. He notes how the closest analogy to the early modern mode of grievance ‘would be the standing that gives plaintiffs access to redress in a pleading before a court.’82 In other words, the diversity of petitioning in the seventeenth and eighteenth centuries likely endured in the nineteenth, but with another terminology.

These differences in petitionary modes do not preclude that other types of petitioning than mass petitions could also be conceived of as grounded in emerging citizenship rights, especially since this has been one way to describe the societal changes of the nineteenth century more broadly. In this context, I find it helpful to use T. H. Marshall’s conceptualisation of citizenship because it highlights its many different aspects. In the 1950s, Marshall argued that citizenship consisted of three parts: civil, political, and social.83 He defined the political element as the right to exercise political power connected to Parliament and local government councils. The social aspect ranged from the right to economic welfare to the right to share the social heritage of society, primarily related to the educational system and social services. The civil part of citizenship, which Marshall argued developed first of the three, was composed of the rights necessary for individual freedom: liberty of the person, freedom of speech, thought and faith; the right to own property and conclude valid contracts; and the right to justice. He defined the right to justice as the right to defend and assert all one’s rights on equal terms and by due process of the law.84 In this manner, petitioning in the nineteenth century can be connected to different features of citizenship: mass petitioning to the political, petitioning similar to court proceedings to the civil, and applications for, for example, poor relief to social citizenship.85

Marshall has been heavily and justifiably criticised for his citizenship analysis. The criticisms centre on two main flaws related to his arguments rather than the division itself. First, scholars have faulted his strict, linear

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84 Marshall & Bottomore, Citizenship, 8, 21–2, 27 at 27 who was aware that this was not the case in practice and that the legal powers provided by civil rights were ‘drastically curtailed by class prejudice and lack of economic opportunity.’
85 Of course, the same form of petitioning could have pertained to more than one area of citizenship. For example, from 1817, paupers could appeal the decision of the parish councils in matters of poor relief to the GA, whereby it acted as a court of appeal. Here, the case matter pertains more to social citizenship whereas the act of appealing pertains to civil citizenship.
chronology for how those parts developed: civil rights emerged in the eighteenth century, political in the nineteenth and social in the twentieth. Second, Marshall described the progression of these aspects as universal, but gender scholars have shown that it was only applicable to white Western European men. Yet, scholars repeat that the division of citizenship itself continues to be highly relevant, despite its rigidity.

I too find his division helpful, as long as one keeps in mind that the different parts of citizenship can overlap and are intertwined. I particularly like that his conceptualisation clarifies that all three components, and not only political citizenship, enabled people to engage with and make claims on the state. Katie Jarvis has argued for something similar in her study of the Dames des Halles during the French Revolution. She concludes that the market women envisioned their citizenship not upon the ability to vote but upon their socioeconomic relationships of everyday life – on their useful work – and she defines this as economic citizenship, or how ‘an individual’s economic activities (such as buying goods, selling food or paying taxes) position him/her within the collective social body and enable him/her to make claims on the state.’

Finally, even though the transitions described in this section did occur, it does not mean that they were self-evident or linear, going directly from a society shaped by rights and obligations as a subject in corporations to those of an individual citizen with supposedly universal rights, based on written state law. Instead, their impact might very well have varied depending on several factors, such as the administrative level the petition was handed in to, who handed it in, and what it was about.

Thus voice in the petitioning process is construed here as participation based on rights and obligations related to resources and resource use, with the addition that their bases and scope could and did vary over time. By studying what rights and obligations the petitioner and respondent highlighted and defended, in relation to each other and to the governor, it is possible to see which grounds for making yourself heard disappeared and which appeared, drawing conclusions about the conditions for this form of voice over time. In that way, the concept can be used to bridge the divide between different times in Sweden’s petitioning history.

87 Jarvis, Politics, 4, 7–8, on 8.
88 For taking delivery of petitions, see Aronsson, Regionernas roll, 39.
1.2 Research questions and thesis outline

Armed with a theoretical model of the regional petitioning process and a conceptualisation of voice, I have arrived at four clusters of research questions, further specified in operationalising questions. The first two focus on the vertical relationship between the actors, and together form the first empirical part of the thesis; the last two on the horizontal relationship between petitioner and respondent. Since the studied period is long, one overarching theme concerns all questions, namely change over time.

1. How was the GAV’s petitionary relationship with the applicants and respondents viewed and constructed?
   a. How did the legislator and governor frame the obligation to receive petitions and the handling of petitions? Who accepted and handled petitions?
   b. How did the GAV’s obligation to receive petitions interplay with the cases people handed in? How was the practice of petitioning and responding framed by the parties? Who did they want help from, and how did they position themselves as petitioners and respondents?

Chapter 2 will answer these questions with the aim to understand the framework for voice and how it changed over time.

2. How was participation in the regional petitioning process connected to practical and formal restrictions?
   a. What obstacles did petitioners and respondents face? What resources did women and men need to hand in their requests?
   b. How were these resources connected to people’s positions?
   c. How did women’s and men’s participation in the petitioning process differ?
   d. Who were the women who petitioned and responded in terms of marital status and household position?
   e. What did women’s participation look like? Did they speak for themselves or through someone else?

These issues will be dealt with in Chapters 3 and 4 to see how people’s ability to have voice through the petitioning process was connected to gender and socioeconomic status.

3. Why did men and women participate in the regional petitioning process?
   a. What resource transactions lay behind contact with the GAV?
b. Did different groups (men or women, socioeconomic groups) petition about different resources, and if so in what ways?

Chapter 5 will analyse these questions quantitatively, with further detail on the content of the petitioning cases in Chapters 6–8, to see how access to and interaction over different resources shaped the need to petition, connected to the second overarching purpose of the thesis. I also wish to understand the role of gender and socioeconomic status in people’s need to make themselves heard.

4. When petitioners and respondents participated in the regional petitioning process, how did they justify their claims?
   a. What were the principal arguments used to gain a positive response at the GAV (language, documents)?
   b. What rights and obligations did the petitioners and respondents highlight regarding the resource in question?

This is the topic of Chapters 6–8, which address petitioning about the resources credit, land and working roles respectively to understand how people made themselves heard through their arguments and to what extent argumentation was affected by the resources in question, people’s positions, and the law.

1.3 Previous research on making yourself heard through the petitioning process

My theme is how and why people made themselves heard, which is something they have always done in different arenas. I have chosen to narrow down my investigation to one such way, through petitioning and responding to a regional authority. Over the past thirty years, the number of studies of historical petitioning in different parts of the world has steadily increased to the point where its historiography, as Bradley J. Dixon points out, is vast. Swedish research on petitioning has studied it to understand more about women’s and men’s interaction with and influence on the state. They have also been studied as a means to gauge different identity formations, see, for example, Gustafsson, ‘Att draga till Malmö’, and to learn more about specific issues treated in the petitions, see, for example, Florén, Disciplinering och konflikt, ch. 7; Liljewall, Mig själv
know that people in seventeenth- and eighteenth-century Sweden made frequent use of petitioning channels on all levels of administration, although everyone did not participate equally.\(^{92}\) And they often did so on individual, local, private or economic issues.\(^{93}\) Yet, there remain some parts of the petitioning process where our knowledge is quite limited, parts that are essential to understanding voice. These can be summarised in three points:

1. How the decision to make yourself heard was connected to the underlying management of resources. In terms of my model (Section 1.1.1.2) we need to know more about the nature of the horizontal relationship between the parties and what led people to make themselves heard.

2. How this form of voice developed over the nineteenth century, a time when the conditions for making yourself heard changed. In other words, we lack knowledge of the process as a whole for certain periods.

3. The ways in which resource-poor or legally disadvantaged groups managed or did not manage to use it. We know there were significant practical and formal impediments to making yourself heard through the regional petitioning process. These were likely to affect labouring people and women especially, yet we know little of their impact. Thus, certain aspects of the vertical relationship between the state and parties remain to be studied.

The first point is of theoretical importance to how we conceptualise what regional petitioning was and why people did it. Thus, its relation to previous research was dealt with in my theoretical discussion (Section 1.1.1.3). The second and third points and how this thesis can add to them follow below.

### 1.3.1 A changing form of voice? Swedish regional petitioning in the nineteenth century

In Sweden, most research on how people made themselves heard through petitioning is set before the nineteenth century, with a few exceptions. For

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och mitt gods förvalta; Ling, Konsten. For an overview of research on a closely related form of communication, gravamina to the Diet, see Almbjär, ‘Grävandet efter demokratins rötter’, 32. \(^{92}\) For examples of different levels and authorities, see Almbjär, *Voice?*; Jonsson, *De norrländska landshövdingarna*; Ling, *Konsten*.

example, Elin Hinnemo has studied women’s applications to the highest Swedish court between 1760 and 1860 to examine their legal scope for action.94 Ann Grönhammar has examined supplications to the monarch from Norwegian and Swedish subjects during the union (1814–1905), showing that it remained a popular way to interact with kings and queens.95 For the regional level, Peter Aronsson has studied applications and appeals to a GA to examine the relationships between the authority and local society (parishes, groups, or individuals), where its role in conflicts between different groups and individuals is highlighted.96

For other types of petitions, we have snapshots in the Swedish scholarly literature. For example, the use of mass petitions turns up in studies of suffrage and other popular movements and debates.97 This area is also where we find much nineteenth-century petitioning research in other countries, examining the development of mass petitions as a vehicle for popular political participation. To varying degrees, these petitions are held to be different to their early modern counterparts, representing a new form of political participation.98 It would seem the development of other kinds of petitioning have been less studied. In his recent book, Miller examines the development of other petitions at the British national level, highlighting how ‘private’ petitions to the parliament became increasingly transferred to specialised judicial and administrative authorities.99 As seen, local petitions may indeed have been supplanted by other genres such as letters and preprinted forms, although the pace of change seems to have varied depending on geographical area and type of petition.100

Clearly, people in Sweden and elsewhere continued to contact authorities on different levels on issues of both personal and public importance in the nineteenth century. However, since we also have indications of changed ways

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94 Hinnemo, Inför högsta instans; see also Liljewall, Mig själv och mitt gods förvalta.
95 Grönhammar, ‘Folkets böner’.
96 Aronsson, Bönder gör politik, 288–305; see also Nilsson, ‘Svensk fattigvårdslagstiftning’, 37–43 for appeals about poor relief to a few GAs; and Olofsson, Till ömssesidig nytta, 185–8 for debt cases at the GA of Jämtland. Johnsson, Vårt fredliga samhälle, has used different applications and appeals to the GA, particularly from and against labouring people, to study ‘vagrancy’.
97 See, for example, Christensen, Bönder och herrar, 121–5; Florin, ‘Visioner, rörelser och rösträtt’; Harvard, En helig allmännelig opinion, 105–12; Svanström, ‘Ellen Bergman’, 91–5. For one example where petitions of a more individual kind are used, see Peterson, ‘Sotaränkors överlevnadsstrategier’.
98 For recent examples from different countries in what is a growing field of research, see Palacios Cerezales, ‘Re-imagining Petitioning’; ; Palacios Cerezales, ‘Petitioning for empire’; Huzzey & Miller, ‘Petitions, Parliament’; Karpantschhof, ‘Denmark 1850–1920’; Karpantschhof & Mikkelsen ‘Petitioner, addresser og demokrati’; Miller, Nation of Petitioners; Nørgaard, ‘Speaking through Petitions’.
99 Miller, Nation of Petitioners, 72–102.
100 Huzzey & Miller, ‘Politics of Petitioning’, 240; Jones & King, ‘From Petition’. In contrast, in Scotland the petitionary form remained longer, see Jones & King, ‘Voices from the Far North’, 87–8; see also Houston, Peasant Petitions, 82.
of doing so, it is by no means certain that what we know of how people used the regional petitioning process in previous centuries can be applied to later times. As well as broader societal changes (Section 1.1.2.3), the nineteenth century also saw more specific developments, and not least the introduction of new laws, which were essential for people’s voice in relation to resources. For example, from the mid nineteenth century, unmarried and married women were increasingly legally allowed to manage their own property and trade was liberalised. In 1879, a new enforcement law came into force, changing the GA’s jurisdiction in their quantitatively commonest cases: debt cases (Chapter 2). Indeed, the few studies of nineteenth-century regional petitioning indicate that the reasons for turning to the GAs partly changed and, importantly, that petitioning grew even more prolific.101

It is also likely that the nineteenth century saw transformations in the arguments parties used when making themselves heard. Research has shown that references to law were used broadly by various people in the early modern period, but they also used a broad palette of other arguments based on custom, justice, loyalty, hardship and distress, poverty, work, and submission and deference in exchange for protection.102 In a society with increased emphasis on state law and where the ideas of household culture lost influence, some of these arguments ought to have lost their validity, although it likely differed between countries, the identity of the petitioner and receiving authority. For example, in their studies of petitions in seventeenth-century England and eighteenth-century North American colonies, respectively, Amanda Whiting and Jacqueline Beatty have identified an emerging emphasis on individual rights.103 For Sweden, Elin Hinnemo has identified that over the nineteenth century, boundaries emerged between what was legally regulated and what was not, which led to previously acknowledged arguments being seen as less valid.104

Those lacunae in our knowledge, together with the fact that we have every reason to believe that petitioning changed in terms of who needed to, what people wanted help with, and how they argued, are the main reasons why this thesis covers the second half of the eighteenth century to the late nineteenth century.

103 Beatty, In Dependence, ch. 7; Whiting, Women and Petitioning, 13–14.
104 Hinnemo, Inför högsta instans, 204–209.
1.3.2 Everyone’s voice? Gender, marital status, and socioeconomic status in the petitioning process

The opportunity to petition state authorities has been highlighted as a form of empowerment for ordinary people – a way to change circumstances in their lives. As Peter Blickle has said:

The right to voice a grievance and to receive an answer belonged to the juridical culture of Old Europe and gave the subjects a political power which should not be underestimated. This right was never contested in theory, and in practice it was enforced again and again in the face of opposition and obstacles.105

The possibility has been emphasised as particularly important for groups with less political power, who lacked parliamentary representation or did not have the franchise.106 Researchers have shown that enslaved women and men, free people of colour in colonial areas, indigenous people, landless workers, and servants used petitions to complain and negotiate their rights.107 Despite differences in legal status, women of different backgrounds turned to the authorities, individually and collectively.108 Thus, as Huzzey and Miller note, for British parliamentary petitions in the late eighteenth century, people could petition without formal impediments based on ‘gender, race, class, property ownership, literacy or the franchise.’109 However, they also emphasize that in practice not all subjects had equal opportunities to petition.110 We must therefore be careful not to exaggerate the empowering qualities of petitioning for these diverse groups. It was not self-evident for contemporaries for everyone to be encompassed by the right to petition. For example, in his study of such a debate in the Netherlands (1750–1830), Oddens shows that the right for servants, children, the deserving poor, women, and illiterate commoners to

105 Blickle, ‘Conclusions’, 335.
106 Blackhawk et al., ‘Congressional representation’, 1–2; Epstein & Fuchs, ‘Introduction’, 5; McKinley, ‘Petitioning’, 1547; Miller, Nation of Petitioners, 66, 112–15; Muller, ‘From Requête to Petition’, 682–3. Court systems have also been emphasised as important venues, see Premo, Enlightenment on Trial, 3. For England, Whiting Women and Petitioning, 44–5 notes how proceedings in equity courts initiated by petition were easier for women to access, compared to the more restrictive court proceedings initiated by common law writ.
107 See, for example, Ailes, ‘Wars, widows’; Aronsson, Bönder gör politik, 294–7; Blackhawk et al., ‘Congressional representation’, 4, 14–18; Nilsson Hammar & Norrhem, ‘Servants as Creditors’; Jones & King, ‘Voices from the Far North’; Laskaris, ‘‘Thousands Now Unhappy’’; O’Brien, Petitioning for land; Pålsson, Our Side of the Water, 156–61; Turner, ‘11 o’clock flog’.
submit political petitions was contested. In the end, the constitution of 1798 confirmed petitioning rights on all inhabitants except children.\footnote{Oddens, ‘Greatest Right’, 641–3. For similar discussions in revolutionary France, see O’Connor, ‘Action at a Distance’, 205–10. In 1837, slaves in the US were explicitly denied the right to petition, see Miller, ‘Introduction’, 418.}

We also know that the petitioning share was smaller for those groups than for others. In Sweden specifically, women have never been shown to exceed more than a third of a petitioning population, and it was often much lower (Chapter 4). In Denmark–Norway, female participation in petitioning was somewhat higher but never corresponded to half of the population.\footnote{For references, see Chapter 4.} Similarly, participation seems to have been relatively low for labouring people, though Swedish research on these women and men is scarce so we cannot be certain.\footnote{Berglund, Massans röst, 44–6. The same has been noted for the use of courts as well, see Vermeesch, ‘Social composition’, 213, 227–9. It is very possible that labouring people to a larger degree petitioned other authorities such as their noble masters. In a recent article, Nilsson Hammar & Norrhem, ‘Servants as Creditors’, analyse approximately 600 petitions from the lower strata of servants handed in to Count Magnus Gabriel De la Gardie between 1655 to 1686.}

Studies instead conclude that men of higher social status, such as officials, were overrepresented, whereas the peasantry’s petitioning varied over different regions.\footnote{For Swedish examples, see Almbjär, Voice?, 142–3, 236–7; Bregnsbo, Folk skriver, 95–103, 217; Frohnert, ‘Administration’, 253–4; Jonsson, De norrländska landshövdingarna, 225–7. Due to the lack of information in the registers, I hesitate to draw firm conclusions about the social composition of petitioners.} According to what we currently know about petitioning groups, not everyone participated equally, despite petitioning formally being open to all. Not only could varying access to resources make it problematic to hand in a petition, but it could influence your need to turn to the GAs in the first place. For example, if you were a wage worker who did not own land, the need to petition over land-related questions would not arise. Similarly, as Ann Ighe has noted, some women controlled fewer resources than men, which might have given women less need to petition.\footnote{Ighe, I faderns ställe, 14.} Some studies have found that women were particularly given to applying and suing about certain subjects, for example, immovable property, poor relief, and household matters.\footnote{See, for example, Andersson, Tingets kvinnor, 76; Kim, ‘Women’s Legal Voice’, 670; Loft, ‘Petitioning and Petitioners’, 355–6; Stretton, Women Waging Law, 98–100.} Thus, to understand women’s and men’s voice in the petitioning process, we must look at why they petitioned as well as who made themselves heard over what resource.

Based on these differences, factors such as gender and socioeconomic status seem to have had an impact on the ability to make yourself heard.\footnote{By socioeconomic I mean a person’s position in society more broadly, which I have primarily derived from titles. I use the term socioeconomic rather than social to emphasise that titles can imply both social status in terms of rank or estate and access to certain resources, see Chapter 5.} In
addition to differentiating between petitioning groups in terms of resources, I have studied this impact by investigating three limits on petitioning practices: economic and literacy-based restrictions (Chapter 3) and legal restrictions (Chapter 4). The economic restrictions pertained to the fact that petitioning came at a concrete cost and required specific knowledge. Most people who wanted to hand in a petition had to do so on stamped paper, entailing a fee. The letter also needed to be handed in to the government authority, which implied travelling some sort of distance. Finally, constructing a petition required the ability to write, knowledge of the petition genre, and familiarity with laws and other viable arguments. In other words, the petitioner needed a degree of legal literacy or had to hire someone who had. Hiring someone came at a cost and involved some loss of control over the process. At the same time, it also entailed accessing knowledge that the opposing party might lack. Therefore, varying access to resources meant that a formal right to petition could be difficult to exercise and differ depending on who you were. These impediments are sometimes highlighted as a hindrance to petitioning’s potential for empowerment. However, the actual cost of petitioning the GA and how people of different socioeconomic status managed to meet it and other obstacles remain unknown.

As to the legal restrictions, there were no direct prohibitions on certain groups to petition the GA. In his instructions, the governor’s obligation to help people encompassed all inhabitants of the region. But, given the petitioning process’s legal setting, procedural laws could restrict some, especially married and unmarried women and young men (under 21), from participating. Women and children were usually under the guardianship of their husbands and fathers, who were formally supposed to represent them in courts and other authorities. However, as I will show, exactly what the law said these guardianships entailed in a procedural setting was less than clear.

118 For details, see Chapter 3.
119 Being able to meet the cost of litigation is a basic tool in defending your civil rights, see Marshall & Bottomore, Citizenship, 9–10.
120 Linde, Statsmakt, 91.
121 The issue has been studied in relation to court litigation, see Vervaeke & Vermeesch, ‘Cost of Litigation’, who conclude that costs for the suits’ initial stages, after which many cases were settled, were roughly one month’s wages for a skilled worker. In other words, it was a sum not available to all, but still not beyond everyone’s reach.
122 IU1734, art. 1, in Styffe, Samling af instructioner, 337.
123 As I will show, there were strong similarities between the GAs and courts. Other procedural rules, for example concerning scribes, were applied. Parties sometimes called it a trial.
124 For the law, see Chapter 4. For the application of marital guardianship when contacting the authorities towards the end of the period in question, see Hellner, Hustrus förmåga, 74.
125 For a few factors that contributed to these unclarities, such as contradictions, the line between what was allowed and what was forbidden or a lacking comprehensiveness, see Hinnemo, Inför högsta instans, 19–20.
It is important to note that Swedish wives — in contrast to English ‘coverture’ — were legal subjects in their own right and could own property.\(^\text{126}\) As will be detailed in Chapter 4, guardianships for unmarried and married women were two different legal constructions (to the point where it actually becomes misleading to call the latter a guardianship). They were called förmyndarskap for unmarried women and målsmanskap for married women. The matter is complicated by the fact that the two terms were sometimes used interchangeably (in relation to unmarried women), while förmynderskap also included målsmanskap. To avoid confusion, henceforth, the word guardianship will be used to denote förmynderskap while I have chosen to retain the Swedish word målsmanskap to emphasise its difference to ‘coverture’.

Just as some people had the formal right to petition but lacked the resources to do so, some women might have lacked the legal right to represent themselves independently, but might still have been able to do so in practice. To understand how gender and marital status were connected to making yourself heard, we need to examine the different strands of legislation and their contemporary interpretations in conjunction with how women actually petitioned and responded: if married and unmarried women participated independently, together with their husbands and guardians, or if the men primarily acted for them, and whether their actions were different in various case matters. In other words, we must study the interaction between regulation and practice.

To distinguish between regulation and practice, I have been inspired by the concepts of competence and capacity used by Sogner et al. in a study of women’s litigation.\(^\text{127}\) Competence denotes what people had the legal authority to do, whereas capacity concerns what they could do in practice.\(^\text{128}\) Of course, I am not interested in every form of legal action, only in the legal rights unmarried and married women had to procedurally represent themselves and others by petitioning, and what that representation looked like, so I have narrowed the concepts down to procedural competence (what women were legally allowed to do in a procedural context) and procedural capacity (what they could do procedurally and what they were allowed to do in practice).

The connection between the legal position of married and unmarried women and their ability to act in different authorities has been studied in their

\(^{126}\) Ågren “His Estate’’, 211.

\(^{127}\) The two concepts as used by Sogner et al., ‘Women in Court’, are a more general application of those posited by legal scholar Inger Dübeck in her work on the legal position and actions of tradeswomen from the late Middle Ages to the mid nineteenth century. Dübeck, *Købekoner*, 36, 86, uses *habilitet* and *kompetence*, where *habilitet* means the ability to be legally responsible for property obligations through different contracts and *kompetence* is defined as the ability to manage different forms of property, regardless of whether such management then leads to any legal responsibility, whereas the right to act in court Dübeck calls *processhabilitet*. Dübeck’s concepts have been used in different translations and meanings, see, for example, Andersson, *Tingets kvinnor*, 55; Hinnemo, *Inför högsta instans*, 29; Sandvik, ‘Umyndige’ kvinner, 18.

\(^{128}\) Sogner et al. ‘Women in Court’, 168–9.
activities in court in the seventeenth and eighteenth centuries. This research has shown that married and, to an extent, unmarried women often had more scope for action in practice than what the law itself implied. For women handing in early modern regional petitions, set in a framework of both the governor’s benevolence and legal jurisdiction, the rules might have had even less impact. Studying petitions from noblemen and women to the Crown in the seventeenth century, Christina Prytz has even raised the possibility that, as supplicants, women needed no guardians to speak for them. In a study of tradeswomen in Stockholm, Sofia Ling finds that wives handed in petitions to the Board of Trade, seemingly without their husbands’ involvement.

At the same time, we can see the practice becoming more restricted over time. In a study of women’s legal capacity (myndighet) between 1750 and 1850, Elin Hinnemo has described how the mid nineteenth century marked the start of women’s emancipation, but it was also a century where the difference between men’s and women’s legal scope for action was at its peak. Hinnemo argues that an opposition arose between legal capacity and husbands’ målsmanskap over their wives towards the mid nineteenth century. Before that, legal capacity was situational and could be seen as on a spectrum, but now, the two notions were construed as dichotomous. Either a wife was had legal capacity (var myndig) and could act independently, or she was under målsmanskap and could not. It should be noted that Hinnemo primarily studied women’s actions outside the courtroom: their ability to manage property, their household, and their work, not their actions in relation to the authorities. While these were connected and both curtailed by the husband’s guardianship, they were still two different things and might not have followed the same development. In addition, after 1860, when Hinnemo’s study ends, several regulations were introduced that changed the scope of guardianship and målsmanskap, which might or even ought to have impacted petitioning. In 1863, unmarried women over a certain age were released from male guardianship, receiving the right always to represent themselves. In 1874, married women were officially allowed to manage some property without their husbands’ involvement.

130 Prytz, *Familjen i kronans tjänst*, 156.
132 *Myndighet* and its opposite omyndighet are normally translated to legal capacity and legal incapacity. Today it simply means the state of someone who has or has not reached age-based majority. In historical societies, it was a much more complex concept that depended upon age, gender, marital status and the specific situation at hand. As a general rule I have translated it, but to avoid any confusion with my term procedural capacity I consistently make sure to note the Swedish word and in some instances where I believe it would be confusing otherwise, I have retained the Swedish word altogether.
134 There had been calls for change long before the law was amended, see Inger, *Svensk rättshistoria*, 204–205.
Thus economic and formal restrictions to petitioning make it likely that gender, marital status, and socioeconomic status were important for men’s and women’s ability and need to make themselves heard. By studying how people handled the impediments to petitioning in practice, we can gauge just how significant they were.

1.4 Working with petitioning cases to the Governor’s Administration of Västmanland.

1.4.1 The Governor’s Administration as an arena for voice

In the eighteenth and nineteenth centuries, the GAs handled a large share of Swedish petitioning cases. They had been created in 1634–5, building upon a previous, less formal organisation consisting of noble regional administrators (ståthållare). The GA’s primary purpose was to be a link between the central state apparatus and local government officials, particularly concerning tax collection. Their work was connected to the country’s geographical and administrative division into regions (läns). The number of regions (and GAs) varied over time. For example, in the Age of Liberty (1719–1772), there were 24 regions in Sweden–Finland, but after the cession of Finland to Russia in 1809, their numbers decreased. The regions’ geographical size also varied, being smaller in the south, and vast but sparsely populated in the north.

Geographically and demographically, Västmanland was relatively small, with a population ranging from about 72 000 in 1757 to 128 500 in 1880.

Organisationally, each GA was headed by a governor, who acted as the monarch’s personal representative in the region. The governor alone constituted the government authority in the region in the sense that he had the sole right to decide all cases, even though his subordinates handled them beforehand. Until the mid nineteenth century, most governors were aristocrats and not until the twentieth century were noblemen in the minority.

As the king’s deputy, the governor was to ‘primarily keep an eye on five main areas, the judiciary, the military on land, the military at sea, regional government and taxes’.

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135 Particularly after 1680, when the Diet forbade petitioners from presenting supplications to the king before they had been treated either by the GAs or the courts, see Almbjär, *Voice?*, 47.
137 Frohnert, ‘Administration’, 211–12.
138 Statistiska centralbyrån, *Historisk statistik*, 49–50. The region with the largest population in 1757 was Örebro–Värmland with about 180 000 inhabitants, and in 1880 Malmöhus with almost 350 000 inhabitants.
140 ‘Instuction och underrättellsse, (8 Jan. 1635)’ (IU1635), art. 7, in Styffe, *Samling af instuctioner*, 193, ‘regional government’ (‘Landz Regeringen’) meaning, for example, keeping
into a county office (landskontoret) and a county secretariat (landskansliet).\footnote{Asker, \textit{I konungens stad}, 131.} They were under the charge of the county clerk (landsbokhållare) and the county secretary (landssekreterare), respectively. They prepared the errands for the governor, at times with the aid of subordinate scribes and other officials, but they had no independent right of decision. In the nineteenth century, their positions were strengthened, but the governor retained the right to decide in all cases. For example, in 1855, the county clerk and county secretary were granted the right to protest formally against decisions they disagreed with.\footnote{Sörndal, \textit{Den svenska länsstyrelsen}, 86–8, 158. After 1746, the county secretary and county clerk could jointly make decisions when the governor was absent for short periods.}

In somewhat simplified terms, the county office dealt with finances, particularly taxes. The county secretariat handled most of the correspondence and the other areas of responsibility.\footnote{Frohnert, ‘Administration’, 214–17.} In 1752, a royal letter set down the jurisdictional division between the two, and in 1855, the Governor’s instructions directly regulated their internal division of work. However, despite the formal division, the practice was not so clear-cut.\footnote{Asker, \textit{I konungens stad}, 134; Sörndal, \textit{Den svenska länsstyrelsen}, 107. Asker, \textit{I konungens stad}, 157–61 studied to what extent these two branches acted as separate expediting entities and found regional variations.} However, because the county secretariat handled most correspondence and had a broader range of tasks, it received most petitioning cases.

In the eighteenth century, the GAs were almost the only regional government authorities.\footnote{There were some courts that might be described as regional, for example special courts in some cities (hallrätter).} Consequently, they had a wide range of tasks that touched on virtually every matter of state interest. This dominance changed over time, and in the latter half of the nineteenth century, new organisations were created and tasks removed from the GAs. Olof Sörndal puts this down to better communications and innovations such as the telegraph and railways leading to less need for the GAs as a link between central government and the local authorities. However, the rapid social changes in the last part of the nineteenth century also led to the addition of more tasks at the GAs, which retained an important presence in the regions in the period studied here.\footnote{SOU 1950:28, 17; Sörndal, \textit{Den svenska länsstyrelsen}, 111, 306–307, 310–11.}

As Björn Asker notes in his study of the workings of three GAs between 1635 and 1735, these agencies have rarely been systematically studied as a whole.\footnote{Asker, \textit{I konungens stad}, 40–1.} His statement still holds, at least for the nineteenth century, where
the only larger investigation is Sörndal’s thesis from 1937, and he predominantly used sources from the central level of government.148

Research on the GAs’ receipt of petitions is more prolific, at least for the eighteenth century (Section 1.3.1). The studies are primarily quantitative, where scholars use registers to count petitions and petitioner. These investigations show that the GAs handled many petitioning cases yearly from a wide range of people, and that many errands dealt with economic issues. In the first half of the eighteenth century, evidence suggests that disputes between individuals increased and group petitions decreased. The few existing studies of the nineteenth century point to a further increase in regional petitioning.149

Thus the GAs were primary recipients of petitions to the state. They existed all over the country and were geographically closer to most people than the central authorities in Stockholm, and had a seemingly wider variety of petitioners.150 Since I want to study voice among broad layers of people, their administrative and geographical position thus make a GA an appropriate object for study.

1.4.2 Delimitations

1.4.2.1 Period of investigation and specific years

My time frame is 1758 to 1880, concentrated on four individual years: 1758, 1803, 1838 and 1880. With a long period of study and the inclusion of both the eighteenth and nineteenth centuries (Sections 1.1.1, 1.3.1), the thesis will bridge research on early modern and modern petitioning.

The start in 1758 was to a degree determined by the sources. One prerequisite for the study was to use both the remaining petitioning cases and the petitioning registers, in contrast to most previous studies that only use the registers. 1758 was the first year with a sufficient number of extant petitions and a register. In addition, I wanted the study to start before the French and American revolutions because the ideas about individual rights and citizenship that were raised explicitly at that point might have impacted how people framed their arguments and made themselves heard in the regional petitioning process. Similarly, the choice fell on 1803 because the number of extant cases compared to other years in the early the nineteenth century.

Over the nineteenth century, the scarcity of extant petitions turned into an abundance. In 1838, the study was therefore limited to incoming petitions

148 For a comprehensive study of the GAs in Finland after 1809, see Westerlund, Länsfövaltningen.
150 For example, a smaller proportion of peasants seem to have petitioned the Diet than the GAs in the eighteenth century, see Almbjär, Voice?, 218.
between March and August. Still, such a delimitation yielded more than 1,400 remaining petitioning cases in that year. Placing one year in the 1830s was partly due to previous research. In a recent thesis, Theresa Johnsson uses material from the GAV to investigate aspects of ‘vagrancy’. Her thorough examination of the GAV provides ample context to understand its business and personnel.

Having an end year that stretched beyond 1850 was imperative due to the legal and institutional changes that took place in the second half of the nineteenth century, which likely affected the possibility for different people to make themselves heard at the GAV. In addition to the changes for women (Section 1.3.2), in 1846 the guild system was abolished, in 1864 trade was opened up further, in 1862 local authority reform created new administrative bodies (kommuner), and in 1879 a new enforcement law came into force, which changed the GAs’ jurisdiction. For this reason, and the significant culling of applications between 1856 and 1878, my choice fell on 1880.

Although there were specific reasons for choosing certain years, the time scope is most important. To some extent, all years have their peculiarities and particular developments, and determining their representativeness is difficult. However, by starting in the 1750s and ending in 1880, I have been able to study regional petitioning over a long period, which saw many institutional, societal, and legal developments that may have affected how people made themselves heard.

**1.4.2.2 The region**

The choice fell on the GA of Västmanland because of the region’s own characteristics, the literature, and the availability of primary sources. Within the province of Västmanland’s borders, there were a wide variety of industries. In the south, on the edge of Lake Mälaren, the region was characterised by large estates and agriculture. There were several lakeside towns including the provincial capital, Västerås, a transport hub with intensive trade. In the north, the province changed character, and was dominated by forests, animal husbandry, and mining and dotted with ironworks. The diversity of its industry would mean equally diverse forms of livelihood, and thus a varied population with access to different resources that could lead to petitioning cases.

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151 I chose a temporal delimitation in 1838 over limiting the number of cases in all years by a systematic or random sample for three reasons: (i) different sorting mechanisms between years and between registers and archival series (Appendix 2) would have made such sampling difficult; (ii) a random or systematic sample starting in the registers would have been time-consuming because there is no easy way to find cases by way of the registers; and (iii) since I wanted as many extant petition files as possible, a random or systematic sample could at worst have been skewed towards entries in the registers without an extant case.

152 Johnsson, *Vårt fredliga samhälle*.

153 For Västmanland, see Lindström et al., ‘Platsen, tiden, människorna’.
Västmanland is also demographically interesting, given my particular interest in resource-weak groups and petitioning’s formal and economic restrictions. The number of labouring people started to increase relatively early there and had a comparatively large population from this group by the mid eighteenth century.154 The region also had a surplus of women compared to men, which could possibly impact the number of women parties.155

Furthermore, Västmanland and Västerås have been the subject of several studies relevant to the areas the GA handled. This research has been used to understand the context of the petitioning cases, even though it does not directly pertain to issues of voice. Some of these are Johnsson’s work on ‘vagrancy’, Tomas Högborg’s thesis on road maintenance (1750–1850) and Marja Erikson’s thesis about peasant credit practices (1770–1870).156 These considerations and a suitable source situation justified Västmanland as an object of study.

1.4.2.3 Groups of particular interest
I have chosen to study women and men from different backgrounds, not generally delimited to specific groups. However, the connection between petitioning and resources and my concern with the economic and legal restrictions described above have led me to concentrate on two distinct groups: labouring people (including live-in servants) and women of different socioeconomic status. For different reasons, these (in themselves very heterogeneous groups) arguably stood furthest from making themselves heard. Servants, as well as some women, were most likely to be represented by someone else, such as a husband, a father, or a master. Labouring people could be in precarious financial situations, finding participation hard to afford.

While women might seem easier to delineate, this is certainly not the case with labouring people. In Sweden, the contemporaneous term used to describe them was ‘the landless’ (obesuttna). As Jonas Lindström remarks, the English ‘labouring’ emphasises their dependence on labour, while the Swedish word highlights the lack of land. They were rarely completely landless, but the formal distinction was that they did not live on cadastral farms. In practice, the difference between peasant smallholders and labouring people could be slight.157 In the study, people with titles such as crofter (torpare), cotter (backstugusittare), soldier (soldat, ryttare), worker (arbetare, arbetskarl), and people who lived on a farm’s outfields (på ägor) have been categorised as labouring people.158 I have also chosen to include live-in servants in this group,

154 Johnsson, Vårt fredliga samhälle, 15–16, 63–4. Due to this early proletarisation, their numbers increased less than nationally in the nineteenth century.
156 Erikson, Krediter; Högborg, Ett stycke på väg; Johnsson, Vårt fredliga samhälle; see also Ågren, Gender, Work (forthcoming).
157 For the landless (obesuttna), see Lindström, ‘Labouring poor’, 408–409.
158 For the use of titles and examples of the commonest titles in this group, see Chapter 5.
although their situation differed somewhat. Unlike crofters, soldiers, and the like, these women and men belonged to the household in which they served, with whom they lived and ideally served for at least an entire year. On the other hand, they were also often landless and worked for wages.\(^{159}\) It should be noted that even though I treat them in the same group numerically, I evoke the group’s heterogeneity by highlighting specific cases where some were more present than others (see for example Chapters 7 and 8).

My particular interest in these groups means that they are analysed separately at times (for example, Section 3.2.3 and Chapter 4). It has also justified some delimitations when the source material has been too extensive for a complete analysis (Sections 2.2 and 3.1).

1.4.3 Sources and methods

1.4.3.1 Putting petitioning registers and petitioning cases together

The most important part of the method in this thesis has been to use both the petitioning registers and all the surviving petitioning cases. In this, the investigation differs methodologically from similar studies of regional petitioning, which have often been based chiefly upon registers. Using both source types enables a quantitative analysis for comparison with previous research as well as a study of how the cases were handled and how people argued for their claims.\(^{160}\)

Having two types of sources also makes it possible to calibrate the two. It has revealed some difficulties with using only registers to quantify petitioning. As scholars have noted, at the regional and local levels the registers are not always complete.\(^{161}\) For example, in 1758, I found 65 extant petitioning files that, based on their formal structure, handling, and case matter ought to have been noted in the petitions register but were not.\(^{162}\) In his study of GA registers of incoming and outgoing official letters, Asker has concluded that the GAs did not note all their contacts with their local communities, which poses a challenging source-critical issue to any quantification.\(^{163}\)


\(^{160}\) In the following, whenever I refer to a case with extant documents, I do it through the form: Year Case Number, for example 1758 Case 123. References to archive, volume and relevant documents can then be found in the source key (Appendix 3). When referring to cases that did not have extant documents, I refer to the relevant register (archival series ULA, LV, Lka I or II, B). In 1758, the first half of the year, the cases in the register were not annotated by number, only by date and parties. In 1838 and 1880, the registers referred to cases by their assigned number and the page it was annotated on, for example no. 131/378, meaning no. 131, page 378.

\(^{161}\) Aronsson, Bönder gör politik, 288–9; Frohnert, Kronans skatter, 119.

\(^{162}\) Some perhaps because the GA consisted of both the county secretariat and the county office, and only the former kept a register of supplications. For the principles for selecting which letters to include, see Appendix 2.

\(^{163}\) Asker, I konungens stad, 309, 328.
For entries where I have not found any extant file, the registers alone have provided information. These registers are rather summary, and parties’ names are not always entirely written out, which complicates identification. The petitioning files more often include such information. Similarly, the registers note groups without specifying participants, whereas the letters typically have signatures that have enabled me to individualise the groups in those instances. The petitioning cases also reveal that sometimes, the noted petitioner or respondent in the register was in fact acting on someone else’s behalf.164

By using both registers and files, I have complemented the information in the former. Unfortunately, letters have been culled or lost. In the four years in question, extant files have been found for roughly a third to half of the register entries.165 In the last two years, there seems to have been a systematic culling of cases (likely at the time) where the GAV did not render (or need to rend) a decision. In the first two years, systematic principles of culling were less evident. In a study of the provincial administration (generalguvernement) of Skåne, Erlandsson found that in 1766, the governor gave orders to cull ‘the oldest and from the last century incoming loose papers and private matters’.166 Just as private business could go unregistered, it might also have been culled more extensively. Erlandsson also found examples of letters being resent to the supplicant and not preserved in the archive.167

Over time, archivists have also sorted petitioning files differently. For 1758 and 1803 there was one primary series for files and one register for all incoming supplications, but in 1838 and 1880 the GAV was keeping application registers by case matter, rather than gathering all applications into one log. For 1838, the extant files are sorted in one series, while in 1880, they are in different archival series according to the case matter. Despite having designated series, cases can also be found elsewhere, making it challenging to locate all of them. For example, when civil servants helped people by sending in letters they were sometimes been filed in the official correspondence. To grasp the extent of this, I have leafed through the registers and series of official correspondence, where I found a few additional cases.168

The difference in the information in the registers and files and their culling and scattering, has vital implications for quantification. While the logs give an impression of an easily quantifiable body of material consisting of numbered lists, details in the documents make clear that this is not necessarily

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164 See, for example, 1758 Case 49, 75; 1803 Case 255, 664; 1838 Case 904, 1211; 1880 Case 44, 500.
165 For exact numbers, see Section 1.4.3.2.
166 The main difference between GAs and provincial administrations was that the latter also had military command of their area, see Erlandsson, Skånska generalguvernementet, 11.
167 Erlandsson, Skånska generalguvernementet, 224–5 at 224: ‘en del av de äldsta och i förra seculo inkomna lösa papper och private acter’.
168 For example, in 1803, 14 files containing 18 separate cases were found in the files for official correspondence, see 1803 Case 1015–1028.
so. It is impossible to ascertain whether the registers were complete – people registered as parties could be representatives, sometimes not all parties were recorded, and titles or full names can be missing. These problems are partially reduced by adding the information from case files, but they can never be wholly resolved because not all cases survive.

Consequently, the numbers must be handled with care and an awareness of what conclusions one can draw from them. The numbers presented here should be viewed as approximations that give a general rather than an exact idea of the number of cases, petitioners, and respondents. Slight numerical differences between the years cannot be used to draw firm conclusions about change over time, unless other sources and circumstances corroborate them. The participation of women and men is illustrative. Women were consistently underrepresented (Chapter 4), a fact aligned with previous research and unlikely to be dependent on not having found all the petitions or on yearly fluctuations. However, the exact share of women varied a little between the years, but the fluctuation was small. Here, any unfound petitions might have played a larger role. Thus it is difficult to know if an increase in the women’s share reflects an actual difference between the years or simply incomplete figures.

1.4.3.2 Collecting and processing the sources
People handed in petitions to both the county office and the county secretariat, but the latter seems to have handled the vast majority. The county office did not keep separate petition registers or separate archival series for the files in any of the years in question. Therefore, I have chosen to focus on cases received by the county secretariat.

Although I have searched for files in other series, their collection naturally focused primarily on the specific ‘petitions’ series, though their sorting necessitated searches in two consecutive years for each year under investigation. Generally, the registers were chronological (with entries by the petition’s incoming date) but the files were not: in 1758 and 1803, the files were sorted by decision date; in 1838 by when the case was ready to be resolved; and in 1880, the sorting differed depending on case type. To find as many files as possible for the four years, I searched through eight years: 1758–1759, 1803–1804, 1838–1839 and 1880–1881. After excluding cases that fell in years other than 1758, 1803, 1838 (March–August), and 1880, the

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169 At least, no such separate registers have been found. In 1838, the county office’s primary letter register (letters from authorities and private persons) contain 109 enumerated entries of applications from private persons, see Riksarkivet i Uppsala (Swedish National Archives in Uppsala) [formerly Landarkivet i Uppsala] (ULA), LV, Lka I, B 1:25, 1/273–109/287. The office received over 7 000 applications that year, see Chapter 2.

170 The sorting in 1758 and 1803 was not complete. There were files (or simple documents) without a resolution date in the volumes that were sorted according to the date when it arrived at the GAV.
total number of extant case files was 2,834. Adding the register entries for which there were no extant files, the total number of cases was 6,402 across four years.\footnote{Extant cases: 232 in 1758, 701 in 1803, 1,441 in 1838 (March–August), and 460 in 1880. Total number of cases including register entries: 547 in 1758, 1,439 in 1803, 3,412 in 1838 (March–August), and 1,004 in 1880.}

After collecting all the registers and petitioning cases, information was extracted and processed in different ways to address my four clusters of research questions, and since these methods varied, they will be described chapter by chapter. But, the basis of the thesis is a dataset for each year studied, in which several variables were registered.\footnote{The dataset can be retrieved by contacting the Department of History at Uppsala University.} Each entry in the petition registers was noted, as well as information from the extant cases when available. Some variables pertained to metadata, such as the existence of a file, the assigned register numbers, and additional sources used. Others were facts found in the register entry or case, such as the involvement of a named scribe, the parties’ genders and titles, the petitioning cost, whether the letters were written on stamped paper, and who served (delgav) the petition to the respondent. I then used the variables to create interpreted categories, such as the parties’ socioeconomic status, case types, and the resource use behind the petition.\footnote{For each variable and its interpretation, see Appendix 1.}

There were times when the information in the registers and files had to be complemented. To differentiate between parties, it was essential to establish their gender, socioeconomic status, and (at least for women) marital status. In 1838 and 1880 titles and full names were less used, and marital status was only stated for some women. To identify people and women’s marital status, I used complementary sources and nominal linking. The sources were primarily church and tax records, probate inventories, and the 1880 census. Due to the large number of people it was not possible to search systematically, except for 1880, when I could use the searchable census.

Throughout the study, a basic methodological principle has been to examine how practice (who petitioned, how the case was handled, what was actually written) related to how things were meant to work. The sources I used to find out the normative ideas were legislation about the GAs’ formal procedures and laws about the specific case matter, legal scholars’ contemporary interpretations of the law, and letter manuals about putting together petitions.

Finally, for two reasons the investigation only sparingly uses the outcomes of cases. First, my conceptualisation of voice – as participation based on rights and obligations – does not equate with getting what you want. When the cases were handed in the GAV started to process them, thus accepting the petitioners’ participation. In that way, the parties were heard, even though they did not necessarily ‘win’ the case. Of course, the study could have benefited
from analysing whether certain groups were more likely to have their cases dismissed, and for that reason I did choose to systematically locate certain outcomes from petitions by servants and workers (Section 8.4) to see whether their requests were granted and their arguments were successful, but a larger comparison with other groups was not an imperative, and would not have been justified given my time frame. The second reason for not using the GAV’s decisions more was that the majority of cases were simple applications for enforcement of debts, for which there is generally no reason to think the GAV would have dismissed them if all prerequisites were fulfilled (Chapter 6). Often, respondents admitted it or did not respond, leading to automatic default. Most cases were probably granted.

1.4.3.3 Petitions and responses as argumentative texts

I see petitioning as part of a process that spanned interactions between the parties, the creation of the petition itself, its presentation, and the GAV’s handling. To understand such a process and the actors involved, Bianca Premo has argued that it is necessary to ‘focus on the literal context – or praxis accompanying the text’, not only on the ‘legitimating narrative that the suit contains.’ This involves looking at the actual creation of the documents, issues of jurisdiction and procedure, and the letters’ genres.

Petitions and responses were very rarely (if ever) the product of one person. Writing the letters required a relatively high degree of literacy and a knowledge of the genre, procedure, and law. Many therefore enlisted the help of scribes or representatives with a mandate to represent them (Chapter 3). However, just as the petitioner or respondent might have been unable to write his letter, the writer could not write it without the background and story provided by the former. Further, there are indications that parties were actively involved in coining the arguments. For example, when the letter was read to the petitioner, they sometimes instructed the scribe to make changes. As a joint effort, it is futile to search for one particular ‘author’ (as opposed to its writer) whose perception or will the arguments represented. Regardless of their exact role in its construction, I argue the petitioner or respondent must be construed as standing behind its contents since they put their name or mark to the letter. And by handing it in and asking for a decision, they (and those who helped them) actively used those arguments in support of their claims.

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174 As an example, in the 20 first register entries of enforcement cases in 1838, nine were unresponded, six were admitted, and five handed in a response, see ULA, Lka I, B II:44, no. 1–10/3, 11–20/4.
175 Premo, ‘Before the Law’, 263–6 at 263.
176 For an example of this from the GA of Uppsala, see ULA, LV, Lka I, D IV b:19, 17331103 Olof Ersson / Thomas Kihlmark (in comments from Olof Ersson dated 9 November 1733).
177 Although these documents were collaborative efforts, for readability I refer to the petitioner in the singular.
The arguments that could be made in petitions and responses were not unlimited. The letters constituted an epistolary genre and were constructed according to contemporary rhetorical principles. In addition, cases at the GAV normally concerned issues that were regulated in law (Chapters 2 and 5). Therefore, legal prescriptions about the issues and procedure influenced what arguments were made. Here, it is essential to be aware of who the petitioner or respondent was, as not all arguments were equally available to everyone. I have assumed, however, that the arguments presented were those its creators thought were the most useful in their particular situation. Since petitioning was associated with cost and loss of time (Chapter 3), it would not make sense to present a case with ineffectual arguments.

The textual analysis of petitioning cases has been designed to capture the ways parties justified their claims when they made themselves heard. Given the purpose of the thesis, I have been particularly – but not exclusively – interested in the arguments made concerning the resources around which the case revolved, and in relating the principal arguments to the parties’ positions in terms of gender and socioeconomic status. To this end, I have read all petitioning cases I had previously categorised by resource (Chapter 5) and identified the petitioner’s claim (what they wanted) and the arguments supporting the claim. These strategies could be what was said in the letters, but also the documents the parties chose to append and cite. I then repeated the process with the respondent’s answer. By going through the petitioning cases, patterns of recurrent arguments have emerged and been categorised.

To understand these argumentative strategies, the context of the letter and case matter has been essential. In addition to knowing the letter’s construction, the GAV’s role as a petition-receiving authority, and the rules surrounding the issue, this involves insights into the rhetorical principles governing petition and response, as they determined the letters’ outline and content. For example, certain types of arguments turned up in the same place in the petition, which I argue can be explained by these rhetorical methods. However, the goal has not been to discover how these documents were rhetorically constructed. Instead, eighteenth- and nineteenth-century rhetoric – as described in epistolary manuals – has aided me in understanding the text and its construction.

An ideal petition that used classical rhetoric would contain five parts: salutatio (the titled greeting), exordium (an introductory sentence to catch the recipient’s attention), narratio (the story itself, which could be combined with argumentatio), petitio (the request), and conclusio (a final part, which could contain well wishes). In the only eighteenth-century manual in Swedish, the author Johan Biurman did not mention any rhetorical principles, but even so

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178 For a similar approach, see Sjöberg, ‘Textanalyse’, 88–92.
179 Hansson, Svensk brevskrivning, 24. For similar building blocks of petitions, see also Carpenter, Democracy by Petition, 61; Houston, Peasant Petitions, 73; Jones & King, ‘From Petition’, 57–60; Shaw, ‘Writing to the Prince’, 62; Sokoll, Essex Pauper Letters, 57; Whiting, Women and Petitioning, 141–2.
much of his manual was about writing according to them. His advice on constructing petitions focused on the narratio, argumentatio, and petitio, although he did not call them that. He wrote that supplications should start with the story of what had happened (narratione facti) followed by the contents of the law (jura in thesi) and the law’s application to the question at hand (jura in hypothesi). Finally, one drew one’s conclusions and made one’s request based on the arguments (consequentia ex praemissis).

Classical rhetoric dictated that each part of a letter (or rather speech) should have its own purpose. The seventeenth-century rhetorician Gerardus Johannes Vossius described ethos, pathos, and logos, the three types of convincing arguments. Ethos, connected primarily to the speech’s beginning, was supposed to win the receiver’s trust, and pathos, connected to the end, should affect the listener’s emotions. In addition, epistolary theory stipulated that it was essential to write simply and clearly in a manner suited to the letter’s subject and recipient. For example, the exordium ought to appeal to the recipient’s benevolence. According to Biurman, depending on the kind of letter one was writing, one could cite one’s miserable state, previous gifts or favours, or the importance of one’s cause. Nevertheless, the introduction was supposed to be short. By contrast, the end of a petition could be somewhat longer, where it was essential to exhibit a proper degree of gratitude. Consequently, when analysing these letters, the principles of rhetoric, including identifying where arguments were expressed, can help in understanding a particular phrase’s purpose.

To offer a concrete example of how arguments were raised in different parts of the letter for specific purposes, we can look at a response from a peasant called Anders Andersson in a debt case initiated by the local constable Eric Mosse in 1803. In the exordium, Anders started with a short greeting in the properly subservient tone: ‘In humble obedience to Your Excellency’s communicated order… I have graciously been allowed to humbly come before Your Grace to assure’. He continued with his narratio and argumentatio together. He had always intended to honourably fulfil his duties towards the supplicant, but unfortunately his need had made it impossible. To show he had paid back as much as he was able, he referred to the appended documents. Anders then moved on to his petitio, which like the exordium humbly positioned him in relation to the governor: ‘Yes! Your Grace would mercifully

180 Hansson, Svensk brevskrivning, 33–40 who points out that Biurman in his examples bases the disposition of a letter on dialectic and syllogism, but that it and the disposition according to classical rhetoric have the same basics.
181 Biurman, En kort och tydelig Bref-Ställare, 9–11, 60.
182 Hansson, Svensk brevskrivning, 24, 34; Vossius, Elementa rhetorica, 6.
183 Biurman, En kort och tydelig Bref-Ställare, 17–20. For similar advice from other manuals, see Hansson, Svensk brevskrivning, 36; Whiting, Women and Petitioning, 142–4.
help me, poor peasant, by giving me more time to pay my debt’. He finished with the conclusio:

Would that Your Grace could graciously consider this request, and help me … because, by God, I am not trying to keep any abundance. No Your Grace, I only request to keep what is necessary to feed myself, my wife, and children. Therefore, awaiting Your Grace’s decision, I remain in most profound humility.

In Anders’ response, the documentary evidence to prove his claims was presented in the narratio, whereas the more elaborate enunciation of his need and subservience – terming himself poor and humble, referring to his problems providing for himself and family, or invoking the governor’s grace, care, and Christian charity – appeared in the exordium, petitio, or conclusio. Knowing how each part of the letter served a different purpose can offer an explanation for this. The story and the legal arguments (expressed in the narratio and argumentatio) proved the validity of a particular request, in this case showing Anders’ previous payments justified having more time to pay his debt. The opening, the exordium, served to capture the recipient’s benevolence, which Anders did by emphasising his humility and subservience to the governor. The end, the conclusio, was meant to evoke emotion, which, as we shall see, petitioners and respondents like Anders could do by referring to their need or troubled situation.

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185 1803 Case 854: ‘Ja! Ederss Höga Nåde, wärdess af barmhertighet hielpa mig fattiga bonde, med bevilljande af anstånd, med denna min skulds felande’.
186 1803 Case 854: ‘Wärdess altså Ederss Höga Nåde nådgunstigt anse denna min anhollan, och hielp mig … ty wid gud det är ej öfwerflöd jag härmed söker spara, Neij Ederss Höga Nåde det är endast nödwändig föda för mig hustru och Barn hwarom jag anholler. Jag får såledess i afwacktan af Ederss Höga Nådess högrättvisa utslag den nåden att med djupaste wördnad framhärda.’ For a similar analysis of a supplications’ different parts, see Hansson, Svensk brevskrivning, 168–70.
I Voice and political ability

The death of Margta Andersdotter’s husband prompted her to hand in a supplication to the governor of Västmanland in April 1758. It read:

Noble Baron and Governor, Knight of His Majesty’s Order of the North Star. Your Grace.

At Christmas, my husband Anders Garling, a soldier in the Royal Infantry Regiment of Västmanland and Kungörs’ Company No 77… was unfortunately reported to have been shot dead, leaving me and my two poor children to heartfelt grief and loss. What is more, the owners of the soldier’scroft immediately want to force me to leave it … Therefore, I, poor and defenceless soldier’s woman, am compelled to flee to Your Grace in deepest humility and most humbly supplicate: that … I be graciously allowed the same right … to remain on the croft until next Michaelmas. Awaiting a gracious response and affirmative decision to my plea, I remain in most profound veneration until my dying breath,

Your Grace’s Most humble servant Margta Andersdotter, poor widow of the deceased soldier Anders Garling per pro E Garman.1

With its direct appeal to the governor, Margta’s petition shows how the relationship was constructed between her as supplicant and him, the recipient of petitions and representative of the king. It offers a classic example of the humble deference that framed medieval and early modern supplications.2 In the meaning of the term supplication, or in the Swedish supplik, lies the act of humble prayer.3 Cecilia Nubola has described petitioning as a part of the power relations between ruler and ruled. Loyal and obedient subjects turned to the monarch – imagined as the just and fair legislator, judge, and father of the realm – who was supposed to be mindful and protective of their well-

3 OED, s.v. ‘supplication’ (definitions 1–3); SAOB, s.v. ‘supplik’ (definition 1). Frohnert, ‘Administration’, 251. For the origins of the word ‘supplication’ and its secular and religious meanings, see Almbjär, Voice?, 5–7.
being. With these humble phrases, petitioners could remind rulers (and their representatives) of their duty to protect and provide justice.⁴

However, Margta’s letter was written in the second half of the eighteenth century, when the ideal relationship between monarch and subject was changing and even questioned. Across Europe, ideas about civic rights, popular sovereignty, the individual, and citizenship had been expressed for some time, gaining increased traction.⁵ Over the nineteenth century, that way of framing the petitionary relationship lost its validity, and even became something of a curiosity. In Swedish newspapers between at least 1851 and 1888, this short article circulated regularly:

A humble letter.

During King Oscar’s stay in Christiania in 1851, he received the following funny supplication:

To the King! I, a poor, unhappy widow, Mistress Karin Olsdotter, invoke your majesty’s grace, that he would put in a good word with our chief of police for my son Andreas, who was fired as a night guard last autumn due to inebriation. Our chief of police is as kind and good as he is strict and virtuous, but it is entirely different with your majesty, who can offer grace when he wants and place mercy above judgement.

God bless your majesty! Help me in this my prayer! Karen Olsdotter

The King and his ministers almost laughed their heads off when this strange and ludicrous letter was read to them, but Andreas was reinstated.⁶

The similarities between the two petitions are striking. They both had the essential rhetorical building blocks of an early modern supplication; they both

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invoked the recipient’s grace and position the petitioner as a poor, destitute widow; however, their different contexts – one handed to a provincial governor, the other printed as a humorous piece in a newspaper – show a profound change in perceptions of the ideal relationship between recipient and petitioner.

Margta’s supplication portrayed a relationship that had changed by the 1880s (Chapter 2), but it also displayed characteristics that did not change over time. Like many such petitioners she was aided by a local civil servant (Chapter 3). To hand in her letter, she engaged the help of Eric Garman, a bailiff (*kronobefallningsman*) or sheriff (*länsman*) from a neighbouring parish.7 Instead of making the day-long trip to Västerås herself, she had someone else retrieve her counterparty’s answer. Finally, Margta was a widow, the group of female petitioners who were the most numerous in all four years studied (Chapter 4). Like many widows, her need to petition started with the change in her circumstances that followed her husband’s death.

Therefore, while the relational framework for petitioning and responding changed, several of its practical conditions did not. In what follows, the empirical study of the framework and conditions for making yourself heard is designed to gauge people’s political ability to petition. Chapter 2 examines the nature of petitionary relationships with the governor and the GAV, followed in Chapters 3 and 4 by the practical and formal impediments which petitioners and respondents had to overcome to make themselves heard. This first part of the thesis aims to understand how the framework and conditions for voice changed over time and how that varied depending on their positions.

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7 See 1758 Case 104; ULA, LV, Lka I, B II:1, 17580316 (Isac Ekman); ArkivDigital (AD) [database], Björskog församling, A1:5, 229; Medåker församling A1:4, 171.
‘It is one thing to supplicate, another to apply’: Constructing the petitionary relationship

In 1838, Nils Wilhelm Lundequist wrote in his epistolary manual: ‘There are two kinds of applications: either its concession depends solely upon the recipient’s … discretion, or it is based on legal prescriptions … The former is called Supplications, the latter Applications.’ Twenty years later, the manual author Ludwig Westerberg repeated the distinction between supplicating and applying. Westerberg noted how a plea could be based on the addressee’s grace and kindness or upon an acquired right. ‘It is one thing to supplicate, another to apply. For a prisoner, one supplicates for the monarch’s mercy; but a deserving official considers it a right to apply for promotion.’ Westerberg went on to describe how in supplications the positioning of the sender and recipient greatly influenced the letter’s form.

About a century earlier, the manual author Johan Biurman had not differentiated between supplications and applications. He alluded to a difference between ‘pleas to noble lords and patrons’ on the one hand and ‘supplications … to high lords or a court’ on the other. Arguments should appeal to their grace and kindness in the former, while the latter should be grounded in law. Although he distinguished between arguments of grace and law, Biurman treated them as the same group of letters and sometimes used the words böneskrift and supplique as synonyms, while the two nineteenth-century authors seemed to view them as different things entirely.

Several researchers have noted this distinction between grace and rights in petitions. Looking at late medieval petitions to the English Parliament,

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2 Westerberg, Utförlig Brefställare, 142–3 at 142: ‘Annat är att bedja, annat åter att ansöka. För en fänge utbeder man sig befrielse af monarkens nåd; men en förtjent embetsman tror sig hafva rättighet att ansöka om en befordran.’ Westerberg’s distinction is somewhat unclear because it came in a section called ‘Letters containing a plea’ (Bref eller skrifwelser som innehålla en bön), while he treated applications (Ansökningar) in another section without any descriptions apart from different forms used.

Gwyllim Dodd concludes ‘The petition was an appeal to royal grace, it was not a request demanded as of right, even if the petitioner had strong grounds to expect redress.’ Zaret extends this to petitions until the end of the eighteenth century, stating how ‘Premodern petitioning as an instrument of state had no constitutional or right-based footing, but there were cross-cultural norms that established receptivity to petitioning as an obligation of rulership.’ And part of that obligation was to provide justice and grace. Recently, Simona Cerutti has criticised the often-used framework of the gracious ruler and deferential subject as the basis for early modern petitioning because it does not give sufficient credit to the complex political and administrative system of which petitioning formed part. Instead, Cerutti argues that petitioning should be understood in terms of jurisdiction or the ‘capacity to “say the law”’: rulers encouraged people to petition because that legitimised their right to say the law and gave the petitioner a corresponding right to be heard.

Others describe how arguments of grace and rights could coexist. Writing about petitions during the English Revolution, Whiting argues there was ‘a shift from the deferential tone of the traditional petitionary form of address’ to

a more explicitly oppositional discourse, based on factual assertions of popular sovereignty, natural rights and the autonomy of the individual, and demands for social and political change to give effect to those rights.

Whiting concludes that ‘within the genre of the petition, it became possible to express both the desires of the supplicant and the demands of the citizen.’ A similar development, with an emerging language of rights or entitlement, has been found in petitions in revolutionary America and early nineteenth-century Portugal, and in pauper letters in later nineteenth-century Scotland. As will become apparent, Swedish regional petitioning cases had both arguments based the ruler’s obligation to provide grace and on rights based in written law well into the nineteenth century. However, mention of grace and favour became rare and was gradually distinguished from legal arguments of rights. Further, a GA’s obligation to receive petitions, was increasingly based on the notion of legal jurisdiction rather than the ruler’s fatherly grace towards his loyal subjects.

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4 Dodd, *Justice and Grace*, 283.
6 Cerutti, ‘Suppliques’, 41–3 at 41: ‘cette capacité de “dire le droit”’.
9 Beatty, *In Dependence*, 14; Dantas da Cruz, ‘Petitionary Wave’, 255–8; Jones & King, ‘Voices from the Far North’, 87, 94, 97–8 at 87 describe it as a ‘shift away from the petitionary form’, subscribing to Sokoll’s view that a petition is in itself ‘an act of rhetorical subjection in writing’, see Sokoll, ‘Writing for relief’, 98. A letter with a language based on rights would then no longer be a petition.
The sharper distinction between supplications of grace and applications of rights indicates a profound societal shift in how people viewed and related to their rulers. It was one example of how a governor’s and GA’s relationship to petitioners and respondents changed over the period examined here. This chapter analyses this relationship, answering the first cluster of research questions (Section 1.2) to show how the conditions for voice changed over time by examining the petitionary relationship from above (Section 2.1) and below (Section 2.2).

2.1 Instructing the Governor’s Administration: The petitionary relationship from above

I will begin with how the legislator and the governor described and constructed the petitionary relationship, examining three aspects of the relationship: a GA’s obligation to receive petitioning cases; how petitioning cases were handled; and descriptions of the actor(s) who received them and of those who handed them in.

Five written instructions to Sweden’s governors (1635, 1687, 1723, 1734, 1855) set down their administrative duties, including the obligation to receive supplicants. The instructions were a mix of stipulations regarding the governors’ general areas of responsibility, detailed prescriptions for their handling of specific tasks (such as receiving petitions), and what their organisation should look like. They differed in the level of detail, outline, and stipulations about specific tasks, but they also built on one another. Due to the administration’s diverse tasks and the long time between the instructions, other ordinances also regulated the GAs’ obligation to receive specific cases. For example, some cases were removed from the GAs’ purview to the courts by regulations in 1828 and 1877. Nevertheless, the instructions formed the basis of the GAs’ work, and I have limited the analysis in this section to them. I shall return to complementary ordinances when analysing specific petitioning cases handed in to the GAV (Section 2.2.1).

While the instructions covered the legislator’s framing of the petitionary relationship, other sources can be used to see how the governor (and his aides) described it. First, he was obliged to hand in reports to the Diet about his work, including the handling of petitions, from which we can see how he described himself and his responsibilities. Second, annotations on the petitions and the

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10 For similarities and differences between the instructions, see Sörndal, *Den svenska länsstyrelsen*, 79–80, 105–107. Asker, *I konungens stad*, 128–30 argues that the similarities between the instructions have been somewhat exaggerated.

11 SFS 1828:79; SFS 1877:26. For some examples of ordinances, see Carlén, *Handbok i svenska lagfärenheten*, 488–90.
registers contain information about how cases were handled and who processed them.

### 2.1.1 An obligation increasingly based on detailed legal jurisdiction

Every governor was tasked with receiving supplicants living in his province. He represented the ruler as a supervising link between the central state apparatus and local society.\(^{12}\) The instructions of 1635 stipulated that ‘He shall first remind himself, that he is placed in the King’s stead, that he upholds and manages the government in his absence’.\(^{13}\) As the deputy ruler of his region, contemporary norms and ideas of good rulership extended to him.\(^{14}\) As historians have pointed out, one obligation of good rulership was to demonstrate receptivity to petitioning.\(^{15}\) The king was viewed as the father of his people and the guardian of law and justice and provider of grace. As such, he was obligated to hear his subjects.\(^{16}\)

A more specific description of a governor’s obligations towards the region’s inhabitants can be found in his oath of office. The oath, which was part of the instructions from 1687 to 1734 and was sworn by the governor at one of the central departments in Stockholm, connected this task to receiving supplications.\(^{17}\) In 1687, he promised to encourage the welfare and work of all inhabitants, to not inflict any harm upon them, and to protect their freedoms, rights, and privileges, and

> gladly hear them and as much as I can, help them with their matters and reasonable applications, encourage them to what is right and good, keep them in dutiful obedience, loyalty, service, and reverence towards His Royal Majesty and always uphold the sound trust that ought to exist between Ruler and Subject.\(^{18}\)

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\(^{12}\) Nilsson, *De stora krigens tid*, 16.

\(^{13}\) IU1635, art. 6, in Styffe, *Samling af instructioner*, 193: ‘Då skall han sig först och frempst påminna, att han ståår der i Konungens stad och ställe, Then Konungzlige staten i H. Maij:tz fränwahru ther oppehåller och administrerar’.

\(^{14}\) For example, Linde, *Statsmakt*, 101–109 has found that the governor presented himself as a protector of the peasantry in correspondence with his superiors in the 1710s, and that he also acted as such in the first half of the eighteenth century.


\(^{17}\) IU1687, art. 1, in Styffe, *Samling af instructioner*, 301; IU1734, art. 1, in Styffe, *Samling af instructioner*, 336.

A governor should care for, protect, and listen to the region’s people and ensure they met their responsibilities towards their ruler by doing what was right and being obedient, loyal, and deferential. This framing of a governor’s obligations towards the inhabitants and their corresponding duties to him (and by extension the king) is crucial because it explains the broader normative context in which the seventeenth-century legislators set the petitionary relationship, namely the reciprocal obligations of household culture (Section 1.1.2.2).

To grasp this wider context, we can turn to another contemporary normative source: the Table of Duties in Luther’s Small Catechism and its descriptions of the duties of subjects in the political sphere. Here, we find almost the same duties as those of presumptive petitioners: do good, obey, and submit.

Submit yourselves to every ordinance of man for the Lord’s sake, whether it be to the king as supreme, or unto governors as unto them that are sent by him for the punishment of evildoers, and for the praise of them that do well.19

The Table of Duties did not describe the duties of the powers-that-be, except that they were God’s servants. Still, other parts of Luther’s Small Catechism stated that the ruler should treat his subjects fairly, protect those who did good, and punish the wicked.20 In the instructions of 1687, these obligations on the governor’s part were explicitly enunciated and connected to hearing the king’s subjects and helping them with their petitions.

It is important to note that the phrasing of the duties of the governor and the inhabitants shows the simultaneously hierarchical and reciprocal nature of the petitionary relationship. As Hassan Jansson has argued, household culture furnished people with a ‘repertoire of roles, relations, and course of events’ and provided both the basis for authority and the foundation for subordinate people’s scope for action.21 Translated to petitioning, loyal and deferential subjects could expect the governor to receive and hear (although not necessarily grant) their requests as a part of good rulership. Thus, in the seventeenth century, receiving regional supplications was envisioned from above as part of a reciprocal relationship of obligations between ruler and ruled, or more specifically between governor (as deputy ruler) and subject.

This relationship between ruler and subject is often considered an integral basis for early modern petitioning.22 However, in the instructions of 1734, a small but important difference pointed to a coming change in the composition

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19 ECCO (Eighteenth Century Collections Online) s.v. Wachsel, The shorter catechism of Dr. Martin Luther, 59 citing 1 Peter 2:13–14.
20 Ericsson, Stora nordiska kriget, 110–11.
of the petitionary relationship between a governor and his region’s inhabitants. While still set in the context of the normative obligations between ruler and subject, we can see a greater emphasis on legal jurisdiction – a duty grounded in explicit prescriptions about the types of cases a governor and his administration were to handle.\textsuperscript{23} Just as in 1687, a governor swore to protect privileges, encourage welfare, and keep the subjects obedient. However, in relation to hearing the inhabitants, he was to ‘gladly hear them, and \textit{inasmuch as it falls to me}, help them with their matters and reasonable applications’.\textsuperscript{24} In Swedish, this change in meaning, from ‘as much as I can’, was caused by exchanging the words ‘migh tillstår’ for ‘mig tillhör’.\textsuperscript{25} I would argue that this later qualification referred to a governor’s legal jurisdiction, while the former was the obligation of a paternal, good ruler hearing out his loyal, obedient subjects.

Such an interpretation is supported by the fact that in the period in question, the governor of Västmanland adhered to the notion that he was to accept petitions within his legal jurisdiction, while using this terminology. According to the register in 1758, he denied one case because it ‘does not fall to’ the GAV and remitted another to ‘the correct’ court.\textsuperscript{26} In a letter to a district judge (\textit{häradshövding}), the governor described how an issue in a case ‘does not fall to me to judge’.\textsuperscript{27} Demands to send petitioning cases to the correct court also came from respondents.\textsuperscript{28}

It was not an overnight change, and for a long time a governors obligation to receive petitioning cases was grounded in both the principles of good rulership and legal jurisdiction. This duality is illustrated by the above-mentioned examples of applied legal jurisdiction, together with how the governor of Västmanland and his aides named the petition registers. In 1758, the governor could send cases away when he deemed them to be outside his legal jurisdiction. At the same time, the register was called the ‘Supplication register’. As we have seen, the term ‘supplication’ itself emphasised a humble prayer put to a benevolent and just king and was thus connected to the reciprocal relationship between king and subject. By contrast, in 1803 and

\textsuperscript{23} The term legal jurisdiction is normally used in relation to courts; however, I have chosen it because the boundaries between the GAs and the courts were fluid. In practice, early modern courts dealt with both administrative and judicial tasks, see Kotkas, \textit{Royal Police Ordinances}, 10. The GAs, on the other hand, were forbidden to deal with civil disputes but had judiciary rights in some instances, see Nilsson-Stjernquist, \textit{Om handräckningsutslag}, 96–7.

\textsuperscript{24} IU1734, art. 1, in Styffe, \textit{Samling af instructioner}, 337, my emphasis: ‘gierna höra, och så mycket mig tillhör, hjelpa them uti deras angelägenheter och skäliga ansöknin gar’.

\textsuperscript{25} For the differences in meaning, see \textit{SAOB}, s.v. ‘tillstå’ (definition 3b) and s.v. ‘tillhör’ (definition 4).

\textsuperscript{26} ULA, Lka I, B II:1, 17580603 (Ehrehielm): ‘wederbörlig domstohl’; ULA, LV, Lka I, 17580621 (Hellström): ‘såsom hit ej hörande’; see also ULA, LV, Lka I, B II:44, no. 68/366; ULA, LV, Lka II, B I:30, no. 79/333. For more examples of remitted cases in the eighteenth century due to legal jurisdiction, see Nilsson-Stjernquist, \textit{Om handräckningsmål}, 112–13.

\textsuperscript{27} 1758 Case 401: ‘till mitt urskiljande icke hörer’.

\textsuperscript{28} For examples, see 1758 Case 45, 95, 127, 147, 235.
1838, the registers were called the ‘Applications register’. Of course, we cannot know if the governor or his aides saw the same distinction as letter manual writers between a supplication and an application. Still, if they did, it would mean that they saw regional petitioning at that point more as a right based on legal rights and jurisdiction than based on the relationship between ruler and subject.

In the long-awaited instructions of 1855, the gradual change in how the petitionary relationship was perceived from above had become a shift. Sörndal argues that these instructions, as before, built upon previous instructions and codified subsequent changes in practice rather than introducing much that was new, apart from its organisation. However, it was a vastly different document in its description of the relationship between the GAs and petitioners, revealing a changed perception of its nature.

First, the general framework of the earlier instructions was gone. A governor’s oath was no longer included in the instructions; instead, it obliged him to swear it in front of his employees (and not in Stockholm) and send a signed copy to the Ministry of Civil Affairs (Civildepartementet). The oaths did not mention protecting the region’s inhabitants, ensuring they were loyal and subordinate or hearing them. There were no stipulations using the same ideas as those in the Table of Duties to describe the governor’s relationship with the region’s inhabitants. In other words, the legislator’s description of petitioning as grounded in the reciprocal rights and obligations of household culture had been cut. Although the oath was still a religious act, starting and ending with references to God, the descriptions of a governor’s tasks focused on legal jurisdiction. The governors in 1856 swore they would ‘fulfil all the duties that my office is charged with according to laws, ordinances, and special instructions’ and how they would obey and follow the Realm’s constitution. This loyalty to the system per se of laws and rules has been suggested as a reason why many oaths of office were abolished in the second half of the nineteenth century on.

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30 Sörndal, Den svenska länsstyrelsen, 106–107. For the creation of the instructions, see Sörndal, ‘Tillkomsten av 1855 års landshövdingeinstruktion’.
31 SFS 1855:90, art. 34.
32 Nauman, Orden kraft, 11 points out that the religious aspects of oaths are often underemphasised.
33 Riksarkivet (Swedish National Archives), Stockholm (RA), Civildepartementet 1, Huvudarkivet, E II bab:1, no. 305, Oath by Arvid Faxe, governor of Jönköping, 1856: ‘uppfylla alla de pligter, hvilka, enligt Lag och författningar, samt serskild Instruktion, mig i denna befattning nu åligga’; see also no. 347, Johan Carl Åkerhielm, governor of Örebro, 1856; no. 450, Enar Wilhelm Nordenfelt, governor of Blekinge, 1856; no. 927, Gustaf Lorens Munthe, governor of Västerbottan, 1856; no. 1142, Anders Emanuel Ros, governor of Norrbotten, 1856; no. 1387, Georg Gabriel Emil von Troil, governor of Kristianstad, 1856.
The new instructions specifically linked the receipt of petitioning cases to the GAs’ jurisdiction, stipulating that ‘The cases belonging to the GA’s jurisdiction shall be … handled’.\(^{35}\) It also regulated exactly what such cases were and in more detail. Its articles simply instructed the GAs to ‘try cases concerning’ or ‘it behoves the GA to’ followed by lists of cases it was supposed to receive or questions or disputes it was to try.\(^{36}\) In contrast, the earlier instructions framed its tasks in a supervisory fashion, not necessarily mentioning the reception of particular petitions. The instructions of 1855 still emphasised supervision, but also had the case listings the previous ones lacked.

One such example involved granting trade permits. Under the instructions of 1734, the governor was to ‘diligently make sure that no more and none other than permitted tailors and cloggers … be allowed to establish themselves in the countryside’.\(^{37}\) Consequently, presumptive parish artisans asked the GAV for trade permits.\(^{38}\) In 1845, the requirement for formal permission specifically for parish crafts was abolished.\(^{39}\) Naturally, therefore, there was no stipulation about parish artisans in the instructions of 1855, but it did have a prescription about trade permits in general, saying that it fell to the GAs to ‘receive and decide applications for establishing trade, crafts, and factories in the countryside’.\(^{40}\) Similarly, in 1734, the instructions said a governor should ‘oversee all legal enforcement’ and that he was to ‘follow laws and executive ordinances in all executive cases, criminal as well as civil.’\(^{41}\) In contrast, the instructions of 1855 were much more concrete regarding the reception of applications for enforcement as it simply said that the GAs ‘receive and decide enforcement cases.’\(^{42}\)

These more concise, detailed stipulations were not unheard of in the earlier instructions. For example, the instructions of 1734 stipulated that ‘the governor can sit in judgement over all land disputes between Crown

\(^{35}\) SFS 1855:90, art. 2: ‘De till Kongl. Maj:ts Befallningshafwandes befattning hörande ärenden skola … handläggas’.

\(^{36}\) SFS 1855:90, art. 27: ‘upptaga och pröfwa frågor’; art. 31: ‘tillhör det Kongl. Maj:ts Befallningshafwande’; see also art. 18 (7), 22 (3, 4), 26 (4, 6).

\(^{37}\) IU1734, art 18, in Styffe, Samling af instructioner, 358: ‘med all flit tilse, at icke flere och andre giärningsmän, än Skräddare och Skomakare, med des tilstånd få … nedersättia sig på landet’.

\(^{38}\) See for example 1758 Case 207 and 1803 Case 755.

\(^{39}\) SFS 1845:39, 2.

\(^{40}\) SFS 1855:90, art 31 (9): ‘upptaga och pröfwa ansöknings om handels-, handtwerks- och fabriksrörelsers idkande på landet’.

\(^{41}\) IU1734, art. 6, in Styffe, Samling af instructioner, 344: ‘om all rätts fullbordan, utmätning och execution föranstaltar Landshöfdingen’; IU1734, art. 6, in Styffe, Samling af instructioner, 346: ‘hafwandes Landshöfdingen uti alla Executions måhl, så criminele som civile att rätta sig efter Lag och Executions förordningar.’

\(^{42}\) SFS 1855:90, art. 13: ‘upptaga och pröfwa utsökningsmål.’
peasants’. But they were uncommon, appearing now and again rather than systematically.

When comparing the seventeenth- and eighteenth-century instructions and oaths to the nineteenth-century ones, the latter had a more explicit, detailed focus on legal jurisdiction. That element was also present in the instructions of 1734 but to a lesser degree. In other words, by the second half of the nineteenth century, the emphasis on legal jurisdiction as a basis for petitioning – or applying as it was called by that time – dominated, and evidence for supplicating due to the reciprocal relationship between ruler and subject was non-existent. This development will be evident in all sections of this chapter.

2.1.2 An important, personal, and tangible matter between ruler and subject

Beyond the obligation to receive petitions, how was the petitionary relationship framed in how petitions were handled? The instructions reveal it was considered an important task. In the instructions of 1635, governors were told to set aside a special room ‘where all solicitants will present themselves with their complaints’. It was also envisioned it would occupy much of a governor’s time: ‘When the governor is in town, he shall normally enter the office each day except Sunday at eight o’clock in the morning … and call in those with complaints or supplications, one after the other’. If all had not received an answer by eleven o’clock, he was to tell them to return later in the afternoon or the next day. The governor’s aides were to keep good order in matters brought to the governor’s attention, by noting the important complaints and the GA’s decisions. The importance of receiving petitions also permeated the 1734 instructions, which emphasised accessibility, careful record-keeping, and the legal reasons for decisions. A governor had to be accessible to his majesty’s subjects and help them ‘as far as possible’ by residing in his provincial capital. In enforcement cases, he was to carefully note the petitioner’s claims and arguments, and specify the laws and ordinances their decisions were based on so that the petitioners could decide whether to appeal.

45 IU1635, art. 28–9, in Styffe, *Samling af instructioner*, 207–208 at 207: ‘När Landzhöfdingen är här tillstådes, då skall han hvar Söchneda gh när klockan är Otta för middagen ordinarie komma opp i Cantzlijt … och der huar effter annan … kalla inför sigh anten dee som haffua någott att klaga eller sollicitera’.
Other sources also reveal the importance central government ascribed to supplication work. Since 1734, governors had been required to send in reports about their work in advance of each Diet.⁴⁷ In 1741, they were ordered to include a special section on petitioning cases with lists and numbers of issues addressed. The explicit reason for such a section was to ensure the governors quickly helped the solicitants to their rights. If any problems occurred, the Diet required an explanation.⁴⁸ However, the answers in these reports indicate this was not always adhered to in practice. In his statements to the Diet in 1755–1756 and 1760–1762, the governor of Västmanland, Fredric Friesendorff, did not send in registers nor indicate the number of cases.⁴⁹

From the beginning, the GAs’ creators envisioned the governor spending at least three hours a day, six days a week, handling supplications – a significant amount of his time.⁵⁰ Friesendorff himself seemed to have thought he was understaffed, indicating in his report in 1760 that more could be done with more adequate aid. The work steadily increased, but not the staff.⁵¹ The legislators knew how time-consuming it was, and had mandated governors in 1734 to restrict submission to certain days so that other official business would not suffer.⁵² The governors seem to have done this, both before and after the mandate.⁵³ In other words, receiving supplications was framed as an essential but not limitless task.

Further, in the seventeenth and eighteenth centuries, receiving regional supplications was framed as a personal and tangible relationship with suppliants. A governor was consistently referred to by his title ‘governor’ (landshövding), and it was he who should perform the office’s stipulated tasks. The solicitants came before him in person and brought (preferably written) complaints with them. For example, in 1635, he was to call in those who had complaints. In 1734, the instructions stipulated that ‘the governor shall have his residence in the customary town, … where he can hear all arriving solicitants, and … give them the help of his office’.⁵⁴

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⁴⁷ These reports were sent in regularly in the Age of Liberty, but more sporadically by the late eighteenth and early nineteenth centuries, see Utterström, Landshövdingarnas berättelser, 75–87.
⁴⁸ Frohnert, ‘Administration’, 252; Utterström, Landshövdingarnas berättelser, 70, 72, 102.
⁴⁹ RA, FU, KEKdH, R 3091, Landshövdingen i Västmanlands läns riksdagsrelation 1755, 37 (microfiche S4810 1-2/30); RA, FU, KEKdH, R 3212, Landshövdingen i Västmanlands läns riksdagsrelation 1760, 497–8 (microfiche S4817 15/36).
⁵⁰ For examples in other countries, see Zaret, ‘Petition-and-Response’, 441–2.
⁵¹ RA, FU, KEKdH, R 3212, Landshövdingen i Västmanlands läns riksdagsrelation 1760, 497–8 (microfiche S4817 15/36).
⁵² IU1734, art. 43, in Styffe, Samling af instructioner, 386.
⁵³ Erlandsson, Skänska generalguvernementet, 196, n. 5; Frohnert, ‘Administration’, 253; Linde, Statsmakt, 97.
⁵⁴ IU1635, art. 28, in Styffe, Samling af instructioner, 207; IU1734, art. 43, in Styffe, Samling af instructioner, 385–6, my emphasis: ‘Landshöfdingen skal hafwa sit hemwist och säte uti den wahnliga Staden … hwarest han alla ankommande Söllicitanter kan höra, och … wisa dem sitt Embetes handräckning’.
The governor’s reports confirmed his personal responsibility for his work. In the eighteenth century, governors consistently referred to their actions in the first person. For example, in 1755, after a discourse on why buildings and bridges should be constructed in stone rather than wood, governor Friesendorff pointed out that: ‘I have not been able to demand the building of stone enclosures’.55 For a specific example concerning petitioning, governor Friesendorff expressed hope that the King in Council would find that ‘I, with the aid of … staff’, had been able to deal with the applicants’ (rättssökandes) issues. Furthermore, in 1760, Friesendorff clearly connected governorship to the handling of petitions, when he expressed the general opinion that a governor fulfilled his office ‘if he himself, as it should be’ considered all cases.56

In practice, of course, things could be different. For the period 1635–1735, Asker found that the office of the GAs were less and less performed by the governors in person. They travelled less around their regions and were increasingly based in the provincial capitals.57 Nevertheless, in petitioning cases from 1758, we still find a relatively present governor of Västmanland. In cases where the supplicant directed their demand against someone else, the GAV would order it to be served (delges, communiceras) to that person for an explanation. In the material, 174 of the extant cases carried such an order, noted on the supplication itself, of which about half were signed by the governor himself or, for a brief period, his substitute, vice governor Johan Funck.58 Although this does not prove the governor was present in person at the petition’s presentation, it does show he was involved in not only the final decision, but also in the handling of petitioning cases. Based on these orders, which also contained a note about where it was signed, the governor received petitions when travelling in the region on at least two occasions. The governor

55 RA, FU, KEKdH, R 3091, Landshövdingen i Västmanlands läns riksdagsrelation 1755, 21 (microfiche S4810 1-2/30): ‘Stengärdesgårdar har jag … ej särdeles kunnat påyrcka’. These references in the first person were more frequent in the eighteenth-century reports, see, for example, RA, FU, KEKdH, R 3091, Landshövdingen i Västmanlands läns riksdagsrelation 1755, 21, 28, 35 (microfiche S4810 1-2/30); RA, FU, KEKdH, R 3212 Landshövdingen i Västmanlands riksdagsrelation 1760, 440, 445, 449, 476 (microfiche S4817 13-15/36); RA, Kollegiers m fl, landshövdingars, hovrätters och konsistoriers skrivelser till Kungl Maj:t, Skrivelser från landshövdingar, B22, Relation för Västerås län 1792, 11, 13, 21, 38. The report from 1806 is unpaginated and only 12 pages long but consistently written in the first person, see RA, KK, Kammarkollegiet Kansliet ca 1618–1879, E IV:5, Landshövdingeberättelse Västmanlands län.
57 Asker, I konungens stad, 228–9.
58 83 of 174 cases, see Israelsson Dataset 1758, column Who signs orders to serve?
wrote these orders himself, and they lacked a countersignature by one of his aides, making it more likely that he also received the supplications himself.59

The personal relationship a governor had with supplicants related to two different, although not mutually exclusive, factors. As we can see from the instructions’ and reports’ descriptions, eighteenth-century governors were connected personally to their office. Asker makes the same point, finding that the governor and the office seem to have been equated in the correspondence in the 1730s.60 Formally, a governor himself constituted his GA and had the sole right of decision.61 His two immediate subordinates, the county secretary and the county clerk, prepared cases for him but did not decide on them. Over the eighteenth century, their positions were strengthened by the introduction of countersignatures and, in 1746, giving them the right to represent the office together in the governor’s absence. According to Sörndal, the GA was still identified with the governor in the first half of the nineteenth century, and in the instructions of 1855 he still formally constituted the office.62

Aside from being connected to the formal organisation of the GA, the personal, tangible relationship also related to the general framework described in the previous section. Gustafsson describes a personal element in petitions to the governor-general of Skåne in the seventeenth century. He relates this element to the noble ideology analysed by Peter Englund, who describes how the nobility wanted the relationship between rulers and ruled to be personal, where the ruler was like a father, protective, mild, and forgiving. The same connection is made by researchers elsewhere well into the nineteenth century. In Napoleonic France, Palacios Cerezales notes, petitions were ‘personal communications between citizens and the emperor, allowing him to display his personal power, paternal care, and benevolence.’63 Further afield, in the introduction to a special volume about petitioning in South Asia, Rohit De and Robert Travers describe how traces of ‘an older patrimonial notion of rulership as a personal, face-to-face relationship between a just ruler and a needy supplicant’ lived on in the form and content of petitions in modern bureaucracies. In late nineteenth-century Britain, Miller also finds that the personal presentation of a petition was important for suffragists. However, he does not ascribe it to a necessary element in the relationship between ruler and subject but rather as a way to ‘publicize and rally support for the cause.’64 In the British case, the grounds for personal presentations seem to have changed

59 See 1758 Case 250, 261, 282, 334.
60 Asker, I konungens stad, 331.
61 Sörndal, Den svenska länsstyrelsen, 64–5, 84–5.
63 Palacios Cerezales, ‘Petitioning for empire, 103; Englund, Det hotade huset, 91–2; Gustafsson, ‘Att draga till Malmö’, 89.
over time. Moving forward in time, what happened to the petitionary relationship between governor and supplicants as it was described from above?

2.1.3 An important, depersonalised, and abstract matter between the administration and its cases

In the 1855 instructions, the governor of Västmanland’s reports to the Diet and the oaths of fealty, we can see a process of abstraction and depersonalisation in how the governor, his office, and the petitioners were described. The instructions offered no general framework for the petitionary relationship, neither were the personal elements of the seventeenth- and eighteenth-century instructions visible in relation to the governor or the parties. Instead, the governor was portrayed as part of and representing an abstract agency. Petitioning was still described as important, but now as something that involved trying cases rather than receiving actual supplicants and their letters in person. For example, Article 49 stipulated how ‘cases’ that came into a GA should be handled and decided with the ‘utmost speed’. However, in contrast to the previous instructions, the first steps in their handling were not to be undertaken by a governor personally, but by a county secretary or a county clerk, who were obliged to deliver their suggestions in the case (föredragning) ‘as soon as possible’.65

In petitionary practice, this change had already taken place. The governor of Västmanland was far less involved in handling petitioning cases in the nineteenth century. From putting his signature to almost half of the surviving service orders in 1758, by 1803 this number had dropped to under 10 per cent of cases and it remained low in the following years.66 Instead, his staff exclusively handled the issues until they were ready for a final decision. We also have indications that the delivery itself became rather impersonal, at least in the second half of the nineteenth century. In 1880, expense bills presented by applicants contained more postage and less travel to the GAV (Section 3.1). In 1878, an ordinance allowed the GAs to appoint a particular civil servant to aid applicants in enforcement cases to hand in their applications.67 Around this time, the government and Diet also discussed allowing people to hand in their letters by mail without attending in person or by proxy.68 In these cases, personal delivery was no longer deemed necessary.

In the instructions of 1855, the governor still constituted the GA, but the influence of the county secretary and county clerk had increased. From that

65 SFS 1855:90, art. 49: ‘mål och ärenden’; ‘med all möjlig skyndsamhet’; ‘så fort ske kan’.
66 In 1803, it was 35 of the 583 extant cases with an order to serve the petition, in 1838, 51 of 1359 cases, and in 1880, 48 of 363 cases, see Israelsson Dataset 1803, 1838, 1880, column Who signs orders to serve?
67 SFS 1878:24, art. 1.
year, they had the right to dissent to the governor’s decisions in writing. The creation of the new instructions was preceded by intense discussions about the governor’s position in the organisation. Sörndal identifies two different positions. The governors wanted to keep their power to constitute the office with the help of aides who could not oppose them. On the other side were reformists and liberals who intended to create a more formal framework for the GAs’ work and strengthen the position of the governors’ closest subordinates.69

The new instructions focused far more on the office itself than on the governor as a physical person. A governor was no longer primarily referred to as governor but consistently as his office: Kongl. Maj:ts Befallningshafvande or Konungens Befallningshafvande, literally the enforcer of the king’s orders.70 The first article of the instructions stipulated that ‘The government of each of the Realm’s regions is entrusted to a governor, as Kongl. Maj:ts Befallningshafvande, who governs with the county secretary’s and county clerk’s aid.’71 Sörndal argues that introducing this form of address indicated its creators’ wish to turn the GAs into agencies, working under more formal instructions, but that it was of little real importance.72 It is certainly possible that the new terminology meant little for the governors’ power. Still, it shows a much stronger emphasis on the office rather than the person. Together with his lessened involvement in petitioning cases, it shows a shift in how the petitionary relationship was perceived from above.

Such a change is corroborated by the fact that ‘governor’ (landshövding) in the instructions was more strongly connected to him as a physical person than the title Kungl. Maj:ts Befallningshavande was. As we have seen, the instructions of 1734 consistently referred to him as ‘governor’ in the opening of any specific article, followed by the personal pronoun ‘he’ in the rest of the article’s sentences. The nineteenth-century instructions had him as both governor and Kungl. Maj:ts Befallningshavande, but the latter was more common.73 Whenever used, Kungl. Maj:ts Befallningshavande was almost exclusively impersonal, without personal pronouns, instead repeating the title if the article contained more than one sentence.74

The few personal pronouns in the instructions of 1855 were associated with the title ‘governor’, most often in circumstances requiring him to attend in

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69 Sörndal, Den svenska länsstyrelsen, 100–101. Esping, Länsförvaltning, 13–14 notes how the personal authority of the governor decreased further in the twentieth century.
70 See, for example, SFS 1855:90, art. 7–8, 10–11, 14–15, 17–18.
72 Sörndal, Den svenska länsstyrelsen, 97.
73 In 23 of 69 articles, the title ‘governor’ was used, either on its own or as ‘Kongl. Maj:ts Befallningshavande’, while in 1734 ‘governor’ was used consistently.
74 Only in art. 8 and art. 40 was the title ‘Kongl. Maj:ts Befallningshavande’ given the personal pronoun he or him.
person. For example, Article 3 stated ‘A governor has the right to decide in all cases belonging to Kungl. Maj:ts Befallningshavande’s judgement, but he ought nonetheless to take note of the handling officials’ opinion.’ A decision from a governor required his signature and thus his attendance in person. Similarly, in Article 33: ‘When he is present, a governor has the right to be the chairperson in such committees, boards and associations, where he is obliged or entitled to participate according to his office’.

These examples show that both titles were used in conjunction with the office, but each had a different emphasis. The title governor was more tightly connected to the physical person than Kungl. Maj:ts Befallningshavande. Therefore, the increased use of the latter meant that the emphasis on the person had diminished. The governor was starting to be conceptualised as part of an impersonal office rather than his person being the office, despite this still formally being the case. Notably, Article 46 explicitly said that people could personally hand in applications ‘to Kongl. Maj:ts Befallningshafwande’. Therefore, in 1855 the office, not the person, took receipt of applications.

The governor’s reports show the same pattern. The use of the first person continued in first half of the nineteenth century, but at the same time he also referred to himself as Konungens Befallningshavande. After the 1850s, all references to the governor in the first person disappeared. Similarly, in the governors’ oaths, such a separation between person and office was visible in how they described the office. In 1734, it was called ‘my office’ (‘mig och mitt ämbete’), whereas in later oaths, it was objectified as ‘the office’ (‘i denna befattning, i detta ämbete, i tjänsten’).

A corresponding process of abstraction and depersonalisation can be seen for those asking the GA for help. In the previous instructions, petitioning was described as people who petitioned, as solicitants handing in their complaints personally, bringing their letters to the governor’s office and person. As with descriptions of a governor, there were still personal elements in the instructions of 1855. According to Article 46, the GAs were to select and announce certain days to take care of applications and complaints, ‘So that those of the region’s inhabitants who wish personally to hand in applications

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75 SFS 1855:90, art. 3: ‘Landshöfding har beslutande rätt uti alla mål och ärenden, som på Kongl. Maj:ts Befallningshafwandes afgörande ankomma; börande han likwäl inhemta wederbörande föredragandes mening.’

76 SFS 1855:90, art. 33: ‘Landshöfding äger, då han är närwarande, att vara ordförande uti sådana Direktioner, Komitéer, Kommunalstyrer och föreningar, hvurati han är pligtig eller berättigad att å Embetets wägnar deltaga’. For more examples, see ibid. art. 4–5, 12, 18, 34, 37.

77 See, for example, Kongl. Maj:ts Befallningshafwande, Fem års Berättelse för åren 1839, 22, 26; Kongl. Maj:ts Befallningshafwande, Embets-berättelse för åren 1844, 8, 37.


79 IU1734, art. 1, Styffe, Samling af instructioner, 336. For the nineteenth-century oaths, see p. 72 n. 33.
and complaints to Kongl. Maj:ts Befallningshafwande and await decisions, can be eased as much as possible’. However, Article 46 was the only one that connected petitioning to physical action. Otherwise, it did not mention petitioners, but focused on the cases the GA handled, listing the issues the GA was supposed to receive. Of course, people still handed in petitions, in person or by proxy, but the way the instructions portrayed it the solictant had become a case. In this way, it focused less on the personal element of petitioning and more on the office’s legal jurisdiction.

Thus seventeenth- and eighteenth-century instructions portrayed the relationship between governor and supplicant as one of care and protection in exchange for loyalty and obedience – values that existed widely in society. It shows how people making themselves heard was part of a broader worldview and conceptualised as a reciprocal matter between ruler and subject within household culture. Receiving petitions, or handling cases as it was called in 1855, was consistently portrayed as a vital task for the GA that took up much of its time. The governor remained the authority’s sole and final decision maker, although his subordinates’ positions became stronger. The relationship between governor and petitioner underwent significant changes, becoming less personal and more abstract. In the 1850s, it was no longer framed as a reciprocal relationship of protection and justice in exchange for loyalty and obedience; instead, the relationship was between an office and a case grounded in the GA’s legal obligation to receive and decide cases.

2.2 Addressing the Governor’s Administration: The petitionary relationship from below

The legislator’s and governor’s descriptions of the petitionary relationship changed much between 1734 and 1855. Its paternal basis grew less prominent and its legal basis more so. The same change was just as visible from below. From the petitioners’ and respondents’ letters, we can see how references to the governor’s protection or other expressions that alluded to the reciprocal relationship between ruler and subject grew less common. The more formal, deferential parts of petitions and responses became shorter over time. Eventually, people stopped asking for help from the governor and instead turned to the GAV.

Although petitioners and respondents referenced the governor’s obligation to provide protection and grace well into the nineteenth century, it is equally obvious that, from the beginning of the period, the petitionary relationship was simultaneously based on a written legal right to approach the administration.

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If we analyse the jurisdictional legislation of the commonest subject matters, we find stipulations that obliged the GAs to handle the issues. However, they often shared jurisdiction with other authorities, such as law courts. The exact boundary between them could be unclear, opening up for different interpretations and scope for action. We find examples of how petitioners used the jurisdictional duality strategically. However, the jurisdictional division between the GAs and that of other authorities became more detailed and firm over time. As a result, applications in 1880 were broadly more uniform than in other years.

This section starts by analysing how petitions to the GAV played into its jurisdiction. Specifically, I look at the numerically most prevalent cases and compare their subject matters with the jurisdictional rules to see how petitioning could affect legal aspects of the petitionary relationship and vice versa. I then move on to descriptions of the relationship in the petitions themselves. How were petitioning and responding framed by the participants? More specifically, how did they relate to the governors’ and the GAs’ jurisdiction, and how did they describe the act of asking for help? Who did they want help from? And how did they position themselves in relation to the governor and GAV?

2.2.1 Executive and non-executive petitioning cases based on legal jurisdiction

The GAs were responsible for a broad matter of subjects; consequently, the issues people handed in were equally diverse. However, the bulk of petitions can be said to pertain to two of a GA’s functions: the executive and the judicial.

2.2.1.1 Executive cases in an increasingly strict legal framework

Previous research has noted that many regional petitions in the eighteenth and nineteenth centuries concerned debt claims. A governor was charged with overseeing legal enforcement, meaning he were responsible for executing court verdicts. However, the GA also had the right to decide temporary measures pending a court trial, most notably sequestration (taking legal possession of assets until a debt was paid or other claims met). And, importantly, under the Enforcement Act (Utsökningsbalken) in the Swedish Law Code of 1734, the GA could order enforcement independently if the

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81 See, for example, Aronsson, Bönder gör politik, 288–90; Ekman, ‘Suppliker till landshövdingen’, 15; Frohnert, ‘Administration’, 254; Jönsson, De norrländska landshövdingarna, 225–6; Kardell, ‘Supplikers väg’, 14–15. Debt cases (lagsökningsmål) seem to have been quite common at certain GAs in the seventeenth century too. For example, the GA in Örebro decided 130 such cases in 1689, see Nilsson-Stjernquist, Om handräckningsutslag, 106.
petitioner had a promissory note or other written document. Thus, the debt claims identified in previous research emanated from this executive function.

The incoming petitioning cases at the GA of Västmanland’s county secretariat confirm the findings in the literature. In all four years studied, issues pertaining to the executive area dominated the material (Fig. 2.1).

![Figure 2.1 Petitioning cases at the GA of Västmanland’s county secretariat. Source: Israelsson Dataset 1758, 1803, 1838, 1880, column Executive/Nonexecutive. For a thorough description of the dataset and the sources behind it, see Appendix 1. Note: For 1838 only six months of figures for incoming petitioning cases are included, because the figures for the whole year exceeded 7 000.]

<table>
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<th>Non-executive</th>
<th>Insufficient information</th>
<th>Total</th>
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<td>328</td>
<td>176</td>
<td>43</td>
<td>547</td>
</tr>
<tr>
<td>1803</td>
<td>1286</td>
<td>146</td>
<td>7</td>
<td>1439</td>
</tr>
<tr>
<td>1838 (Mar.–Aug.)</td>
<td>3225</td>
<td>135</td>
<td>52</td>
<td>3412</td>
</tr>
<tr>
<td>1880</td>
<td>746</td>
<td>254</td>
<td>4</td>
<td>1004</td>
</tr>
</tbody>
</table>

Source: See Figure 2.1.

82 Nilsson-Stjernquist, *Om handräckningsutslag*, 98–9. For the legal framework of debt cases, see Chapter 6.

Before analysing these cases and their development, it is worth reflecting on the source-critical aspects of the figures presented in this thesis (Section 1.4.3.1). The figures cover likely most petitioning cases handled by the GAV’s county secretariat. They are not necessarily representative of other years or GAs since petitioning cases fluctuated yearly. The number of enforcement cases against defaulters was undoubtedly susceptible to the region’s economic state. However, other studies confirm a sharp increase in cases in the nineteenth century compared to the eighteenth for at least one other administration. But, given the difficulties with transforming the material into numerical values, less attention should be paid the actual numbers and more to the general picture they present.

Another issue is categorisation. The GAV did not make consistent categorisations during the period. In the first years, 1758 and 1803, all cases were noted in the same chronological register, and the governor’s aides did not create overarching categories. In 1838, the GAV put all applications in the same register but divided them into groups. The most extensive group by far was the one labelled ‘General debt claims’ (‘Allmänna skuldfordringsmål’). In 1880, the logs were completely separated from one another according to the type of case. I decided to separate cases that could be said to belong to the executive function because they were clearly the dominant type in all years, as confirmed by the previous research. Because the other case types were far less numerous but more varied, I decided to gather them in a category I termed ‘non-executive’, and will analyse some of them and their regulatory framework below (Section 2.2.1.2).

What cases fell into the ‘executive’ category, as I term it? The most numerous were debt cases (lagsökningsmål), when a creditor petitioned the GAV against a debtor for enforcement of a debt based on promissory notes, bills, or other contracts and agreements. In 1758, debt cases comprised about 60 per cent of executive cases, but in subsequent years the share was more

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84 For example, at Kronoberg’s county secretariat the issues varied between 3 336 and 8 967 in the 1840s, see Aronsson, Bönder gör politik, 290. Between 1862 and 1871, the debt claims at the GA of Västmanland fluctuated between 1 249 and 4 549 according to a committee report, see ‘Underdågnigt betänkande och förslag angående dels allmän tjänste- och lönereglering för landsstaten och dels uppbörds- och redovisningsväsendet för länen, avgivet den 13 oktober 1875, Litt A’ (unpag.). Further, the governor’s report stated that the enforcement cases amounted to between 1 326 and 3 591 between 1875 and 1879, see BiSos H, Kungl. Maj:ts Befallningshafvande, Femårsberättelser, 1876–1880, 2. Different denominations makes it unclear which cases were really being measured since the committee referred to them as skuldfordringsmål whereas the report called them utsökningsmål. It is my impression that these two terms were used more or less synonymously.

85 Aronsson, Bönder gör politik, 288–90. Frohner, ‘Kronan’, 165 describes the results of Mats Höglund’s now lost dissertation, which found that cases at the GA of Kronoberg increased considerably between 1741 and 1840 and that enforcement cases had taken over in the 1840s.

86 For the grouping in the registers, see Appendix 2.

87 For more on lagsökningsmål, see Nilsson-Stjernquist, Om handräckningsutslag, 98–9.
than 90 per cent. In other words, in the nineteenth century debt cases dominated the executive cases and people’s petitioning to the GAV more generally. Other executive cases included petitions for imprisonment for debt, evictions, sequestrations, and protests against promissory notes due to threats or deception.

For many executive cases, the right to turn to the GA can be found explicitly in written laws. It was not only framed as a legal right, but also as an equal right. According to the first article of the Enforcement Act in the Swedish Law Code of 1734, ‘Konungens Befalningshafwande shall handle all enforcement cases with care and diligence and keep no one, rich or poor, from their rights or leave them without aid.’ Precisely what it meant by ‘enforcement case’ (utsökningsmål) was not stated, but since the Enforcement Act carried the same name, at least it encompassed issues regulated by the Act. It contained rules on debt cases, execution of court verdicts, sequestration, imprisonment for debt and protests against agreed promissory notes. In addition, the Procedural Act in the Swedish Law Code of 1734 stipulated that if someone was displeased with executive measures undertaken by civil servants, they could complain either in court or at the GA. Given these rules and case matters, most executive cases submitted in 1758, 1803 and 1838 were based on the GA’s legal obligation to receive it and a corresponding legal right for any petitioner, regardless of background, to have their petition heard.

However, that is not to say that it was always evident that the GAs were the right place to turn. Eighteenth-century debt legislation held to the general principle that the courts were not supposed to be burdened with clear and

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88 1758: 202 of 328 cases; 1803: 1 158 of 1 286 cases; 1838: 3 047 of 3 225 cases; 1880: 682 of 746 cases. For example, debts could be unpaid loans, credit purchases of movables and immovable, and taxes. It is important to note that in 1758, the register post did not often specify if the debt request was due to a promissory note, bill or other agreement. In those cases, I registered the posts that obviously were requests for debt enforcement as ‘debt cases’. For example, the case could be noted as skuldfordran or fordran together with a sum, see for example ULA, LV, Lka I, B II:1, no. 131, 141 (1), 142. In later years, a more precise terminology, generally based on the debt document, was used.

89 These subcategories were not necessarily mutually exclusive, since demands for imprisonment, sequestration and evictions could be made as an auxiliary demand in debt cases as well, in which instance I still registered them as debt cases. Other case types were for example demands for enforcements of court judgements, complaints about performed executive measures, various sorts of bans (on property or people), and petitions to delay or dispense with executive auctions.

90 UB1734, 1:1, in Carlén, Sweriges Rikes Lag, 208: ‘skal alla utsöknings mål med flit och omsorg sköta, och ingen, rik eller fattig, i sin rätt uppehålla, eller hielplös lemma.’ It is also worth noting that the Act’s description of the handling of petitions was similar to the later instructions of 1855. It was Konungens Befallningshavande who handled cases, not the governor who received supplicants. Here, however, the office was still personally framed, using the pronoun ‘he’ for the title Konungens Befallningshavande, see, for example, UB1734, 1:2, 5, 9, in Carlén, Sweriges Rikes Lag, 208–10.

91 RB1734, 10:27, in Carlén, Sweriges Rikes Lag, 247–8; Resolution på Ridderskapets och Adelns allmänne Besvär (8 June 1739)’, art. 8, in Modée, Utdrag, ii. 1564.
undisputed cases, a principle repeated in the Enforcement Act. However, the specific meaning of ‘clear and undisputed’ was not given, meaning the line between what was disputed (and should be handled by courts) and what was clear (and should be handled by the GAs) was open to interpretation. The regulation of debt cases is a case in point. In its general rules on enforcement procedure, the Act instructed the petitioner to present their case verbally or by a short letter. The request then had to be served to the respondent. If there was no reply, the GA was to grant the request. When it came to debt cases in particular, the Act prescribed that creditors with ‘clear and undisputed promissory notes’ or ‘clear agreements’ (‘klart och ostridigt skuldebref, klara förskrifningar’) could receive immediate executive measures. While the general rules allowed petitioners to make their case verbally, the later chapter required some form of, not entirely clearly defined, document. But what if the petitioner made a debt claim without a document that the debtor admitted to or did not reply to? Clearly, those situations could be interpreted as undisputed and should not burden the court. And exactly what documents were encompassed by ‘clear’ agreements? As the legal scholar David Nehrman (ennobled Ehrenstråle) commented in 1751, ‘whether enforcement follows upon contracts and agreements, approved bills, and inheritance minutes is not generally possible to say’. Thus, in each specific case, the GA had to decide whether the case was ‘clear and undisputed’, with little guidance on the matter.

Petitioners could use this scope for interpretation because, in practice, they were asking for the enforcement of debt claims based on various documents and sometimes on none at all. However, this practice, and the fact that the GAs seemingly accepted it, eventually led to legislative change that narrowed the GAs’ jurisdiction and the scope for debt claims. Executive cases increased from 1758 to 1838, only to drop sharply in 1880 (Fig. 2.1). The details of the increase will be dealt with later (Section 5.2.1), but the decrease directly resulted from measures taken as a consequence of the earlier broader scope

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95 For examples of promissory notes, see 1758 Case 95, 249, 265, 273, 278, 302, 307, 332, 341, 354; 1803 Case 25, 49, 65, 67, 96, 107, 166, 174, 378, 613; 1838 Case 508, 515, 525, 566, 615, 637, 1208, 1210, 1279, 1456, 1458. For bills, see 1758 Case 19, 135, 143, 169, 191, 226, 258; 1803 Case 72, 121, 130, 169, 189, 216, 298, 322, 359, 738; 1838 Case 485, 598, 681, 766, 934, 1037, 1248, 1694, 1826. For other contracts, see 1758 Case 42, 86, 92, 103, 387; 1803 Case 79, 583, 627, 649, 754; 1838 Case 612, 755, 1445, 1618, 1888, 1946, 2075, 2345; 1839 Case 827, 1160. For no documents, see 1758 Case 98, 234; 1803 Case 114, 140, 185, 238, 266, 272, 295, 318, 338, 351; 1838 Case 545, 797, 1376, 1872, 1876, 1930, 2688. In cases with no documents, it is unclear whether they are missing or they never existed.
for interpretation of the GAs’ legal jurisdiction and associated petitionary practices.

In 1877, a new enforcement law was promulgated, essentially replacing the Enforcement Act. It removed most debt cases from the GA’s purview, except those in rural areas based on written promissory notes. The reason for doing so, the law’s preparatory committee argued, was that the legal condition to base a debt claim on written documentation were not being not followed, with the consequence that a practice had developed in which the promissory note as written evidence could be replaced with other proof of the debt, such as the debtor admitting it, or even just not replying to the claim. It led to a much more extended process, at the expense of speed. Or, as a member of the committee said, the GA had become ‘a special court for debt claims’ despite the express prohibition in law to it sitting in judgement.

The committee did not describe the current petitionary practice as being due to a broad interpretation of the Enforcement Act; in their minds, as nineteenth-century lawyers, it was against the law. However, as Gadd has argued, early modern legislation was consciously vague to allow its application in different local situations of which the central government did not always have knowledge. It also allowed the application of customary rules depending on local needs. In their comments on the proposed law, two Supreme Court members seem to have thought this was exactly what had occurred. They noted that the GAs accepting debt claims other than those based on written evidence, because of a practical need and free interpretation of the Enforcement Act, had established a customary law, a ‘jus consuetudinarium’. But the legislator no longer seems to have viewed such an application of the law as acceptable, as they argued this was against the word and spirit of the Enforcement Act. Firmer boundaries between the GAs and the courts were needed. And the way to achieve it was through detailed legal prescriptions. The legislator removed the rule about verbal applications because it was outdated, and made it mandatory to append the document on which the creditor demanded enforcement. By doing so, they tightened the GAs’ legal jurisdiction, causing the number of debt cases to fall. In addition,

96 UL1877, art. 1, 12, in Herslow, Utsökningslagen, 1, 9; see also Nilsson-Stjernquist, Om handräckningsutslag, 121–2. The law came into force in 1879, see KF1877, art. 1, in Herslow, Utsökningslagen, 131.
97 Nya Lagberedningens förslag till utsökningslag, 70–2, 231 at 231: ‘en särskild domstol i skuldfördringsmål’.
100 Nilsson-Stjernquist, Om handräckningsutslag, 121–2.
101 Nya Lagberedningens förslag till utsökningslag, 74; UL1877, art. 14, in Herslow, Utsökningslagen, 12.
a majority were now based on promissory notes. In essence, because petitioners and the GA had interpreted their petitionary relationship broadly, the legislator imposed firmer boundaries on it.

2.2.1.2 Non-executive cases and jurisdiction
The smaller group of petitioning cases I have termed ‘non-executive’ were more varied. To give only a few examples of the more uncommon ones, in 1758, a group of farmers asked the governor to forbid their neighbour to accept a crofter on their joint land, a sheriff asked for remuneration for management tasks, and some residents of Arboga appealed the city court’s decision to forbid them to bake pretzels. In 1803, parishioners asked permission to move a place where animal carcasses were left to lure in wild animals (luderplats), two bailiffs asked for leave to go to Stockholm, and a merchant’s widow complained about the city court’s decision to hand her stall site to another. In 1838, people in the parish of Gunnilbo asked for permission to fish, a civil servant asked the GAV to fine a baron for disrespectful penmanship, and a master asked for help to retrieve a runaway maidservant. In 1880, a merchant complained about a decision obliging him to plaster two houses, a man asked for permission to show optical panoramas, and some parishioners appealed against a decision about the schoolteacher’s salary.

This varied palette of subjects makes it impossible to get a complete picture of how all the cases related to the GAV’s jurisdiction. However, on a general level, many of the non-executive issues can be connected to subjects where legal rules determined the GA’s obligation to receive petitions. According to the Procedural Act of 1734, issues concerning the realm’s general ‘oeconomy’ (‘allmänna hushållning’), the Crown’s incomes, offices and faults committed in office were in the purview of whomever the King entrusted them in special statutes. The article described the so-called ‘oeconomy, police, and state income cases’ (‘oeconomi-, politi- and kammarmål’). They were not to be determined by the courts; instead, other authorities had judicial power. In his lectures, Nehrman exemplified these with, for example, matters regulated in

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102 ULA, LV, Lka II, B III a:2. For example, of the 41 cases presented under A (listed after surname), 28 were based on a promissory note (skuldebrev, revers), while under B it was 46 cases of 53.
103 1758 Case 29, 334; ULA, LV, LKa I, B II:1, no. 228.
104 1803 Case 560; ULA, LV, Lka I, B II:15, no. 268 (Apr.), 1023.
105 1838 Case 37; ULA, LV, Lka I, B II:44, no. 72/366, 93/370.
106 1880 Case 582; ULA, LV, Lka II, B V a:2, no. 28/24, 27/38.
107 I follow Widmalm, Exploring the Mores of Mining, 21 in translating hushållning as ‘oeconomy’. Kotkas, Royal Police Ordinances, 10 equates allmänna hushållning in this particular article to ‘public administration’. For hushållning on a societal (as opposed to a household) level, see Runefelt, Hushållningens dygder, 25–6. For the statutes, see RB1734, 10:26, in Carlén, Sveriges Rikes Lag, 247.
ordinances about trade, agriculture, forests, roads and inns, poor relief, the church, the military, and the Crown’s incomes and costs.\textsuperscript{108}

The three largest groups of non-executive cases at the GAV, comprising just under half of the total number during these four years, were petitions about surveying measures (for example, land redistribution), permissions to sell and use certain goods, and acceptance as a \textit{rusthållare}.\textsuperscript{109} Given their subjects, they fell within the extensive matters described by Nehrman. We also find special statutes that made the GAs responsible for them, making it a legal right to petition.

As for executive cases, the boundary between the GAs and other authorities in non-executive cases could be vague and open to interpretation, but grew less ambiguous over time, creating more uniform applications.\textsuperscript{110} Requests for surveying serve as an example. Many were applications for enclosure under the great land reform (\textit{storskifte}) in 1758 and 1803 and under the 1827 Land Reform Act (\textit{laga skifte}) in 1838 and 1880.\textsuperscript{111} These land reforms, encouraged by the state, took place in Sweden in the eighteenth and nineteenth centuries to improve agriculture. Before the great land reform, Swedish villagers had practised open-field farming, dividing the village’s arable land into strips spread all over the village’s land. The great land reform (\textit{storskifte}) initiated in 1749 reduced the number of strips, while the effect of the 1827 Act was to move many farms out of the old village centres – something that in Västmanland came comparatively late.\textsuperscript{112}

In earlier ordinances, was not always clear whether people should apply to the courts or the governor, since they were jointly responsible for encouraging land division. For example, in 1734, both were admonished to push for the division of shared forests. Similarly, in 1757, they were ordered to enlighten

\textsuperscript{108} Alvin, Nehrman, \textit{Jurisprudantia oeconomica}, 50–9, 148–50.
\textsuperscript{109} See Israelsson Dataset 1758, 1803, 1838, 1880, column \textit{Subcategory Executive/Non-executive}, keywords: \textit{Handel} (130 cases in 1880), \textit{Delning} (154 cases), \textit{Rustning} (43 cases). A \textit{rusthållare} had the usufruct or owned a farm whose revenues were meant to provide the cavalry with a trooper and a horse. These homesteads, often of high quality, were called \textit{rusthåll}, see Thisner, \textit{Indelta inkomster}, 21.
\textsuperscript{110} For the general boundaries between the GA and courts in oeconomy and police cases, see Nilsson-Stjernquist, \textit{Om handräckningsutslag}, 96–7.
\textsuperscript{111} In 1758 at least 27 of 41 cases concerned \textit{storskifte}, and in 1803 10 of 14 cases. In 1838, at least 10 of 44 cases concerned \textit{laga skifte}, and in 1880 at least 7 of 55 cases. I say at least, because whenever I only have the register entries, it is not certain what was actually asked for. As Bäck, \textit{Bondeopposition}, 193–4 concludes for surveyors’ registers, ‘division of property’ (\textit{ägodelning}) could in reality be \textit{storskifte}.
\textsuperscript{112} Gadd, ‘Agricultural revolution’, 149–54; Ägren, \textit{Gender, Work} (forthcoming). For \textit{storskifte} and peasant supplications to the governor, see Bäck, \textit{Bondeopposition}, ch. 4. There was an additional land redistribution from 1807, the \textit{enskifte}, but since the four years studied here saw no such applications, it will not be discussed further here.
the public about the benefits of storskifte enclosure. In the application process, there seems to have been a divide between cases when landowners agreed and when they did not. For example, before the land reforms, the Buildings Act of 1734 stipulated that landowners who wanted to take over (intaga) joint property against the wishes of their neighbours could apply to the court for a redistribution.

Whatever else, though, it was the governor who was responsible for appointing a surveyor if needed. In 1749, a more specific ordinance about surveyors and their work described how disagreements between landowners caused delays for surveyors ‘until the judge could decide the disputes’. To avoid such delays, the GA was not ‘to issue written orders to the surveyor about divisions’ until all landowners had agreed to and signed the partition. If they could not agree, the one who wanted the division had to sue his neighbours in court. The same applied to complaints about divisions that had been performed.

Although vaguely formulated, if the landowners agreed and a surveyor was necessary, they could seemingly turn directly to the governor with their request; if not, they had to go to court. One supplication in 1758 used both venues in this way. In 1755, Count Carl Cronstedt applied to the district court for a division between his homestead and surrounding villages because the shared land caused him inconveniences. The court approved his application and prompted him to ‘report to’ the GAV. Cronstedt wrote to the governor, asking him to appoint a surveyor. His request was granted, and the partition commenced in June 1758.

To promote enclosures, the storskifte decree was issued in 1757 stating that from then on any landowner, regardless of how little land they had, could apply for and obtain a redistribution. The decree did not specify who should handle the application, simply that one could announce it at the ‘correct and common place’. The new rule meant villagers no longer had to agree, which opened up for going directly to the governor. Petitioners were obviously aware of this, because in 1758, among the requests for enclosure under storskifte

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114 BB1734, 10:4, in Carlén, Sveriges Rikes Lag, 78–9.
where the files survive, none seems to have turned to the courts first as Cronstedt did.\footnote{118}

Nevertheless, the decree of 1757 created uncertainties about where to turn. In a study about peasants’ influence on and reactions to land reform, Kalle Bäck notes that the boundary between the governor and the courts was unclear if conflicts arose after the redistribution had been ordered, especially before 1762. In Östergötland, people complained to both instances, at first mainly to the governor and after 1762 to the courts.\footnote{119} At the GA of Västmanland in 1758, as far as can be ascertained due to the summary character of the registers, no one complained about land redistribution under \textit{storskifte}. Given that it had not been long since the decree of 1757, the absence of disputes could be because there were as yet no disputed enclosures; however, it could also mean landowners had taken their cases to court instead.

In the second half of the eighteenth century, the boundary between the GAs and the courts grew more explicit, keeping the divide between agreement and disagreement. In 1762, a new \textit{storskifte} ordinance stipulated that after an application had been made to the governor by one or more villagers, he should order out a surveyor. If disputes arose during the redistribution and the surveyor could not make them agree, the court had to decide first. When the \textit{storskifte} only concerned Crown land, a governor judged the disagreements.\footnote{120} In 1783, this process was prescribed for most kinds of surveying measures. The governor ordered out surveyors on application from landowners. Landowners were meant to take unresolved disputes to court, including complaints against the surveyors for which they wanted remuneration.\footnote{121}

The GAV received applications for surveying measures in 1803, but also four complaints. Since the complaints were now in the courts’ purview, why were they handed to the GAV? Two were not complaints about land redistribution per se, but instead were requests to suspend the division temporarily, before it had begun. The registers do not mention why the applicants wanted a suspension.\footnote{122} The other two complaints were handed in by Eric Persson, a lay judge (\textit{nämndeman}) in Norsa. His cases show how a shared obligation to receive surveying petitions (the GAs) and suits (the courts), albeit with a clear division, could be used strategically by petitioners. Eric’s first complaint, in June 1803, concerned the completion of an ongoing \textit{storskifte}, which he opposed because a previous one had already occurred in

\footnotesize
\begin{itemize}
\item 118 1758 Case 60, 88, 139, 173, 281, 337. In one, Case 88, there was a previous court judgement to which the parties had agreed, but it was before 1757.
\item 119 Bäck, \textit{Bondeopposition}, 250.
\item 120 SOT, \textit{Kongl. Maj:ts Förnyade Nådige Stadga om Stor-skiftsdelning och hwad therwid i akt tagas bör} (17 Aug. 1762), art. 2–3, 13. The right to judge disputes about Crown land was moved to the courts in 1828, see SOT, \textit{Kongl. Maj:ts Nådiga Förordning, angående uphörande af Styrelse-Werkens Domsrätt i wisse mål} (17 Apr. 1828), art. 4.
\item 122 ULA, LV, Lka I, B II:15, no. 672, 961.
\end{itemize}
1770. The governor ordered the other landowners to respond and instructed the surveyor to consider the complaint. A month later, Eric complained again, arguing the surveyor had taken measures he was not allowed to.

As a lay judge, Eric was probably well aware that disagreements were the district court’s jurisdiction. In the ensuing court proceedings, initiated by Eric’s neighbours in October 1803, they described his choice to turn to the governor as conscious and strategic. They told the court that in June 1803, the governor had decided Eric’s first complaint by telling him the court had to determine if a previous storskifte hindered a new one. Nevertheless, he had allowed the surveyor to undertake smaller measurements. Following this decision, the surveyor undertook a trial measurement (provsmätning), finding that Eric had more fields than he was supposed to. On the surveyor’s advice, the neighbours had taken possession of the measured land, leading Eric to complain to the governor again, and he ‘finally received the long-awaited information … that the whole case depended on the court’s decision’. From the neighbours’ story, it seems Eric had gone to the governor simply to have him proclaim, according to his jurisdiction, that the land redistribution was a matter for the courts. That decision seemingly halted the whole process until the time between the two complaints. And, of course, since Eric did not want a new redistribution at all, he had no reason to push for a trial that would decide the case. Therefore, his neighbours sued him and not the other way around. Eventually, the case went to the Svea Court of Appeal, and the redistribution was effected in 1805.\textsuperscript{123}

From 1827, the boundary between the GAs and the courts became even more explicit. A new surveying ordinance stipulated that ‘Applications for surveyors’ appointments for laga skifte or other surveying are given to’ the GAs.\textsuperscript{124} It introduced special courts (ägodelningsrätt) to judge certain surveying disputes (skiftesmål).\textsuperscript{125} In 1855, the governor’s instructions stated that the GA should supervise surveying and appoint surveyors according to the law. In 1866, a new surveying ordinance repeated the stipulation of 1827. It also prescribed that if the application was not signed by all involved, the GA had to issue a public proclamation to give other landowners a say in the choice of surveyor. The GAs could decide such disputes, but no others.\textsuperscript{126}

\textsuperscript{124} SOT, Kongl. Maj:ts Nådiga Stadga om Skifteswerket i Riket (4 May 1827), 2:1: ‘Ansöknings om förordnande för Landtmätare till förrättande af Laga Skifte eller annan Landtmäteri-förrättning skall inlemmas till’. Between 1807 and 1827, the GA had the mandate to decide disputes over enskiften, see Rodhe, Gränsbestämmning, 37–8.
\textsuperscript{125} SOT, Kongl. Maj:ts Nådiga Stadga om Skifteswerket i Riket (4 May 1827), 18:1. The district courts still judged some disputes, but over time the jurisdiction of the special courts was extended, see Rodhe, Gränsbestämmning, 39–44.
\textsuperscript{126} SFS 1855:90, art. 31 (17); SFS 1866:76, 2:13, ch. 18.
There is no evidence of any surveying disputes at the GAV in 1838 and 1880. In 1838, the register did not mention other landowners, the GAV sent nothing for a response, and the only visible decisions were to appoint surveyors. In 1880, the applications and the GAV’s subsequent handling seem to have complied with the jurisdictional rules. For example, some applications were signed by all landowners involved, and if they were not, the GAV ordered them to respond or issued public proclamations. In one case, an application came in following court proceedings. When the boundary between the GAs and the courts became firmer, complaints seemingly stopped coming in.

When the jurisdictional rules were clear, applications were more uniform. Take the example of requests for permission to sell and use certain goods. These only occurred in 1880 and involved six different licences: for general trade, flammables, poisonous substances, explosives, spirits, and other forms of alcohol. Together, these applications comprised about half of all non-executive cases in 1880.

Two ordinances, promulgated in 1846 and 1864, had liberalised trade and made trading practices available to the wider public instead of being restricted to the burgher estate. Someone who wanted to trade in a rural area had to register with the GAs or the local bailiff, with proof of good repute (god frejd) and legal capacity (myndighet) (Section 1.3.2). The ordinance of 1864 specifically excluded certain substances – taken up in the cases in 1880 – whose use and trade were regulated in other statutes. For example, a law on poisonous substances in 1876 made the GAs responsible for issuing permission to use strychnine to kill predatory animals. Similarly, if someone wanted to sell or serve spirits or other less potent alcoholic beverages for a limited part of the year, the GAs issued a permit on application from those concerned, including proof of good repute. Applications to sell beer and wine for a longer time were first supposed to be considered by the local authorities (the city court or in rural areas the local board, kommunalnämnd), who then forwarded them with their recommendations to the GA for a final decision.

These cases generally contained the necessary certificates and followed the prescribed application route. For example, the only extant case file for a trade permit, from the worker couple Maria Christina Andersson and Johan Persson

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127 For examples signed by all landowners, see ULA, LV, Lka II, B VI:2, 2/3, 7/4, 8/4, 12/6, 14/6; A V c:3, no. 25, 54–5, 103; for examples not signed by all landowners, see ULA, LV, Lka II, B VI:2, 10/5, 11/5, 13/6, 18/7, 25/8; ULA, LV, Lka II, A V c:3 no. 91, 102, 117, 130, 141–2, 162–3, 198, 236.
128 ULA, LV, Lka II, B VI:2, 4/3; ULA, LV, Lka II, A V c:3, no. 21.
129 130 of 254 cases, see Israelsson Dataset 1880, column Subcategory Executive/Nonexecutive, keyword Handel.
130 SFS 1864:41, art. 2, 8–9 (2).
131 For poisonous substances, see SFS 1876:3, art. 17 (2); for spirits, see SFS 1874:56, art. 6, 23; for other alcoholic beverages, see SFS 1874:62, art. 2–7.
Hedlund, contained evidence of his legal capacity and their good repute. Many cases concerning temporary licences to sell beer and wine were applications to serve drinks at auctions. These almost invariably contained proof of good repute and recommendations from the auctioneer, the chairman of the local board (kommunalmänt) and a local civil servant (either the sheriff or bailiff). Most of them handed in their application directly to the GAV. A few cases concerned a more extensive trade in beer and wine. They first applied to local authorities with proof of good repute, who forwarded them to the GAV in accordance with the rules. The application letters were seldom anything else but short annotations with information about, for example, the purpose of using strychnine or the time, place, and occasion where alcohol would be served.

With non-ambiguous jurisdictional and procedural rules came applications that followed a standard format. This was especially evident by the end of the period in question, where, as we have seen, more than half the non-executive cases were of this generic type and a majority of executive cases, but it happened in earlier years as well. In 1758 and 1803, people handed in applications for the GAV to accept them as rusthållare following land transfers. The revenues from a rusthåll provided the cavalry with troopers; therefore, it was essential for the state to know and control who ran them, especially if they were located on Crown land. Regulations stipulated that appointing rusthållare and keeping registers was the joint responsibility of the governor and the regiment’s commanders. For example, in 1719, an ordinance explained that the governor and colonel should handle appointments together, except when the regiment was abroad. The applications were usually short, with information about the transferred property and proof that the necessary fees had been paid. For example, in March 1758, Gustaf Adolf Wiman petitioned the governor, stating simply that he had bought the rusthåll, which

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132 1880 Case 524. The case file contained no registration letter. The register noted the couple came in person so perhaps they presented their case verbally and handed in the necessary certificates, see ULA, LV, LKa II, B V a:2, no. 6/1.

133 1880 Case 441, 447–8, 451, 454–62, 465–7, 469–75, 478–80, 482, 484, 488–9, 495, 498, 508–509, 516, 528, 530, 549–50, 561. Three lacked recommendations from a local government official, see 1880 Case 442, 445, 481. Two lacked proof of good repute, but these were from already appointed restaurateurs, see 1880 Case 443, 449. Two were handed in to local authorities who forwarded them to the GA, see 1880 Case 443, 449. Two were handed in to local authorities who forwarded them to the GA, see 1880 Case 456, 467.

134 1880 Case 440, 464, 521, 534, 547. In one case, the applicant first applied to the local authorities but handed in the subsequent application to the GA herself, see 1880 Case 527.

135 For examples of applications to use strychnine, see 1880 Case 551–6.

regiment it belonged to, and that he had paid a fee. The governor granted his request with the caveat that he also had to get the colonel’s approval.\textsuperscript{137}

Thus the petitionary relationship was regulated in written law for many cases at the GAV. It was a legal right for anyone to ask for debt enforcement and for a landowner to ask for enclosure under \textit{storskifte}. However, exactly where to turn could be vague, and petitioners could hand in a wider variety of requests in that situation. Over time, jurisdiction in specific issues grew more detailed and firmer boundaries were established, leading to more uniform applications. In executive matters, this tightening resulted from the GAs previously accepting a wide variety of debt cases. Even though these applicants did not intend to change legislation with their letters, their actions had such an effect.

2.2.2 A personal relationship between the deputy ruler and his humble servants

In many petitioning cases at the GAV, the right to petition and make yourself heard was regulated by specific laws. However, this did not mean the petitioners and respondents themselves framed the petitionary relationship in terms of legal jurisdiction. Long into the nineteenth century, people framed the grounds for voice both through legal jurisdiction and as a paternal relationship based on the governor’s protection and favour. They did so by positioning themselves in relation to the governor using phrases highlighting their humility and service and appealing to his grace. Researchers have found these humble phrases in early modern petitions worldwide, noting how they established a hierarchy between rulers and subjects and a reciprocity of obligations. For example, Eva Österberg argues that seventeenth-century peasants represented themselves as loyal, taxpaying subjects while asking the monarch to show them the mercy and grace that was his obligation as a monarch.\textsuperscript{138} However, when analysing how petitioners and respondents positioned themselves, we can see a petitionary relationship that was more complex because exactly how the subjects (in the political sphere) framed his or her subservience depended on their social status. And, in addition, both women and men could use positions from other spheres than the political to justify why they turned to the governor.

In this and the following section, I will analyse descriptions of the petitionary relationship in the petitions and responses, by investigating how the contents of their most formal parts – the \textit{exordium}, \textit{petitio}, and \textit{conclusio}

\textsuperscript{137} 1758 Case 47; ULA, LV, Lka I, A I b:29, 200–201. For other examples, see 1758 Case 20, 28, 78, 113, 128; 1803 Case 42, 84–6, 88.
– changed over time. More specifically, I have studied how petitioners and respondents framed the act of approaching the GAV, what they called themselves in relation to the governor, and who or what they wanted help from. The more formal parts of the petition are particularly suited for this kind of analysis because, here, the sender addressed the governor or agency directly and described their actions in relation to him, thus enunciating their relationship (Section 1.4.3.3). Here it is important to note that, given the framing of this relationship from above, subservience and deference was expected. As Thomas Munck states ‘The ritualized language of petitions (and any responses) was a highly “normative” and literally “artificial” construct, often including appropriately judged hierarchical and deferential formulae to suit particular political circumstances and cultural conventions.’ However, what was ‘appropriate’ varied according to sender, recipient, and period. In other words, these phrases (and the rhetorical principles upon which they were based) were adapted to the time and place and to the involved actors. A proper petitio or conclusio was not the same in 1758 as in 1838. Thus, temporal and personal variations can tell us much about how the framing of the petitionary relationship changed.

Since the petitioning cases are very numerous, I chose to systematically analyse petitions and responses in all extant files where either women or labouring people petitioned. These amount to 360 files, or 60 per cent of the total number of cases with petitioners from these groups. Another reason for only analysing files involving these petitioners is that a previous study suggests they may have been more likely to elaborate on their relationship with the governor in these parts of the letters. However, I have also analysed letters from respondents who were not necessarily women or labourers. Therefore, the results also show how other people framed the relationship.

In the governor’s instructions, we saw how the obligation to receive petitions was framed both in terms of the reciprocal obligations between ruler and subject and as a matter of jurisdiction. Petitioners and respondents certainly conceptualised the petitionary relationship in terms of jurisdiction in

139 The arguments elsewhere in the petitions and responses are analysed in Chapters 6–8. For patterns of humility in British petitions to Parliament and the monarch, see Haaparinne, Voice, ch. 5.
140 Munck, ‘Petitions and “legitimate” engagement’, 378.
141 See Israelsson Dataset 1758, 1803, 1838 and 1880, columns Women (S), L (S): 44 files of 76 cases in 1758, 83 files of 135 cases in 1803, 180 files of 288 cases in 1838, and 53 files of 100 cases in 1880. There were a few other files, but they either lacked complete letters or entire petitions, see 1758 Case 207; 1803 Case 264, 355, 557, 704, 749, 755, 954; 1838 Case 1265, 1592, 1602, 2440, 2868; 1880 Case 524. For those included in the ‘labouring people’ category, see Chapter 5.
142 Women and labouring people were overrepresented in using the language of poverty as a way of humbling themselves to the governor, see Israelsson, ‘In consideration’, 34–48, 78. Such enunciations often turned up in the exordium, petitio, and conclusio, see Israelsson, ‘That Your Grace Would Help’, 69–70.
their letters. For example, in debt cases, it was common for respondents to ask the GAV to proclaim that the court must determine the issue (as disputed), a direct reference to the jurisdictional rules in the Enforcement Act (Chapter 6). Similar arguments were made in other contexts as well. In July 1803, *landräntmästare* Johan Fredric Alm, requested that the governor would confirm a ‘performed enclosure’ (‘delning å gårdsgårdarna’), which the respondent, Jan Danielsson in Vallby, opposed because, according to him, Alm ought to have handed in the request to the court, not to the GAV.\(^{143}\) In Jan’s *petitio*, he hoped ‘Your Excellency will graciously [nådgunstigt] find my protest based, not only on art. 13 of the Royal Ordinance of 1802, but also on the surveyor’s minutes, and thus reject [the petitioner’s] request.’\(^{144}\) The ordinance he cited stated that the court should handle disputed cases of this kind.\(^{145}\)

The case showed how, just as the legislator could frame petitioning both in terms of the governor’s jurisdiction and his obligations as ruler of his region, the parties could also use several ways to describe it. The Swedish word *nådgunstig* literally combines the words grace (*nåd*) and favour (*gunst*). By using it while at the same time referencing jurisdiction, Jan highlighted both parts of the petitioner relationship. Using words such as *nådgunstig* was part of the formulaic way to address authorities at the time, but as we shall see, in regional petitions and responses the formula disappeared over the nineteenth century. Unlike the epistolary manual writers of the later nineteenth century, eighteenth-century supplicants and respondents did not establish a sharp line between supplications of grace and applications of right.

In 1758, we find examples when references to jurisdiction were mixed with even more specific enunciations of the ruler’s obligations. In August, a mayor’s widow, Gertrud Barck, appealed against the Köping’s city court’s decision to take away her right to use fields and meadows that had belonged to her late husband by right of his office. In her *petitio*, Barck stated, ‘According to several Royal decisions and ordinances, it falls to the noble Baron, President, Governor and Commander to correct and divide the city’s land between those concerned … therefore I most humbly flee [to the governor] with an equally humble plea’.\(^{146}\) Barck obviously was referring to

\(^{143}\) A *landräntmästare* was an official at a GA in charge of its finances, see *SAOB*, s.v. ‘landräntmästare’.

\(^{144}\) 1803 Case 816: ‘Eder Excellence Nådgunstigt finner min Inwändning wara grundad, ei mindre på 13 § i 1802 Års Kongl. Förordning än på Landtmätare Protokollet, och således värdes afslå Herr Räntmästarens anspråk.’ For other references to legal jurisdiction, see, for example, 1803 Case 891; 1838 Case 736, 1330, 2319.


\(^{146}\) 1758 Case 272: ‘Till högwallorne herr Baron, Presidenten, Landshöfdingen och Commendeuren, hvilken efter flere Kongl. Resolutioner och förordningar, tillkommen at rätta och dela wederbörande emellan, alt hvad Städernes jord tillkommer … flyr jag förthenskul ödmjukast, med lika ödmiuk bönfallan’.
the governor’s jurisdiction regarding city land, stated for example in his instructions. However, in Swedish, the word ‘plead’ (bönfalla) means ‘falling [to your knees] in prayer’, describing the action of medieval and early modern personal supplication. The word ‘flee [to]’ (fly till) conveys the idea of fleeing to the refuge of the governor’s personal protection. Both words embodied the hierarchical and reciprocal relationship familiar from the early modern instructions. Using these words, Barck framed a relationship with the governor based on her humility in return for protection – the obligations of a responsible king towards his subjects.

Both women and men framed petitioning in this double way. In January, Nils Lindman complained against the Arboga city court’s decision to take away his right to a city field. Lindman sent his complaint both to the governor and to the Svea Court of Appeal. In his supplication, he told the governor how the city court had judged the case without hearing him. He considered this action against proper court procedure, which was why he had also complained to the Court of Appeal. Although Lindman did not explicitly say so, his reference to procedural faults was directly in line with the rules in the Procedural Act of 1734, which stipulated that if a court judged in a way that damaged someone without hearing them, that person could appeal to the Court of Appeal. But, as Lindman continued

Since the main issue falls to Your Grace’s gracious and fair examination, I am compelled to most humbly complain to Your Grace about this [the procedural error] as well as the main issue, as well as my most humble plea and request, that my suffering may be tried with grace and kindness...

Lindman’s expression that the main issue ‘fell to’ the governor’s examination most likely pertained to his legal jurisdiction in the 1734 instructions, similar to Gertrud Barck. Like her, he also simultaneously appealed to the governor’s paternal care.

In the first two years of this investigation, describing the petitionary relationship in terms of pleading, fleeing, or invoking the governor’s favour was done by people from different backgrounds. This is important because it signals how widespread such a notion was in terms of who it encompassed. Humility and subservience was required as part of the early modern petitionary genre, but whether to describe it specifically as plead or flee would have been the petitioner’s or respondent’s decision. Regardless of whether

147 IU1734, art. 18, in Styffe, Samling af instructioner, 357.
149 1758 Case 132: ‘Men som siefwa hufwudmålet, till Eders Nådes Nådrättwisa bepröfwande och afgjörande hörer, Så nödgas jag nu allerödmiukast mig hos Eders Nåde, så theröfwer, som hufwudsaken beswära, jemte allerödmiukaste bön och anhållan, mitt lidande härutinnan med nåd och mildhet uti… bepröfwande tagas måtte.’
petitioners and respondents ascribed to the deference, they (and those who wrote for them) would have strived to use it in a way that suited their position.

In the 1758 sample, we find a corporal’s wife, a saltpetre maker, a soldier and a soldier’s widow, a crofter, a miner, but also a peasant, peasants widows, and a bailiff and a bailiff’s widow who humbly ‘pleaded’ with or ‘fled’ to the governor to help them with various requests, from debt cases to tax relief and access to land.150 In 1803, it had become more uncommon to plead or flee. Out of the 83 analysed files, only 13 contained a party that used these two words in relation to the governor. Nevertheless, those who did were still from various backgrounds: a soldier, a crofter, and a man living on the village’s outfields (meaning he was probably a crofter or a cotter), but also peasants, a merchant’s widow, and a city prosecutor.151 However, the framework of which these phrases were part was still very much evident in 1803, because, for example, references to the governor’s favour (gunst) were still fairly common. In many cases, petitioners and respondents asked for the governor’s nådgunstiga or höggunstiga decision. Here, we find a similar range of people: labouring people, peasants, civil servants, and merchants.152

However, no people from higher-ranking backgrounds, such as nobles or estate owners, framed their petitions or responses with the words pleading or fleeing in 1758 and 1803. They, just like everyone, humbly asked for the governor’s help and mentioned his favour. Still, neither women nor men from these groups apparently found it suitable to frame the petitionary relationship in that way. This shows that, while everyone framed the petitionary relationship as one between ruler and subject, the exact way people did this in the formal parts of the letters depended on who they were.

Moving on to who participants wanted help from and how they framed themselves, it is apparent that petitioners and respondents described their relationship with the governor as personal. In 1758 and 1803, they almost invariably asked the governor himself for help, calling him ‘Your Grace’

150 Of the 44 cases, the word ‘plead’ or ‘flee’ was used in 17 in 1758, see 1758 Case 42, 123, 135, 170, 183, 189, 194, 226, 250, 261, 272, 285, 300, 304, 313, 401, 418. Extending the search to my excerpts outside the chosen sample and there are additional peasants (see for example, 1758 Case 29, 45, 131, 253–4, 294, 319–20), a bookkeeper (1758 Case 70), a master tailor (1758 Case 121), a lower civil servant (1758 Case 146), and a non-commissioned officer (1758 Case 240). For references to the governor’s favour, see, for example, 1758 Case 42 (a priest’s widow), 78 (a clergyman), 94 (a miller), 183 (a peasant).

151 1803 Case 218, 233, 266, 277, 489, 630, 657, 698, 706, 779, 798, 980, 1009. Outside the specific sample, I have found them used by, for example, other peasants (1803 Case 342, 390, 394, 495, 811, 949), an innkeeper (1803 Case 614), and a goldsmith and a peasant (1803 Case 1013).

152 I have found the expression in petitions or responses in 37 of the 83 files, see 1803 Case 79, 119, 139, 183, 218, 260, 371, 396, 404, 413, 416, 418, 449, 483, 489, 491, 493, 498, 509, 532, 583, 620, 630, 653, 657, 664, 679, 695, 697, 706, 809, 812, 828, 888, 888, 988, 1009, 1017.
Conversely, petitioners and respondents set themselves on the other end of this relationship by finishing their letters emphasising their subservient roles as humble servants. The commonest phrase was some variant of the expression ‘Your Grace’s Most Humble Servant’. However, the degree of humility depended on their position. As the manual writer Johan Biurman wrote in 1754 about signing off letters to various representatives of the powers-that-be (överheten), ‘And according to each person’s quality and estate, the following words or submission are used Underdån-ödmjukaste, Allerödmjukaste, Ödmjukaste’. In 1758, a pattern was visible in how these phrases were used. Of the fewer cases who used the less subservient form, ‘humblest’ (‘Ödmjukaste’) instead of ‘most humble’ (‘Allraödmjukast ’), all but one were women of comparatively high rank: a brassworks owner, a noblewoman, a colonel’s widow, and a mayor’s widow. Just as there were no examples found of people from the higher echelons who ‘pleaded’ or ‘fled’, they were also less deferential at the end of their petitions. The petitionary relationship was framed as one between ruler and subject, but the required level of subservience depended on who you were.

However, in 1803, this pattern was less visible at both ends of the spectrum. The less subservient ‘Ödmjukaste’ was used by a broader range of people: a district judge, a noblewoman, a lieutenant, and a merchant. So was the more subservient ‘Underdån-ödmjukaste’, where we find peasants, soldiers and their wives, as well as sheriff, a bailiff, a steward and a farrier. In his collection of letter formulas, Magnus Sellander’s example of letters to the governor used the word ‘Ödmjukaste’, seemingly regardless of who the applicant was. Either the ranking was contested or it no longer mattered as much. Whatever the answer, position seemed to be less important in how people addressed the governor in this respect.

While the relationship between (a deputy) ruler and subjects (of different rank) was the most visible in these formal phrases, people also appealed to the

153 A few of the many examples are 1758 Case 19, 49, 79, 123; 1803 Case 95, 130, 205, 226. Sometimes they referred to His Grace’s or His Excellency’s office, which was still personalised, see, for example, 1758 Case 42, 119, 229, 244; 1803 Case 79, 183, 396, 491.
154 ‘Eders Höga Nådes Allerödmjukaste Tjänare/Tjänarinna’. Variants include more elaborations of the word humble, for example ‘underdånallödmjukaste’. Only in one case in 1758 and six in 1803 did a party not sign off as the governor’s servant, only calling themselves by name, see 1758 Case 35; 1803 Case 273, 521, 599, 731, 798, 828.
155 Biurman, En kärt dock tydelig Bref-Ställare, 135, 156 at 156: ‘Och efter hwars och ens qualitet och Stånd, brukas Submissions-Orden: Underdån-ödmjukaste, Allerödmjukaste, ödmjukaste’.
156 1758 Case 35, 75, 83, 94, 205, 244, 272. In one case it was the inspector representing the brassworks owner who signed.
157 The most subservient expression, ‘underdån-ödmjukaste’, was only rarely deployed in 1758. Only a miner and a peasant widow used it, see 1758 Case 261, 271.
159 Sellander, Formulär-Samling, 127.
governor from other positions. For example, several petitioners and respondents used the practice of calling themselves ‘poor’ together with another denomination. Elsewhere, I have argued that by using the language of poverty, petitioners placed themselves in the contemporary hierarchy and sought to activate a reciprocal relationship between themselves and the governor from different positions in society.160 In supplications to the governor of Uppsala in the 1730s, widows who called themselves poor activated a religious discourse, positioning themselves as deserving help. Some widows also highlighted how they were defenceless (värnlös) or had fatherless children, the subtext being they needed help because of the absence of a male head of household. Their positioning was not only that of the humble subject but arose from their household position. As Karin Hassan Jansson has argued, the spheres described in the Table of Duties were interrelated. When there were problems between the father and his children in one sphere (within the household, within the parish or within the political sphere), one could turn to help from a ‘father’ from another sphere.161 Since these widows were without a male head of the household, they could use that position to argue for the governor’s protection (as a head in the political sphere).

Similarly, when men described themselves as poor, they were more likely to do so as subjects in the political sphere, highlighting how they had served the Crown as poor taxpayers or soldiers. However, the gendered aspect should not be exaggerated, because we can also find examples of men who highlighted their lack of a wife or the occasional woman who named herself a poor taxpayer.162

This positioning through the language of poverty can occasionally be found in petitioning cases in Västmanland as well. Of the analysed 127 cases in 1758 and 1803, 16 had such self-descriptions, primarily by peasants, soldiers, a crofter, and the occasional merchant and their wives or widows.163 However, even in this small sample it is evident that petitioners and respondents positioned themselves in relation to the governor from many vantage points, not only as subjects. The women used their household positions, calling themselves poor, sometimes defenceless, widows. Men named themselves poor taxpayers or poor peasants.164 But men could sometimes also highlight their

160 Israelsson, “‘That Your Grace Would Help’”, 75–81, 84–5.
161 Jansson, ‘Hushållskultur’, 16–17. Although not looking at household culture, Beatty, In Dependence, 30–1, 175 makes a similar argument about interrelatedness, because wives and widows in eighteenth-century North America turned to the state as ‘surrogate patriarchs’ when they could not support their children in their husbands’ absence.
162 Israelsson, “‘That Your Grace Would Help’”, 75–81; Ling, Konsten, 64–70.
163 1758 Case 123, 135, 229, 250, 261, 271, 300, 304, 418; 1803 Case 560, 569, 630, 698, 731, 812, 1009. For additional cases outside the sample, see, for example, 1758 Case 290, 293–4, 325; 1803 Case 265, 743, 854.
164 For poor widows, see 1758 Case 123, 250, 271; 1803 Case 569, 630, 698. For poor defenceless widows, see 1758 Case 304, 418; 1803 Case 560. For poor taxpayers, see 1758 Case 290, 294; 1803 Case 812. For poor peasants, see 1758 Case 293; 1803 Case 854.
household position. In a debt case, the debtor Hans Jansson asked for more time to pay, ‘otherwise, I, poor man, recently widowed, am wholly ruined and will have to join the beggars.’\textsuperscript{165} And just as men could point out their service to the state, women could allude to their husbands’ service by calling themselves a poor soldier’s woman or a soldier’s widow.\textsuperscript{166}

Finally, men and women alike could highlight their old age in an attempt to appeal to the governor’s care. For example, in 1803 Anders Andersson asked for the governor’s help to get the local sheriff to pay him the proceeds of an auction he had held for Andersson. He described how the sheriff had not been swayed to pay his rightful claim, despite being a ‘poor and old’ man and with fading hopes of earning his keep. He finished his supplication in a way that aptly shows how petitioners could use more than their position as a subject and the complexity of the petitionary relationship as coming from several sources:

Since I am now in the greatest need, I dare flee to Your Excellency’s renowned generosity and care for the wretched, hoping to be helped quickly, whereby I humbly call to mind the legal interest from the above-mentioned St Bartholomew’s day 1798 until payment…\textsuperscript{167}

In one sentence, Andersson managed to combine the notions of protection, care, and legal duty.

In summary, in 1758 and 1803, petitioners, respondents, and legislators alike framed the petitionary relationship both as grounded in jurisdiction and the norms and ideas of household culture with its reciprocal obligations. We find people from various backgrounds, ‘ordinary people’, who ‘pleaded’, ‘fled’, or described themselves as poor, from a variety of positions, subject being one of them. However, small changes were visible, pointing to a person’s rank becoming less important in some ways to approach the governor, such as a less evident connection between position and the amount of humility deployed. As we shall see in the next section, more drastic changes were soon to come.

\begin{itemize}
\item \textsuperscript{165} 1803 Case 506: ‘annars är jag fattige man, nyligen blefwen änkling, aldeles ruinerad och i tiggarehopen försatt.’ In petitioning cases at the GA of Uppsala in the 1730s, we find an example of a vice curate who called himself ‘poor man’ and highlighted how he had many small children, see ULA, LU, Lka I, D IV c:7, 17330426 Carl Prints (cited letter in the file: 17330426 Bengt Wallqvist).
\item \textsuperscript{166} 1758 Case 250, 300. In one of these, the woman called herself poor widow and added soldier’s widow later in the supplication.
\item \textsuperscript{167} 1803 Case 1009: ‘fattig och åldrig’; ‘såsom nu i största behof, vågar jag fly till Eders Excellences widtkända ädelmod och behjertande för den usla, under hopp om en snar hjelp, hvarjemte jag aller-ödmjukast vågar päminna om laga ränta ifrån ofvan besagde Bertilsmässo tid 1798 tills betalning sker’. For another man who described himself as poor in conjunction with care (ömhet), see 1758 Case 261.
\end{itemize}
2.2.3 A developing relationship between the agency and legally entitled individuals

When the forester C. G. Dybäck applied to the GAV for permission to use strychnine in 1880, he stated:

To Konungens Befallningshafvande in Västerås. Following art. 17 in the Royal Ordinance of 7 January 1876, I respectfully ask to be allowed to use strychnine to kill predatory animals during the winter months on Röfors properties in the parish of Medåker. Röfors, 24 November 1880. C G Dybäck, forester at Röfors.168

Gone were all traces of the personal petitionary relationship between ruler and subject. Dybäck appealed not as a servant who ‘fled’ or ‘pleaded’, but as an individual who signed with his name and occupational title. His application was respectful but not humble, and it was based on a jurisdictional rule.

Over the course of the nineteenth century, the framing of the petitionary relationship altered profoundly in a way that corresponded to the changes in the instructions and governor’s reports. People stopped asking the governor for help and named the GAV instead. The personal element disappeared. It was uncommon to mention the reciprocal obligations of household culture, but legal jurisdiction was enduring. However, this development was not linear. For some groups in society, the pace was slower than for others. It depended on the recipient, changing earlier for petitions to the governor than to the king. And finally, it varied according to the matter in hand.

By 1803, the principles of how humbly to position yourself when naming yourself a servant seemed to be loosening. Nevertheless, their position was still vital in how people expressed themselves to the governor. One illustrative example was when fire destroyed three farms in the late summer. One belonged to Elisabeth Nyman, the widow of a canal skipper. The other two were the property of Count Fredrik Ridderstolpe.

Nyman and Ridderstolpe had hugely different positions in society. She had been widowed in 1796, at which point she and her young children lived in Frösvi’s outfields, typically meaning as crofters or cotters. However, her husband’s probate inventory reveals they were not poor, as it listed some valuable items: a little gold and silver, several buildings including a stable, a horse and four cows, some land, and a boat. When Nyman died in 1810, the estate had shrunk considerably, but she still owned some land and animals.169

169 AD, Kolbäck församling, AI:7, 153; ULA, Sneviringe häradssätt, F II:7, no. 848, Bild-id C0103446_00922; ULA, Sneviringe häradssätt, F II:9, no. 715, Bild-id C0103448_00771.
Yet, the social and economic gap between her and Ridderstolpe was immense. A member of the Swedish high nobility, he had studied at Uppsala University and been highly placed at the royal court, with a seat on the Council of the Realm (riksråd). In 1803, he was a member of the Supreme Court and owned extensive properties in several parishes in southern Västmanland. According to his probate inventory in 1816, his assets were valued at over 72 000 riksdaler, hers not even 1 per cent of that.170

Ridderstolpe and Nyman submitted their applications in October 1803, asking for the governor’s consent to fell timber on the district commons to rebuild the destroyed buildings. According to the Forest Ordinance of 1793, such permission first had to go through the district court, which would make its recommendation. The applicant could then take the court verdict to the governor, who had the final say. The only time the ordinance allowed private applicants to dispense with the court recommendation was when they ‘had suffered fire damage, with proven lack of forest and in such poverty that absolute necessity’ required felling to be permitted.171

Ridderstolpe framed his application almost exclusively in terms of the legal process and requirements, highlighting the fire damage, the proven lack of forest, and his peasants’ poverty and need. He described how a ‘proper inspection’ had investigated ‘the damage and the timber needed’ to provide necessary buildings for the homeless peasants who now sheltered with a neighbour. Ridderstolpe had ‘according to the ordinances’ applied to the district court for a logging permit. He requested ‘Your Excellency’s favourable approval’ for felling since the ‘unfortunate’ peasants in their ‘destitute condition’ had no other way to build the necessary housing. Ridderstolpe signed his application with the relatively low amount of humility befitting his station: ‘Your Excellency’s humble servant, F. Ridderstolpe’.172

Except for the word ‘favourable’, Ridderstolpe’s application focused on proving his legal rights to fell trees. In contrast, while highlighting the same damage and poverty, Nyman’s application was differently framed. It started in the same vein, describing how the fire had burned down her house and all harvested grain. However, after that, she appealed to the governor not because of the law, but in his capacity as the deputy ruler of the region and her deserving position as a widow. Her ‘need forces me to break my silence and compels me, as a poor widow, to flee to Your Grace with the humblest plea’

170 AD, Svea hovrätt, E IXb:20, no. 42; Anrep, Svenska Adelns Åttartaflor, iii. 415–16.
171 The detailed rules for logging were based on a yearly process. Once the properties were inspected, the inspection minutes were submitted to the district court at the winter or summer sessions and the court’s recommendation was handed to the GA before the end of August, see SOT, Kongl Maj:ts Nådiga Förordning om Skogarne i Riket (10 Dec. 1793), art. 2–4, at art. 3 (3): ‘eldskada lidit, bewisiligen utan all skogs tilgång och uti sådan fattigdom stadd är, att högsta nödwändigheten’.
that she be allowed to fell some trees to build a threshing house. She hoped for his ‘gracious approval’ and ‘Remained in deepest veneration’ his ‘Most Humble Servant’. 173

Neither Ridderstolpe nor Nyman explicitly said their positions influenced how they approached the governor. However, as we have seen, people from the higher echelons rarely humbled themselves as Nyman did. With his legal background, Ridderstolpe likely knew he had to prove his peasants’ poverty and need for timber. His own relative wealth might have made that proof more important, for why could he not provide the necessary timber from his other estates? As a widow on a tiny farm, Nyman, on the other hand, had the full repertoire of arguments. 174 As a ‘poor widow’ she could argue she was especially deserving of help, and given the size of her homestead (1 öresland, or roughly 3 acres) it must have been evident she could not procure the necessary timber any other way.

The thought occurs that perhaps Nyman’s application was framed this way and neglected to provide proof of her need because of a lack of legal knowledge. However, previous events suggest otherwise. Like Ridderstolpe, Nyman had gone to court a few weeks before petitioning. He, represented by bailiff Hollsten and she, represented by sheriff Branting, had asked for and received financial aid because of the fire (brandstod). The court record reveals the sheriff had inspected the damage to the homestead. But for some reason, unlike Ridderstolpe’s representative, he had not used the inspection to ask for a recommendation to fell timber. Perhaps it was incompetence, but he might also have thought it unnecessary because of her situation. The fact that the inspection existed but was not mentioned in the application would suggest the latter. 175

In 1838, how petitioners and respondents addressed the governor and positioned themselves had changed entirely. Now, they requested aid from the office, Konungens Befallningshavande. And they were no longer his humble, humblest, or most humble servants. 176 The difference was probably partially a result of an ordinance in 1819, which dispensed with the demand to address official representatives with their ‘names, lineage, titles and orders’; instead, it was enough to use the title of the office and sign letters with the date and one’s name. The reason given was that the Diet found the existing forms of

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174 In court, there was a discussion about whether Nyman’s farm was taxed or not, attesting to its small yields, see AD, snevringe häradssätt, A I a:47, höstting 1803, 38 §.

175 AD, Snevringe häradssätt, A I a:47, höstting 1803, 38, 42 §§.

176 In only 5 of the 180 files a petitioner or respondent called themselves a servant, see 1838 Case 1182, 2021–2; 1839 Case 102, 950; in 11 files, people asked for the governor’s help (and not the office’s help), see 1838 Case 40–1, 53, 1096–7, 1163, 1202, 1717, 2021–2; 1839 Case 950.
address ‘time-consuming and inconvenient’.177 Doing away with personal expressions of service for practical reasons suggests that the connection between person and office and the reciprocal relationship between governor and servant had been weakening for some time.

As manual writer Nils Wilhelm Lundequist wrote in 1838, it was up to the sender’s discretion how to address the official recipient.178 In regional petitions and responses, most chose to use the office’s title and their own names, meaning the conclusio became short. However, petitions to the king were another matter. Here, the petitionary relationship was framed as one between ruler and subject for longer. The epistolary manuals of the nineteenth century continued to prescribe assertions of humility and loyalty as subjects to the king.179 But even when addressing the king, the manual author Ludwig Westerberg made a difference between supplications (based on grace) and applications (based on rights). In Westerberg’s examples of supplications and applications to the king, the former emphasised grace, humility, and faith in his majesty’s kindness. Applications were shorter, and the humble phrases were more concise.180 The recommendations of manual writers and a few limited examples of petitions to the king show that the reciprocal relationship between ruler and subject disappeared more quickly when petitioning the governor.181 From the literature, we also know it disappeared at different rates depending on the country. Deferential expressions such as these have been found in late nineteenth-century Russia, in letters from Italian workers to their managers before the First World War, and in letters from aboriginal peoples to Queen Victoria in the second half of the nineteenth century.182

Generally speaking, by 1838, the petitionary relationship with the governor had lost its personal connotations and was not grounded in notions of household culture. However, we still find a small group of people who kept to the older way. Three people in the sample called themselves poor: a farmhand and two older widows living in village outfields, one of whom described herself as defenceless. They also called for the governor’s protection. The farmhand, P. E. Lundberg, wanted to end his year of service early, and opened with the words ‘A poor servant, who for his safety and rights has no other

177 SOT, Kongl. Maj:ts Nådiga Kungörelse, Om förändring uti den hittills bruklige Titulatur (23 Nov 1819): ‘personernas namn, Börds Epitheter, Titlar och Ordensvärdigheter’; ‘tidspillan och besvar’.
179 Pettersson (Lundequist), Den Swenske Hand-Sekreteraren, 131–2, 135–6; Sellander, Formulär-Samling, 115–16; Westerberg, Utförlig Brefställare, 143–4.
180 Compare, for example, Westerberg, Utförlig Brefställare, 143–4, 257 no. 192 (supplication for pension) and no. 373 (application for divorce); see also Pettersson (Lundequist), Den Swenske Hand-Sekreteraren, 135–6, 139.
181 For example, an application for legal capacity (myndighet) cited in Hinnemo, Inför högsta instans, 150; also a letter to the king in 1866 in 1880 Case 576.
refuge than the executor of the King’s wishes and orders’.183 The 56-year-old widow and cotter Brita Johanna Jansdotter claimed the landowner had unlawfully turned his cattle onto her potato plot – ‘This cruel and merciless treatment of a poor, defenceless widow’ was nothing new for the landowner – and ‘in deepest humility’ she asked the GAV to oblige him to remove them.184 The soldier’s widow, Christina Löfgren, alluded to pleading, protection and poverty and clearly turned to the governor personally. She was required to pay rent for a small plot of land and asked the governor to release her from this obligation. In her plea, she called herself a ‘poor soldier’s widow’ and later stated that ‘I am forced by necessity, to seek aid and fall at the noble Baron’s and Governor’s feet; to be saved and comforted by the region’s lord, and the protector of soldier’s widows and fatherless children’.185 A similar example was provided by Catharina Dorothea Rak, although she did not call herself poor. She was a soldier’s wife who had become homeless after her husband’s imprisonment and wanted the GAV to oblige her last master or the parish to give her and her daughters support or work. In her *petitio* she said ‘Being in such distress, I know of no other refuge than Kongl. Maj:ts Befallningshavande’s grace and love for his fellow man, from which also the lowliest can come to receive help and comfort; therefore I dare plead in deepest humility’.186 Finally, the peasant’s wife, Lovisa Qvalström, asked that she be allowed to live in the parish of Kungsåra following her release from prison in Uppsala. Her husband was still imprisoned, so ‘In such defenceless and distressed circumstances, I dare to plead, in deepest humility, for Kongl. Maj:ts Befallningshavande’s gracious protection’.187

These five were the only ones in 1838 who called themselves poor or pleaded with the governor or GAV.188 They show that some could still viably use the idea of a personal relationship involving the governor’s obligation to

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183 1838 Case 1163: ‘En fattig tjenare, som för sin säkerhet och rätt ej har annan tillflyckts ort än till verkställande magten af Konungens bud och befallningar’.

184 1838 Case 1498: ‘Denna grymma och obarmhertiga handling emot en fattig värnlös Enka’; ‘i djupaste ödmjukhet’. For the widow’s age, see AD, Björksta församling, AI:11, 198.

185 1838 Case 41: ‘en fattig Soldat Enka’; ‘jag nu nödgas, att söka hjälp, och falla för Högwälborne Herr Barons och Landshöfdingens fötter; för att hemta räddning och tröst som Länets Herre, och Kriksmans Enkors, och faderlösas försvarare’.

186 1838 Case 1751: ‘I sådan nöd för satt, wät jag ingen annan tillflykt än Kongl. Maj:ts Befallningshafwandes nåd och mennisko kerlek, hvar af äfwen de ringaste hittils hungrats med hjelp och tröst; hvorföre jag vågar i djupaste ödnjukhet bönfälla’.


188 An additional two called for the governor’s or the GAV’s protection (*skydd*), see 1838 Case 2022; 1839 Case 124. One was a captain, answering his former forester who wanted to stay on the croft. Apart from calling on the GAV’s protection, his response made no other such argument. Except for this person, the sample seems to be representative for the rest of the year, because looking through my transcripts I found a few workers and peasants who called themselves poor, see 1838 Case 34; 1839 Case 275, and one person on outlying lands, a discharged soldier and workers who pleaded, see 1838 Case 367; 1839 Case 275, 1244.
provide protection and grace.\textsuperscript{189} Still, the scope of that relationship had shrunk considerably, being limited almost entirely to labouring people. It is also important to note what their cases were about, however. Almost all concerned people who wanted the GAV to act against their masters. The farmhand wanted to leave service, Brita Johanna and Löfgren protested against their landowners, and Rak wanted her former master or the parish to support her. It was a basic tenet of household culture that when one master failed his subordinates, they could turn to a master in another sphere, which was precisely what these people were doing.\textsuperscript{190} In contexts where the cases specifically dealt with the obligations between master and servant, it still made sense for some to appeal to the governor and highlight his responsibilities as deputy ruler. In other words, the petitionary relationship grounded in household culture could still be used depending on the issue and the social position of the petitioner.

By 1880, no one in the sample ‘pleaded’ anymore. Only one person called himself poor, a ‘poor worker’ who could not afford to care for his blind father.\textsuperscript{191} However, this was unrelated to the governor and contained no other familiar terms of protection or pleading. People only addressed the GAV as Konungens Befallningshavande, and no one called themselves the governor’s servant. By 1880, the governor’s petitionary relationship with petitioners and respondents was no longer that of deputy ruler and subjects (or other positions in other spheres). Instead, it was a more impersonal, abstract relationship between an agency and individuals who justified their applications explicitly in terms of legal jurisdiction, and by extension, the legal right to apply.

2.3 Concluding remarks

This chapter has addressed the question of the GA’s petitionary relationship to the petitioners and respondents. Specifically, I have studied the legislator’s, governor’s, petitioners’, and respondents’ words about the obligation to receive petitioning cases and what it was based on, how the obligation interplayed with submitted cases, and how the same people described themselves and the recipient. The aim has been to understand the framework for voice in the regional petitioning process and how it changed over time.

\textsuperscript{189} The phrase ‘poor and defenceless’ was used in England at this time, see Miller, Nation of Petitioners, 66. Miller’s example is a widow who petitioned Parliament to complain about the actions over a local bailiff.

\textsuperscript{190} See also 1838 Case 34, where a group of villagers calls themselves ‘poor hearers’ (\textit{fattige åhörare}) when complaining their pastor had not helped them secure their seats in church and had not kept order in accordance with his duties as a pastor.

\textsuperscript{191} 1880 Case 542. I have found one person (a rector) outside the investigated sample who asked for the GAV’s protection when accused of mishandling a case in the church council, see 1880 Case 525.
The chapter began with the views in the literature about the early modern petitionary relationship. Some argue it was based on grace rather than legal rights, while others highlight jurisdictional aspects and others still how a language of rights started to emerge over the period. This chapter has shown that the Swedish regional petitionary relationship had elements of both legal rights and the reciprocal obligations between ruler and subject. Petitioning the governor in the eighteenth century clearly had a legal ‘rights-based footing’ as specific laws gave the governor jurisdiction, and he turned cases away because they did not belong there. Notably, at least one of these laws, the Enforcement Act of 1734, not only gave people the right to approach the GAs in certain circumstances, it was an explicit legal right extended to everyone regardless of position. The right to turn to the GAs in debt cases and to receive help getting debtors to pay was characterised more by notions of an equal right to have your case heard, and thus a civil citizenship, and less by position long before the nineteenth century.

On the other hand, while jurisdiction was undoubtedly important, the relationship between governor and participants was equally grounded in reciprocal obligations that did not originate in written state law. People positioned themselves as humble servants, defenceless widows, and taxpaying subjects, and asked for the governor’s (as deputy ruler) paternal protection and legal justice. These two components – jurisdiction and ideas of reciprocal obligations of household culture connected to position – were not opposites in eighteenth-century society, instead, they existed side by side, complementing each other. And, importantly, both the law and the notion of the gracious monarch created an obligation to hear petitions. A sharp distinction between applications based on legal rights and supplications based on grace did not exist.

Nevertheless, the petitionary relationship changed fundamentally over the course of the nineteenth century. Where it was once described as a governor’s personal task to receive supplicants, the instructions of 1855 mostly conceived of him as a representative of an impersonal agency that tried cases, not supplications. The GAs’ jurisdiction became increasingly detailed, and the boundaries between it and other authorities, particularly the courts, stricter. The earlier, broader scope for legal interpretation was narrowed, and therefore cases took on a more uniform character. Petitioners and respondents in general stopped referring to the governor’s person, his grace and protection, and started to address an impersonal authority, no longer calling themselves his servants.

Assertions of the reciprocity of household culture as the basis for petitioning waned at the same time as legal formalisation, a stricter division between rights and grace, and a separation of office and person took hold during a period of bureaucratisation of the GA.\textsuperscript{192} It meant that people no

\textsuperscript{192} Esping, Länsförvaltning, 12; Westerlund, Länsförvaltningen, 10.
longer used their own or the governor’s position to justify why they should be heard. Instead, they did so out of a legal obligation on the administration’s part to accept the case. As Hinnemo has argued, the new dichotomy between what was regulated in law and what was not brought greater transparency, but it also meant that previously recognised ways of arguing, often used by people in a subordinate position, lost their validity.\footnote{193 Hinnemo, \textit{Inför högsta instans}, 209.}

These changes in the petitionary relationship were not linear; they did not happen simultaneously for everyone, in all countries or for all authorities. Some petitioners and respondents, primarily labouring people, retained the personal element in their letters for longer, asking the governor for help rather than his office. The notion of an obligation to provide help because of good rulership still existed in relation to the king long into the nineteenth century, perhaps longer. Deferential ways of writing have been identified in other countries as late as the early twentieth century. But at the GAV, the nineteenth century meant a shift. Now, in line with the manual writers’ terminology, the agency handled ‘applications’ and more seldom ‘supplications’. Symbolically, the subordinate subject disappeared, and the civic citizen under the rule of law (of which elements existed in the eighteenth century) remained.
3 Money, mobility, and middlemen: Resources to petition and respond

In June 1803, a debt case between the discharged trooper Christian Gåhlbom and senior lay judge (häradsdomare) Per Nilsson was ending. Gåhlbom’s petitioning had led to costs which he wanted Per to pay if the GAV found in his favour. According to an expense bill drawn up by his representative, a wealthy peasant in the same parish, Gåhlbom had had one application written on 14 April and another on 4 May.1 The making of each, including stamp duties and loss of time, had cost about 20 skilling, equivalent to a female spinner’s daily wage.2 The letters were taken by coach from Köping to Västerås, a round trip of 80 km, where the traveller had to stay overnight. On 2 June, another journey was required to fetch the GAV’s decision. Each trip cost Gåhlbom 1 riksdaler 16 skilling. Finally, he had also ensured Per had received all the relevant documents at a cost of 12 skilling a time. In total, Gåhlbom reckoned that petitioning had set him back 8 riksdaler 38 skilling, or roughly the price of a barrel of rye or a cow.3

Gåhlbom’s case shows that making yourself heard could be expensive.4 Yet people, including discharged troopers, had the resources to overcome these obstacles. Gåhlbom knew people who could draft his letters and had cash or credit for travel and fees. Petitioners had to face and solve these difficulties to make their will known at the GAV. Thus, having the political ability to hand in a petition was intertwined with access to resources. The uneven distribution of resources, and by extension difficulties in paying the costs of participation, was and is an impediment to defending your rights and having voice.5 Thus, the issue of how petitioners and respondents countered these hindrances speaks to the question of power.

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1 For the assessment of the representative, P. Schmidt, see his probate inventory, AD, Åkerbo häradssrätt, FII:21, 811, dated 18050409.
2 Lagerqvist & Nathorst-Böös, Vad kostade det?, 89.
3 1803 Case 483. For monetary references, see 1803 Case 631 (rye), 699 (cow).
4 For the costs of court litigation in the early modern period, see Liliequist, ‘Kostnadsansvar’; Vermeesch, ‘Access to justice’; Vervaeke & Vermeesch, ‘Cost of Litigation’.
FIGURE 3.1 The expenses of the discharged trooper Christian Gåhlbom.
Understanding how petitioners and respondents made themselves heard is closely linked to the petitioning procedure – the rules and requirements of the process which the parties and officials undertook before and during the case. For eighteenth-century Sweden, we know about the requirements in theory, but the practice has been little studied. However, case files are full of expense bills and documents with scribbled notes indicating what happened with the cases before and after their arrival to the GAV, thereby allowing us to analyse what it took to contact the governor and his aides.

This chapter focuses on the material conditions for petitioning and responding at the GAV, analysing how participation in the regional petitioning process was connected to certain economic and practical restrictions. What obstacles did petitioners and respondents face, and what resources were needed to make themselves heard? In what ways, if any, was that connected to the person’s position, and specifically their gender and socioeconomic status? I will begin with the costs of participation, how expenses were incurred, and whether they changed over time, before analysing arguably the most important resource, the scribe or representative, looking at who wrote the letters and where they lived compared to their clients, before delving deeper into their representation of women and labouring people.

3.1 Overcoming economic and practical obstacles

Turning to a GA incurred a cost, although it did not always land on the petitioner. For example, in debt cases the winning party could be awarded payment for the necessary, reasonable costs incurred in proceedings. In petitions and responses, parties stated they wanted the other to pay and by how much. To show their expenses, petitioners sometimes handed in bills detailing their costs, revealing the fees paid, travel expenses, and employment of scribes. Thus they enable us to evaluate the obstacles to petitioning in practice.

Like all sources, expense bills are not without their shortcomings. They rarely divulge who had undertaken the task. In Gåhlbom’s case, we do not know who travelled to Västerås with the application; it might have been him, his representative, or another person whom Gåhlbom claimed should receive half the travel costs. His expense bill was also silent on the mode and time of travel.

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6 I take my inspiration from Bianca Premo, ‘Before the Law’, 267–8 who argues that the prehistory of women’s lawsuits in imperial Spain reveals much about the female litigants’ agency.
7 Frohnert, ‘Administration’, 249–50; Linde, Statsmakt, 91. For a study of impediments at the GA of Örebro, see Oja, Kärt besvär, 39–43.
8 The same was the case for petitions to Scotland’s supreme civil court, see Finlay, ‘Petition’, 345.
9 IU1723, art. 6, in Styffe, Samling af instructioner, 346. For costs over 20 daler silvermynt the applicant had to sue in court.
payment. Since cash was often in short supply, the former trooper might not have had this money readily available. However, due to his claim on Per Nilsson, Gåhlbom possessed substantial security that would probably have enabled him to get credit. It came from a loan vastly exceeding the petitioning cost, a loan for which Per had mortgaged his homestead and pawned his entire crop. The transaction had been noted in a promissory note, making the GAV’s approval fairly certain, particularly since Per later admitted the debt.

Most bills’ silence on the mode of payment makes it impossible to say whether a petitioner had to have cash or if it was enough to pay later. In addition, expense items were often combined, such as fees and writing the letter, making it difficult to know what each had cost. Finally, the items in an expense bill were costs the party claimed to have had, and we do not know if they corresponded to the actual expenses. However, even if the costs were exaggerated, they needed to be within the reasonable range.

In what follows I analyse the cases where costs were claimed by the petitioner or respondent, either in expense bills or in petitions or responses. A claimed cost noted in the letters would normally be less detailed than in an expense bill. For example, a petitioner could say that he or she wanted the respondent to pay them ‘three riksdaler 16 skilling Banco for the costs of the debt case’.10 Not all case files included information about expenses. The frequency of these cost annotations (kostnadsangivelser) varied, but was more common in 1838 and 1880, reaching over 60 per cent of extant files.11 For these two years, I would argue the results are broadly representative of what parties claimed it cost them to petition and respond. Conclusions drawn from 1758 and 1803 are more tentative; however, as will be seen, the pattern was similar in all four years.

Table 3.1 shows how the costs of petitioning at the GAV were distributed in the four years, as indicated by petitioners and respondents. To make comparisons, I have converted the monetary value into the official value of corvée, a man’s labour for a day (drängedagsverke). Following his instructions, the governor created a yearly official tariff (markegångstaxa) for grain and other goods and services used to pay tax in kind. The tariff was based on the prices he obtained in local towns. It is important to keep in mind, however, that the tariff set the value for delivered tax. Researchers have found examples

10 1838 Case 2869: ‘Lagsökningskostnaden med Tre Rd 16 Sk. Banco ersätta’.
11 In 1758, there were cost annotations in 32 per cent of the extant files (74 of 232 cases and 1 entry in the registers), 19 per cent (132 of 701 cases) in 1803, 61 per cent (878 of 1 441 cases) in 1838 and 67 per cent (310 of 460 cases) in 1880. The total number of cost annotations from either petitioners or respondents was 82 in 1758, 136 in 1803, 897 in 1838 and 339 in 1880, see Israelsson Dataset, 1758, 1803, 1838, 1880, columns Costs (S) and Costs (Fk).
where prices at market were higher or lower than those in the tariffs, yet
nevertheless conclude they were representative of price developments.12

Table 3.1 Costs of petitioning and responding as days’ labour

<table>
<thead>
<tr>
<th>Range of days’ labour</th>
<th>1758 (number of cost annotations)</th>
<th>1803 (number of cost annotations)</th>
<th>1838 (Mar.–Aug.) (number of cost annotations)</th>
<th>1880 (number of cost annotations)</th>
</tr>
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<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
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<tr>
<td>0–5</td>
<td>3</td>
<td>4</td>
<td>0</td>
<td>0</td>
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<td>6–10</td>
<td>20</td>
<td>24</td>
<td>22</td>
<td>16</td>
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<td>11–15</td>
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<td>21</td>
<td>42</td>
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</tr>
<tr>
<td>Total cost annotations</td>
<td>82</td>
<td>100</td>
<td>136</td>
<td>99</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset, 1758, 1803, 1838, 1880, columns Costs (S), Costs (Fk); ULA, LV, LKo I, G II ea: 3, 5, 16; KK, Markegångstaxor, vol. 28.13 For a description of the dataset, see Appendix 1.

The costs of petitioning and responding varied, but most cost annotations lay between a value of 6 and 20 days’ labour – seemingly lower than for litigation in courts outside Sweden.14 The lowest value was found in 1880, when some respondents asked for 50 öre, a sum corresponding to less than a half day’s labour.15 That year, the range of costs was the smallest, with the highest

12 IU1734, art. 39, in Styffe, Samling af instructioner, 380. For an overview of the source criticism, see Hansson, Sälld spannmål, 16–18, 83. The tariff from 1758 was missing, so I have used the one from 1759.

13 The history of Sweden’s currency system is very complex and for a long time, several currencies were used simultaneously. In 1803, people rarely specified the currency of their expenses more than riksdaler (‘the internationally accepted currency based on silver’, see Wetterberg, Money and Power, 111). However, payments could be made in both riksdaler riksgälds ( rdr rgs) and riksdaler banco (rdr bco), and their value differed. More indications were made in rdr bco than in rdr rgs, but most did not specify either. When no currency was indicated I used rdr bco, based on the fact that more specifications were made in this currency and that from August 1803 the bills in rdr rgs were supposed to be exchanged for rdr bco, see Winton, ‘Den högsta maktens verkningskraft’, 108. Nevertheless, rdr rgs remained in circulation for many years, so I repeated the procedure assuming the costs indicated in riksdaler only were in rdr rgs and then more annotations were in the lower ranges of days’ labour: 9 costs were worth 0–5 days’ labour, 55 were worth 6–10, 31 were worth 11–15, 17 were in the range 16–20, and the rest above those ranges. For the interplay of rdr rgs and rdr bco, see Kärrlander, ‘Underskattat eller överskattat?’, 576; Mårtensson, Agiot under kreditsedelepoken, 3–4.

14 Vervaeke & Vermeech, ‘Cost of Litigation’, 41 conclude that in the eighteenth-century courts in the Bruges Vrije (a region in today’s Belgium) the standard cost was roughly one month’s wages for a skilled worker.

15 1880 Case 468. This cost was explicitly only for fees to extract the decision.
demand worth about 42 days of work. In contrast, one of the highest values was demanded by widow Jeanette Olsson in 1803, who wanted remuneration corresponding to 200 days’ labour. Jeanette lived in Stockholm, so the distance to Västerås might explain the high costs; however, the claimed expenses involved nothing extraordinary, just the standard fees, travel, and costs for serving the document.\textsuperscript{16}

From the statements of costs, it is clear that making yourself heard at the GAV was expensive and would not have been something people did lightly. Parties could be reimbursed, and their claims could be worth much more than the costs, but participation would have been difficult – or even impossible – without assets. Voice required substantial resources.

Over time, it would seem that the evolution of costs at the GAV differed to the costs for litigating in court. For the latter, Danish and Dutch researchers have argued that litigation became increasingly expensive in the eighteenth century due to the professionalisation of the legal profession, the introduction of costly lawyers, and increasing amounts of paper in the proceedings.\textsuperscript{17} Such an increase was not visible at the GAV between 1758 and 1803, and over the course of the nineteenth century, expenses became more uniform, concentrated around 11–15 days’ labour’ value. Applications did become more uniform over the nineteenth century (Chapter 2), but there was also a formalisation in terms of procedure, which might have affected the concentration of costs.

In 1878, an ordinance introduced the appointment of particular civil servants to help parties in enforcement cases. This aid consisted of handing in and picking up documents, as well as sending in the necessary documents and assisting with payment for stamps. At the GA in Västmanland in 1880, this person was one of its employees, the county assistant (\textit{landskanslist}) Albert Müntzing. The following year, after his death, he was replaced by G. W. Bergh, another county assistant who announced his appointment in the local newspapers.\textsuperscript{18}

The purpose of this office was explicit: it should make things easier for applicants. Since he operated with a set fee, it likely made costs more uniform. Like many legal changes, this one was preceded by an established practice whereby petitioners had had the assistance of GAV officials long before 1878. In 1758, one person in particular had helped by extracting responses for petitioners. His name was Tillström, the county secretariat’s intendant (\textit{kanslivaktmästare}), who also occasionally aided in serving petitions to respondents.\textsuperscript{19} In 1803, the brothers Jacob and Eric Waller, both assistants at the GAV, wrote at least 27 petitions or responses. In 1838, the county

\textsuperscript{16} 1803 Case 681.
\textsuperscript{17} Knudsen, \textit{Lovkyndighed}, 303, 374–6; Vervaeke & Vermeesch, ‘Cost of Litigation’, 42.
\textsuperscript{18} SFS 1878:24; \textit{Westmanlands Läns Tidning}, 6 Apr. 1881, front page. Müntzing’s signature could be seen on the preprinted expense bills (Figure 3.3).
\textsuperscript{19} 1758 Case 49, 107, 146, 237, 297, 306, 311; AD, Västerås domkyrkoförsamling, AI a:4, 177.
secretariat intendant Carl Eric Högelin and the castle intendant (slotts-
vaktmästare) Johan Glantzberg drew up at least 33.\textsuperscript{20} The formalisation of this practice might have made it more common for people to go straight to the appointed the official for help rather than using another person who might have charged differently.

With such high costs, it is unsurprising that labouring people were underrepresented among the petitioners (Chapter 5). Perhaps we should instead be surprised that so many of them overcame the financial obstacles. But did they pay as much for their petitions and responses as others? Can we see any connection between socioeconomic status and the costs? For example, people in a more advantageous economic position might have afforded better scribes or travel arrangements, whereas poorer people paid less.

Looking at the costs specifically of labouring people (Table 3.2), it does not seem as though socioeconomic status was connected to the level of costs.

**Table 3.2 Labouring people’s costs of petitioning and responding as days’ labour**

<table>
<thead>
<tr>
<th>Range of days’ labour</th>
<th>1758 (number of cost annotations)</th>
<th>1803 (number of cost annotations)</th>
<th>1838 (Mar.–Aug.) (number of cost annotations)</th>
<th>1880 (number of cost annotations)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0–5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>6–10</td>
<td>3</td>
<td>1</td>
<td>12</td>
<td>8</td>
</tr>
<tr>
<td>11–15</td>
<td>1</td>
<td>6</td>
<td>16</td>
<td>5</td>
</tr>
<tr>
<td>16–20</td>
<td>1</td>
<td>5</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>21–25</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>26–30</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>31–35</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>36–40</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>40+</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total cost annotations</strong></td>
<td><strong>6</strong></td>
<td><strong>15</strong></td>
<td><strong>34</strong></td>
<td><strong>21</strong></td>
</tr>
</tbody>
</table>


Compared to the sample overall, we find a slightly higher share of cost annotations of 6–10 days’ labour in all years but 1803, but we also see many in the 11–15 range (the commonest range for the whole sample). So the costs indicated by labouring people were slightly lower than general, but not by

\textsuperscript{20} Israelsson Dataset, Scribes and Representatives, column Name (scribe or representative).

\textsuperscript{21} See p. 115 n. 13.
much. In addition, they were not generally the ones in the lowest range, and a few claimed costs worth over 40 days’ labour, such as Christian Gålbohm.22

Rather than varying with the party’s socioeconomic status, costs probably depended on the actual actions undertaken. If you could confidently compose your petition, you would not have to pay a scribe. A complex case would involve more documents and increase the fees. If you lived in Västerås, you would not have to travel or pay someone else to do so. The distance to Västerås sometimes explicitly affected the remuneration they demanded, as when the peddler S. Knutsson argued in 1838 that living far away he incurred higher expenses than if he had lived nearby.23

Considering this, what kind of expenses did petitioners and respondents indicate they had? And which were the most expensive? The following analysis is based on 60 expense bills. In 1758, there were few, so all could be analysed. However, in the nineteenth century the number of expense bills increased dramatically, which meant I had to make a selection. As in Chapter 2, I chose to study those of women and labouring people, as the groups of particular interest in this thesis.24 However, even without having studied the others’ expense bills systematically, it is plain that people paid for roughly the same things (Table 3.3). The general nature of costs was also evident over time, since people demanded to be reimbursed for the same things in 1758 as in 1880.

### Table 3.3 Costs in expense bills by number of bills.

<table>
<thead>
<tr>
<th>Type of cost</th>
<th>1758</th>
<th>1803</th>
<th>1838 (Mar. – Aug.)</th>
<th>1880</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fees</td>
<td>11 of 11</td>
<td>9 of 10</td>
<td>20 of 21</td>
<td>17 of 18</td>
</tr>
<tr>
<td>Service (to respondent)</td>
<td>6 of 11</td>
<td>9 of 10</td>
<td>21 of 21</td>
<td>17 of 18</td>
</tr>
<tr>
<td>Scribe or representative</td>
<td>10 of 11</td>
<td>8 of 10</td>
<td>14 of 21</td>
<td>18 of 18</td>
</tr>
<tr>
<td>Postage</td>
<td>5 of 11</td>
<td>1 of 10</td>
<td>8 of 21</td>
<td>15 of 18</td>
</tr>
<tr>
<td>Travel</td>
<td>6 of 11</td>
<td>6 of 10</td>
<td>7 of 21</td>
<td>15 of 18</td>
</tr>
<tr>
<td>Loss of time</td>
<td>8 of 11</td>
<td>6 of 10</td>
<td>5 of 21</td>
<td>16 of 18</td>
</tr>
</tbody>
</table>


Almost all bills in the sample included fees and many had the cost of scribes or representatives, serving the petition (delgivning), and travel. The kinds of

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22 Another way to illustrate this is to compare the median value for the different years. In 1758, the median value for petitioning was 16 days’ labour for everyone and 10 days’ labour for labouring people. In 1803 the corresponding values were 17.5 and 16, followed by 12.5 and 11.5 in 1838 and finally 11.6 and 10.5 in 1880. Therefore, labouring people paid slightly less for their petitions and responses compared to the general population.

23 1838 Case 784; see also 1803 Case 359; 1838 Case 695.

24 I included expense bills from both petitioners and respondents.
costs people incurred thus did not change much. This is to be expected because, for example, throughout the period people were legally required to pay fees for their cases to be heard. However, the impression of temporal uniformity will be nuanced somewhat below, because the specific nature of some expenses changed – for example, when people travelled or how representatives were involved – particularly towards the end of the period.

3.1.1 Paying fees

Petitioners and respondents were legally required to pay two related fees. All petitions and responses were to be written on stamped paper.\textsuperscript{25} Decisions issued by authorities were also made on stamped paper, although with a much higher value. The party bore this cost by paying an extraction fee (lösen) when collecting the decision.\textsuperscript{26}

The value of the stamped paper, and thus the size of the fee, varied. First, it differed depending on the nature of the document and its recipient. Under a regulation in 1748, the stamp fee for applications to the GAs could be either 6 or 4 öre silvermynt, depending on the issue. If a promissory note was appended, the stamp fee varied by the debt’s amount.\textsuperscript{27}

The expense bills from women and labouring people indicate that fees were among the lowest costs for petitioners and respondents. Of the 60 expense bills analysed, 57 mentioned fees (Table 3.3), and of them 54 listed the entries in such a way that we can determine what the fees cost. In 36 of these, stamp duties were the lowest cost entry.\textsuperscript{28} However, several expense bills included more than one entry for fees since you needed to pay them on more than one occasion. Therefore, the total cost for fees could nevertheless become worth several days’ labour. For example, when the crofter Johan Rosenqvist applied to make a peasant couple Anders Jacobsson and Ulrika Larsdotter pay back an extended loan, he listed fees for stamp duty, for extracting the application (likely with the order to serve it), and for later extracting the decision. Together, the fees had cost him the equivalent of 2.5 days’ labour.\textsuperscript{29}

\textsuperscript{25} Frohnert, ‘Administration’, 250. The practice of using stamped or official paper was known around the world. For example, for South America, see Premo, ‘Legal Writing’; for Egypt, see Yousef, ‘Losing the future?’, 564.

\textsuperscript{26} Stamp duty (expeditionslösen) was one of the fees paid direct to the civil servants at the GAs as part of their perquisites (sportler). In 1877, it was suggested they should instead receive a fixed cash salary, see Kammarkollegii och Statskontoret den 10 Oktober 1877, 19–20.

\textsuperscript{27} SOT, KS1748, art. 8, 16. Further regulations about stamped paper were issued regularly during the nineteenth century, for example in 1810, 1830, and 1878. In the first three years of the investigation, the principles on how the fee was decided remained the same, see SOT, KK1810, art. 5, 15; SOT, KK1830, art. 4, 7 (6). In the last year, 1880, people still paid stamp duty, but rather than paying for all incoming documents, it was paid for the order to serve the document (communikations resolution), see SFS 1860:52, art. 5–6; SFS 1878:31, art. 5–6.

\textsuperscript{28} For case references, see Table 3.3.

\textsuperscript{29} 1838 Case 839.
Second, the fees depended on who you were. The peasantry (allmogen) and soldiers paid a lower fee for many applications and suits. In some cases, such as serious complaints about officials, they were exempt from stamp duty. The fee was waived if you were known to be or could prove you were poor. The law did not formulate this as a choice but as an obligation on the authorities. Throughout the period, petitioners thus had a sort of partial legal aid in case of poverty. However, in practice, people were very rarely granted the poverty exemption. Whenever this was the case, the GAV was supposed to mark the petition ‘gratis’, which they only did occasionally in 1838 and 1880. Thus, it remained a theoretical right for most petitioners. Perhaps, the few such annotations indicate that the poorest did not petition much at all.

Finally, it could matter what the case was about. Apart from complaints about officials, the ordinance on stamp duties in 1860 exempted cases about certain taxes, poorhouses, and applications for logging. We can find annotations in the files that a particular application was ‘free from stamp duty’. The paper was supposed to be stamped in Stockholm and sent to all cities where the city court (and later the GA) appointed a reliable man for its sale, collecting the revenues at various intervals and depositing them with the GA. District judges should also carry the paper so that ‘Those who live in the countryside, who for various reasons need stamped paper can acquire it’. The fees thus provided the state with tax revenue and the incitement to levy it. Until 1880, the stamp was applied to the actual paper itself, making it easy to see if petitions were written on stamped paper (Fig. 3.2). In 1880, a piece of paper was attached to the application.

30 SOT, KS1748, art. 23; KK1810, art. 23 (1–2); KK1830, art. 6; SFS 1878:31, art. 7 (1).
31 1838 Case 40, 505, 1163, 1958, 2022, 2511; 1880 Case 427. This waiver was known in other European countries too. For the Netherlands, see Vermeesch, ‘Access to Justice’, 686–7.
32 SFS 1860:72, art. 7.
33 1880 Case 142, 205, 435, 523, 570, 579: ‘Fritt från stämpel/avgift’.
34 SOT, KS1748, art. 26: ‘The som på Landet bo, och til hvarjehanda bruk Charta Sigillata behöfwa, kunna sig thermo ifrån … förse.’ The exact details of the collection varied over time, see KK1830, art. 15–16, 19; SFS 1878:31, art. 9–10, 13.
35 If the paper itself was not stamped, evidence of the payment of stamp duty could be recorded in other ways. For example, the official could make a note (for example, 1758 Case 19, 52), a piece of other stamped paper could be attached (for example, 1838 Case 1948, 1953, 2614) or it could be specified in a bill (for example, 1803 Case 355, 497, 749).
In addition to being tax revenue for the state, the stamped paper also served to legitimate a document’s content, which could be an incitement for the petitioner or respondent to pay the fee.\textsuperscript{36} For example, in a case from 1880 between the surveyor Carl Johan Jancke and peasant Eric Mattsson, the latter wrote to Jancke and asked to see a decision from the King in Council (Kungl. Maj:t) on stamped paper ‘so I can see if the decisions are the same’.\textsuperscript{37} Likely, Eric wanted to compare the copy of the verdict he had already received with one written on the proper paper. It also shows that people were very aware that these fees existed, as corroborated by the fact that they were paid in the majority of instances. For example, in 1758, about 76 per cent of extant cases contained a petition with a stamp, a pattern similar for all years. Since the petitions were missing in a few extant files and it was not always necessary to pay the fee depending on the case type, these percentages should be interpreted as an absolute minimum.\textsuperscript{38} In practice fees were hard to avoid.

3.1.2 Reaching the Governor’s Administration

Stamped paper was not sold everywhere or by everyone. To buy it, people had to find someone who had already purchased it or an appointed seller. The legal requirements thus presupposed that petitioners and respondents were mobile. Anyone with limited mobility would have to overcome challenges that those who lived in the region’s capital or could travel whenever they wished did not face.

\textsuperscript{36} For example, private contracts had to be written on stamped paper to be legally protected, see Frohnert, ‘Administration’, 250.
\textsuperscript{37} 1880 Case 347: ‘så jag för si ämn utslagen erlika’.
\textsuperscript{38} 177 of 232 cases. In 1803, it was at least 85 per cent (595 of 701), in 1838 at least 91 per cent (1 308 of 1 441) and in 1880, 72 per cent (329 of 460), see Israelsson Dataset 1758, 1803, 1838, 1880, column Charta (S).
The governors’ instructions assumed that petitioners would hand in their requests in the provincial capital.\(^{39}\) Sometimes, other business, such as harvest work or attending court sessions, prevented people from doing so. Restrictions could also come with position. Servants might have difficulties obtaining permission to leave their workplaces. If they found themselves on the road without permission, they risked arrest.\(^{40}\) Mobility also required access to transport or physical capabilities, increasing difficulties for people who could not afford to travel, did not own a means of transport, or were old or infirm. Nevertheless, older people, servants, crofters, and soldiers all found ways to overcome these obstacles.

Since handing in petitions by mail was not allowed, parties who did not live in the city thus had to undertake some form of travel or let someone else do it for them. Travel stood out in the expense bills as higher than other costs in the first three years studied. When expenses for travel or loss of time were separated out, they were often the most expensive items.\(^{41}\) Travel costs could sometimes be as high as the value of almost 20 days’ labour. For example, in 1803, the peasant Jan Jansson in Skäggebo requested that sheriff Carlström hand out an inheritance belonging to Jan’s ward and sister, the 49-year-old maid Anna Jansdotter. During the case, someone had travelled twice by coach from Skäggebo to Västerås via Sala, a round trip of 80 km, at a cost of 3 riksdaler each time – corresponding to 18 days’ labour.\(^{42}\) Similarly, in 1838, when the grenadier Carl Hofdell asked the discharged soldier Carl Forsgren to pay back a loan, he said he had made a return trip of 200 km to Västerås by coach, which had set him back 6 riksdaler 32 skilling (15 days’ labour).\(^{43}\)

By 1880, however, sending your letter by mail (presumably to a proxy in Västerås) was the expected course of action, as seen from the preprinted expense bills issued for enforcement cases: they included the cost of postage, but not for travelling to Västerås (Figure 3.3). Instead, the only travel cost in 1880 was ‘picking up money or goods from the enforcer’ (‘För liqvıds hemtning hos Utmättningsman’), which explains why travel costs were not the most expensive in expense bills that year.\(^{44}\)

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\(^{39}\) IU1734, art. 43, in Styffe, _Samling af instructioner_, 385–6. In the instructions of 1855, this was framed more as a possibility, see SFS 1855:90, art. 46.

\(^{40}\) Johnsson, _Vårt fredliga samhälle_, 98, whose examples refer to the situation when servants left their service, which was not the same as being away for a few days, but still point to the fact that servants were not allowed to travel at will.

\(^{41}\) In the first three years, 17 expense bills had travel or loss of time as a specific cost. In 15 of them, that was the single highest cost entry, see 1758 Case 45, 121, 235, 264; 1803 Case 355, 483, 731, 749, 980; 1838 Case 9, 781, 839, 1964, 1998, 2860; 1839 Case 1351, 1593.

\(^{42}\) 1803 Case 980; AD, Norrby församling, AI:5, 50.

\(^{43}\) 1839 Case 1351. For other expense bills with travelling or loss of time valued to over a fortnight’s labour, see 1758 Case 264; 1803 Case 355; 1880 Case 382.

\(^{44}\) Travel or loss of time was the most expensive item in only 5 of 15 expense bills, see 1880 Case 36, 184, 293, 362, 382.
Other travel might have been included under ‘For pains taken and loss of time’, but it is unlikely since those amounts were insufficient to cover travel costs. Nevertheless, when the preprinted expense bill was not used, high travel expenses were sometimes indicated. The highest that year was for two round trips to Köping of 60 km each, worth about fifteen days’ labour together. When people had to travel it was still expensive, but the few people

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45 ‘Eget besvär och tidspillan’. Often, only 1 kruna was demanded, see 1880 Case 54, 102, 107, 114, 147, 187, 207, 251, 348. Meanwhile, the coach price per 10 km was 1.60 kronor, see 1880 Case 362.

46 1880 Case 382.
who brought it up as a cost indicate that the need to travel to Västerås had decreased in 1880, probably due to their greater use of the mail.

Travel expenses depended on distance; the further you lived from Västerås, the more expensive it got. Nevertheless, both men and women travelled long distances to petition or respond. The expense bills and letters from women and labouring people noted quite long distances, from 15 km to 130 km one way, although we do not typically know who travelled. On rare occasions, a petitioner could give more details in the letters. In February 1758, Hedvig Börstell, a rector’s widow from the parish of Huddunge, travelled almost 70 km from her home to Västerås to have someone in the city write a supplication for her. In the letter, she stated that since the respondent was slow to pay his rent to her, she ‘had had to hire an expensive coach and travel to Västerås on bad roads’. Altogether she ‘would lose’ four days. Although Börstell’s statement must be read with caution because it served as a justification for her costs, another annotation supports that she had travelled herself. According to a note in the file, she personally collected the tenant’s response two weeks later. She may have stayed in Västerås the whole time, but equally she may have had to undertake the long trip in winter twice.

Whenever the mode of transport was specified in expense bills, it was usually a hired coach (skjuts). Other accounts alluded to a hired coach because the specified price per 10 km (a Swedish mil) corresponded to the legally set coach price. For example, Christian Gåhlbom’s expense bill stated that he had had costs for ‘1 trip to Västerås … 80 km round trip, 8 skilling per 10 km’.

Sometimes, people asked to be reimbursed for walking to Västerås. The few who did so were among the poorest of the petitioners because they were exempt from fees. In 1838, Brita Johanna Jansdotter asked to be ‘somewhat remunerated for all the times I have had to walk between my home and Västerås to hand in and extract documents’. The widow of first a soldier and then a local constable (fjärdingsman), the 56-year-old lived in a cottage in the parish of Björksta, about 20 km from Västerås. She petitioned the GAV because the cottage’s landowner had let his animals out on her small plot,
destroying her crops and potatoes. She now wanted him to pay damages. Similarly, a discharged soldier named Carl Flanck asked for remuneration for ‘6 walks to Västerås’. Flanck said he had walked a total of 250 km, a credible distance given that his then home of Östhamra is about 25 km from Västerås.\(^{52}\) Like Jansdotter, he wanted to protect a plot of land he had been promised when discharged.

Rare though they were, these examples show that having to walk did not necessarily stop people from making themselves heard. Nevertheless, it must have made it more challenging. The plots of land were probably Larsdotter’s and Flanck’s primary livelihood, which could explain why they found the issues important enough to walk such a long way. As the expense bills indicate, it was more common for labouring people to demand compensation for coach transport rather than for walking, so the latter could have been unusual even for people of limited means.\(^{53}\) Another possibility is that people who could not afford to pay for transport did not manage to petition at all. Walking was probably only possible for people living near Västerås, otherwise it would have required too long a time away from home, costing money for lost days’ work.

For many, the trip to Västerås would have required an overnight stay because of the distance. People from outside Västerås then had to consider that they could not work for at least two days. Consequently, petitioners asked for compensation for time lost in the expense bills, sometimes including food costs. When the time was specified, it varied between one to four days, and its value ranged from just under 1 day’s labour to 24 days’ labour. Most did not exceed 4 days’ labour.\(^{54}\)

Two of the most expensive entries for loss of time were in 1803 and had the same representative, the local prosecutor (*provinsialfiskal*) Johan Gabriel Bröms.\(^{55}\) It is not unreasonable that the cost for lost time varied depending on who travelled and took care of matters in Västerås. The evidence suggests it could be the petitioners themselves, but also someone else. For example, even though others had written Brita Johanna Jansdotter’s and Carl Flanck’s petitions, they carried the letters to Västerås themselves. But the expense bills were usually silent on the matter, simply indicating that travel had taken place, not who had done the travelling.

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\(^{52}\) 1838 Case 367: ‘6 promenader til Westerås’.

\(^{53}\) Nine expense bills from labouring people had entries that suggest they travelled by hired coach, see 1803 Case 355, 483, 706, 731, 980; 1838 Case 839, 1964; 1839 Case 1351; 1880 Case 362. It is possible that people did not demand remuneration for walking because it did not create a cost, although it would still mean a loss of time.

\(^{54}\) For number of days, see 1803 Case 355, 483, 980; 1838 Case 1964; 1880 Case 362. Five out of 26 bills with specified costs only for loss of time exceeded four days’ labour, see 1758 Case 121, 235, 264; 1803 Case 355, 483, 731, 749, 980; 1838 Case 1964, 1998, 2860; 1839 Case 1351; 1880 Case 36, 54, 102, 107, 114, 147, 167, 187, 207, 251, 293, 348, 362, 407.

\(^{55}\) 1803 Case 355, 980.
In 1758, 62 cases had annotations about who had extracted the responses. About half of these were the petitioners themselves. For example, when 71-year-old Christina Eriksdotter petitioned against her stepdaughter, she travelled from her home in the parish of Sevalla to Västerås to get the answer, a distance of about 20 km one way. Other times, a relative was sent, such as the lay judge (nämndeman) Daniel Hansson, who had his son go to Västerås. So did Christina Elisabeth von Bysing, a colonel’s widow, whose 17-year-old son picked up the response. Yet another option was to send someone else entirely. These people’s surnames reveal that they were sometimes the scribes or representatives acting on the petitioners’ behalf.

As these expense bills and annotations show, people solved the need to travel in different ways. Some went by hired coach, others on foot. However, handing in a petition required mobility and cost money and time. It would inevitably pose a difficulty for people with low funds or restricted mobility. One solution, examined in the next section, was to use intermediaries.

3.1.3 Other people’s assistance

Petitioning and responding involved many people associated with the applicant: those who gave advice, carried letters, provided lodging, and so on. Many will remain unknown to us because they have left no trace. However, the documents that remain unequivocally show that the supplication process necessitated the assistance of others, and they sometimes reveal their identity and level of involvement. The intermediaries analysed in this section primarily solved two problems: the petitioner’s responsibility to make sure the respondent received the petition in good order, or its service (delgivning) to the respondent; and the need to hand in a written petition, which had been the preferred form ever since the GAs’ creation.

When cases involved respondents, the GAV ordered the petition be served to them for an answer. Its phrasing remained virtually the same throughout the period. It was typically written on the petition and signed by the governor or his officials. These orders were made on pain of a fine, or, after 1823, automatically losing the case. However, in practice, there were examples of

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56 Normally phrased ‘withdrawn by’ (uttagen av). Source: Israelsson Dataset 1758, column Withdrawn by.
57 1758 Case 123. The distance is not indicated in the case, but I have calculated it based on where Sevalla’s church is located today.
58 1758 Case 63, 205; for the son’s age, see AD, Dingtuna församling, AI:7, 159.
59 See for example 1758 Case 278–9.
60 IU1635, art. 28, in Styffe, Samling af instructioner, 207; For the petitioner’s responsibility to serve the petition, see UB1734, 2:2, in Carlén, Sweriges Rikes Lag, 211.
the latter in 1803. Thus, even as a respondent who had not chosen to approach the GAV, you were expected to make your will known. Throughout the period, the petitioner was responsible for serving the petition to the respondent. As the expense bills showed, many petitioners incurred costs as a result, and in 1880 the order to serve the petition explicitly mentioned this responsibility in the words ‘By means of the applicant’.

On receipt of the documents, the respondents had a few days to a couple of weeks to explain themselves. But the prescribed punishment could not be exacted without proof. Consequently, the petitioner needed validation that the respondent had been served the documents in the prescribed manner. Cases could thus contain a service receipt (delgivnings-kvitto) stating that the respondent had received notice, how, and, importantly, from whom. Thus in 1838, Per Andersson in Kolpelle received an application in a fairly typical manner. The receipt, signed by the former lay judge Jan Andersson and the respondent’s neighbour Johan Mattsson ‘as assistant’, stipulated that ‘Konugens [sic] Höga Befalnings hafwande’s order to serve the

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62 See, for example, 1880 Case 1–2: ‘Genom den sökandes försorg’.
63 For fines and the practice of exacting them, see Kardell, Örjan, ‘Administrativ praktik. Länsstyrelsens i Örebro län handläggning av suppliker 1758–1770’ (submitted for publication).
document has been properly delivered to Per Andersson today, and he consented to pay the debt. Certified in Kohlpell, 6 April 1838."64

Generally speaking, the receipts show that the responsibility to serve the documents (including travelling to the respondent’s home) was solved by having someone else do it. Even though there were many variations in how documents were served and many identities are unknown, titles that occurred repeatedly indicate that local officials (lay judges, sheriffs, and local constables) were important servers of petitions.65 They could be accompanied by another person, most likely acting as a witness.66 Sometimes, this second person was living in the same village as the respondent, and had been asked on the spot to help.67 These assistants’ identities were more mixed than the first person signing the receipt. Although some were lay judges or other men with official positions, there are also examples of farmhands, soldiers, men living in the village outfields, and workers.68

The serving of petitions, which could involve men from many different backgrounds, bore a striking resemblance to the stipulated manner for serving court orders (stämningansökan). A written court order was to be handed to the respondent by two trustworthy men, and, if it was not written – by civil officials.69 As for court orders, officials could act as mediators for the petitioners at the GAs.70

The rules about serving court orders seem to have precluded women from taking part and in general, women did not sign any receipts at the GAV either. However, although it was rare, I have found two assisting women, one in 1838 and one in 1880. In 1838, Jonas Ekblad’s wife, one of the respondent’s neighbours, signed the evidence of service together with a lay judge. In 1880,

64 1838 Case 705: ‘Som Biträde’; ‘Konugens Höga Befalnings hafwandes Commonikations Resolution är Denna Dag i Behörig årdning Per Andersson Tillställd, och skulden är Kändes Til Betalning. Betygas af Kohlpell den 6te April 1838.’
65 For some examples, see 1758 Case 52, 86, 121, 143, 162, 173, 279, 320; 1803 Case 94, 143, 164, 205, 312, 320, 328, 346, 362; 1838 Case 755, 758, 781, 790, 797, 1709, 1724, 1736, 1739, 1767, 1770; 1880 Case 138, 187, 189, 194, 227, 279, 313, 340, 397, 423. For further examples, see Israelsson Dataset 1758, 1803, 1838 and 1880, column Served by?
66 The notes were written in several ways. Sometimes, they were signed by the two people who stated that they had served it to the respondent. On other occasions, the respondents themselves signed, whereby the two people only witnessed the signature. It is not entirely certain if the witnesses were the same people who actually handled the communication, but their titles make it likely.
67 See, for example, 1758 Case 100, 184; 1803 Case 450, 490; 1838 Case 420, 425.
68 See, for example, 1803 Case 335, 443, 695; 1838 Case 1625, 1714, 1840, 1877, 1914; 1880 Case 40, 290. For more examples, see Israelsson Dataset, 1758, 1803, 1838, 1880, column Served by?
69 RB1734, 11:7, in Carlén, Sweriges Rikes Lag, 249.
70 The similarities between the procedure at the GA and in the courts did not stop there. The procedure was sometimes called a ‘trial’ (rättegång) and the costs ‘court costs’ (rättegångskostnad), see, for example, 1758 Case 147, 162, 199, 205.
the signatory was Josefina Hedblad, a neighbouring wife who witnessed the communication with her husband, a local constable.71

By 1880, it had become even more formalised, indicated by a specific title given to the people who served the documents: process server (stämningsman). Now, the orders to serve explicitly said they should be served in accordance with the rules for court orders.72 In addition, an ordinance in 1877 specified that applications for enforcement could only be served by specially appointed, sworn men. However, bailiffs, city bailiffs (stadsfogde), sheriffs or lay judges could serve documents without being specially appointed.73

The prominent position of these officials in serving documents, in practice and in the regulations, is essential for two reasons. First, it shows an established system existed for handling this part of the petition process. Knowing who to contact to have documents served would have simplified petitioning and made it easier for people to make themselves heard. Second, it shows that people were aware of the formal rules about serving documents, and that they needed to validate it to prove it had taken place. It was not enough to hand the petition over; it had to be done in good order – the respondent had to be properly served, as it sometimes said in the receipts.

Respondents also knew they had to be served with the documents in a certain order, because we can find several examples when they claimed there was some problem with the receipt of the documents. These protests show they were aware of the stipulated procedure and could involve several issues. In 1838, the farmer Jan Peter Persson in Åby appealed the GAV’s decision to the Svea Court of Appeal because the petition had not been correctly served since he had not been given a copy of the documents. The appeal was approved because Jan Peter was only considered properly served when given a certified copy; it was not enough to read him the text. Similarly, in March 1758, Anna Pehrsdotter objected in her explanation that local constable Anders Hellström had come to her and told her to respond within eight days or be fined, ‘without letting her see or receive the documents he carried’.74

Other objections from respondents included who served the document and the lack of witnesses. In 1880, the carpenter Eric Lindström protested that two people had come to his home, supposedly to hand him documents demanding debt payments. Lindström argued that if his counterparty wanted him to respond, he should be served through oath-sworn men as stipulated by law.75

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71 1838 Case 1736; 1880 Case 350. For Johanna Hedblad, see AD, Möklinta församling, A1:15a, 115; see also 1880 Case 407 for a woman witnessing appended documents.
72 See, for example, 1880 Case 44, 109, 153, 196, 346.
73 Kungl. Maj:ts nådiga förordning angående stämningsmän (11 Aug. 1877), in Herslow, Utsökningslagen, 150.
74 1838 Case 1718; 1758 Case 224: ‘utan at widare få se, eller bekomma, de af honom uti händer hafde documenter’; see also 1838 Case 1396.
75 1880 Case 83. For a similar case see ULA, LÖ, Lko I, D III:7, 17300430 response signed S Ehre Preus. In that case, from the 1730s in the region Örebro, the respondent had received the petition from a ’mistress in Käggåsen’ (‘en hustru ifrån Kiäggåsen’). She still chose to
April 1838, the discharged soldier Anders Lilja complained he had received an unattested copy of the petition, which he did not consider a lawful service of documents.76

Finally, a few respondents complained that they had not received the documents personally. When the crofter Matts Ersson was asked to pay a debt, he complained how the constable, ‘out of ignorance or malice’, in his absence had served the petition to his wife, ‘who is not my guardian’. Further, the date on the receipt was incorrect. One might have thought Matts posed this argument strategically to prolong the process or escape enforcement, but he went on to say that he wanted the constable ‘chastised’ for such illegalities but did not shirk from answering the application.77

It is not surprising respondents knew of these requirements, given their similarities to proceedings in the courts. In the seventeenth and eighteenth centuries, litigation was common, and many attended the regular court sessions.78 Although the lower court’s main events were hearings, people also handed in many documents, which were served to the opposing party before the trial.79 Women and men also contacted other authorities, which involved documents being served.80 Consequently, officials or others on countryside roads, busy handing out copies, would not have been an unusual sight. People would probably have experienced it personally as recipients, witnesses, or bystanders. Thus, it is more than likely that a presumptive petitioner would have known who to turn to locally to have documents served.

3.1.3.1 The ever-present but elusive scribe

Another figure who sometimes helped serve petitions was the person who had written it.81 Scribes writing for others were ubiquitous in early modern Europe and continued to be so well into the nineteenth century.82 R. A. Houston argues for seventeenth and eighteenth-century Scotland that people with the necessary skills for drawing up documents for someone else could be found in almost any situation when it was needed.83

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76 1838 Case 695.
77 1838 Case 1185: ‘af okunnighet eller elakhet’; ‘hwilken icke är min förmyndare’; ‘näpsas’; see also 1803 Case 825, where the respondent’s daughter received it, which prompted him to claim that a fine should not be exacted for the late response.
78 Sogner, ‘Conclusion’, 271; Sogner et al., ‘Women in Court’, 168.
79 Rantanen, Pennförare, 11, 36.
80 See an example in Åhlman, Mötet, 189.
81 For example, 1758 Case 173; 1803 Case 328, 988; 1838 Case 1204, 1397; 1880 Case 38, 148.
82 Lyons, ‘Power of the Scribe’, 245; Premo, ‘Legal Writing’, 10; Villstrand, ‘Bokstäver’, 93. As Kalman, Writing on the plaza, 11–12 points out, the practice of literacy mediators continues to this day.
83 Houston, Scottish Literacy, 195.
Research on petitions often states that petitioners probably did not write them themselves due to the petition’s structure, language, or limited literacy among the supplicants. If this was the case, and if so, who these writers were has rarely been investigated empirically for Sweden. Consequently, we still do not know how important a resource the scribe was for women’s and men’s ability to have voice. It is an especially pertinent question in the period in question because literacy rates increased. In addition, the number of less complex simple debt cases rose (Section 2.2.1 and 6.2), in which a literate person could consult a letter manual form for examples. In the second half of the nineteenth century, preprinted applications were introduced. Together, these instances might have made the scribe less necessary. To study the scribe’s role, this section examines their presence in the petitioning process. The second part of the chapter will investigate who these scribes were and their representation of women and labouring people specifically.

Many expense bills in the period included the cost of writing, but the presence of scribes is also noticeable in other ways. Sometimes, they wrote their names on the documents, as in an example from 1803 (Fig. 3.5). These annotations were not made in all cases because the scribe was not always required to sign his name. According to law, representatives only had to sign court documents when his client did not know how to set them up. In 1773, the same rule was explicitly repeated for applications and complaints. Without the scribe’s signature, the letters were not to be accepted. In 1812, the rules might have been relaxed, for a new ordinance reiterated that ‘when the litigant cannot write and therefore have not signed the complaint or application themselves, the author ought to name themselves and their profession’.

84 See, for example, Frohnert, ‘Administration’, 252; Gustafsson, ‘Att dra till Malmö’, 87; Yousef, ‘Losing the future?’, 564. Cf. Lerbom, Mellan två riken, 128–37, who argues that peasants on seventeenth-century Gotland may have written petitions themselves.
85 A number of studies cover the eastern half of Sweden–Finland, later Finland, see Rantanen, Pennförrare; Vainio-Korhonen, ‘Lekmäns skriftliga’. Villstrand, ‘Memorialets makt’, considers the identities of scribes who drew up gravamina.
88 SOT, Kongl. Maj:ts nådiga Kungörelse om et noga iakttagande af hvad Lag och Författningar påhjudi vid Besvärsrskifters och Ansökningars inlämnande (1 Oct. 1812), my emphasis: ‘då Sakägaren sjelf ej kan skrifwa och således icke egenhändigt undertecknat Besvärskriften eller Ansökningen, dels Författaren deraf bör … utsätta des namn och syssla’. It should be noted, however, that the Swedish ‘ought’ (bör) could almost mean ‘shall’ (skall) at that point, see SAOB, s.v. ‘böra’ (definition 5).
Since scribal signatures were not mandatory and were connected to the client’s literacy, there are reasons to believe that a mediator had written the letters even when signatures were missing. This can be evident because the party’s signature differed from the body of the text. For example, in 1803, local prosecutor (provinsialfiskal) Bröms acted relatively often as a scribe. He signed a petition in seven cases, but at other times he did not, as demonstrated by an issue between Erik Köpseus and his brothers-in-law. In their letter, Köpseus’ relatives accused Bröms, as his representative, of encouraging him to oppose their claim. The handwriting of Köpseus’ explanation is similar to that of other letters Bröms had composed and clearly differs from Köpseus’ signature (Figure 3.6). Thus, Bröms represented Köpseus without having put his signature to it. These mentions by name in the texts or accusations of various kinds against unnamed scribes turned up at times, indicating that someone else had indeed drafted the letters.

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89 1803 Case 355, 627, 702, 729, 815, 954, 980. For a similar situation, see 1838 Case 608, 609 compared with 1838 Case 610, 731, where C. G. Sagström signed the first two as the writer, but not the others.

90 See, for example, 1758 Case 35, 96, 135, 268, 299; 1803 Case 684, 1013; 1838 Case 885.
Apart from signatures and explicit textual mentions, there are other methods to identify scribes, albeit none that are entirely reliable. Scholars use hints such as different inks and the characteristics of the handwriting, language, and
spelling. As we have seen, the party’s signature could differ from the rest of the text or be written in another ink. The name and text could be by the same hand but with a mark between the first and last names written in another hand.

A scribe was probably involved even where the signed name corresponded to the text, at least at the beginning of the period. In the eighteenth century, petitions and responses followed a classical rhetorical structure. The need to correctly master the petitionary genre indicates that the writers had some form of practical or theoretical education. Further, the handwriting in the petitions indicated a familiarity with putting pen to paper, as in the handwriting of one of the GAV’s employees, the regional notary (länsnotarie) Carl David Hjort, who sometimes helped petitioners write their letters in 1803 (Fig. 3.7).

![FIGURE 3.7 A petition written by the regional notary Carl David Hjort (1803 Case 620).](image)

Hjort’s handwriting indicates he was in the habit of writing, which would have been required in his work. There are no blotches to indicate hesitation, the spelling is not phonetic, and it appears driven with the same amount of pressure on the pen. This contrasts with a response from the same period, likely written by the respondent himself, the rusthållare Lars Fernsten (Fig. 3.8). Fernsten, who probably belonged to the peasant elite, could obviously devise an answer. He used the correct titles, salutatory phrases, and did not spell phonetically. But compared to Hjort, the handwriting was sketchy, with uneven spacing between the words and different amounts of pressure on the

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92 For only a few examples, see 1758 Case 11, 98; 1803 Case 649, 708; 1838 Case 1498, 1824; 1880 Case 109, 215. As some of these examples show, this is a method where it is hard to be sure if another has written the text. People’s signatures did not necessarily look like their handwriting.
93 1758 Case 19, 281; 1803 Case 121, 613; 1838 Case 485, 1210; 1880 Case 118, 346.
94 For the meaning of the title, see p. 89 n. 109.
pen, indicating a less practised hand. This kind of handwriting was unusual among the letters, which were typically easy to read.95

Both petitioners and respondents employed scribes. But, respondents, who were obliged to answer or face either a fine or losing the case, were in a particularly vulnerable situation if they were illiterate. Here, the system of serving petitions illustrated in the previous section helped them. If respondents could not read, the person serving the petition could read aloud the documents. For example, in March 1758, a petition against the soldier Olof Flaggä was said to have been ‘read to and served to him’, signed by Olof Ersson and Anders Persson in Råshyttan. Similarly, in August 1758, Anders Ersson in Korsberget read and handed Johan Johansson in Glafsåsen a petition.96

Similar annotations that the petition was read to the respondent were made over the whole period. In 1880, the city bailiff (stadsfogde) August Fogel, accompanied by A. Strandberg, wrote that the widow Anna Karin Jansdotter had been read and handed a certified copy of a petition.97

95 For an example of somewhat uneven pressure but a more experienced hand, see 1803 Case 613.
96 1758 Case 41: ‘uppläst och med honom Comuniceradt’; 1758 Case 320. For an example of where the petition was not read to the respondent, causing him by his own account to miss the deadline, see 1803 Case 613.
97 1880 Case 142. For other examples, see 1758 Case 310; 1803 Case 187, 322; 1838 Case 1367, 1541; 1880 Case 55, 248.
The respondents could also receive help from the servers to compose short answers, such as admitting the debt or asking for more time to pay. In May 1838, the lay judge Johan Johansson in Kinsta served such a claim, but the respondents wanted more time. Johan then wrote on the petition that ‘the signatories’ had given them notice, and ‘the debt is admitted without further explanation and humbly ask for two more months to pay it.’

![Figure 3.9 Response written by the lay judge Johan Johansson (1838 Case 1133).](image)

Just like Fernsten, Johan was literate and familiar with procedural expressions such as ‘service’ and ‘response’, knowledge likely acquired in his position as a lay judge.

Based on these indications and the easy-to-read handwriting in petitions, I conclude that scribes were probably employed very often. However, over time, the need for a writer would have diminished, at least in less complex cases, since nineteenth-century epistolary manuals used more templates than before. If you could write and had access to these manuals, it would not have

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98 1838 Case 1133. Johansson did not say he wrote the text, but it is written from his point of view and both respondents put a mark between their names. Their names and Johansson’s correspond to the text, but Iansson’s (the person whose name is under Johansson’s) does not. For another example with the same handwriting and person, see 1838 Case 682.

been difficult to compose a short application yourself. In 1880, applications in debt cases were also available in print, so the petitioner needed only to write the respondent’s name and address, the nature of the debt, and its amount.

But, in more complex cases, or when the respondent refused to pay in a lengthier response, both parties needed additional skills. Being literate was insufficient, because writing the words was only one part of crafting the letters. It was necessary to know the correct application of rhetoric, what arguments to include and where to put them, to decide if the claim should be based on legislation, on custom, or both, and finally, to know the procedure so that stamped papers with the correct value were included. In short, having voice not only required literacy or access to literate people; it took a certain amount of legal literacy, defined by Mia Korpiola as ‘comprising knowledge of and skills in law.’ Such knowledge could include legal terminology and legal procedure. Therefore, even if you could write, you might still need someone for advice on procedure. Given that, it would have been more surprising if parties did not seek help to draw up a letter in more complex cases.

3.2 The scribe–client relationship and legal literacy.

In the literature, the relationship between the petitioner and the scribe is sometimes characterised as the client transferring power to the writer. Pär Frohnert describes it as a situation where members of the peasantry who could not write were left to the mercy of literate people. Similarly, Martyn Lyons

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100 For this development in France and Spain, see Lyons, ‘Power of the Scribe’, 249.
notes that delegating the writing would inevitably entail a loss of authorial power. In contrast, Houston highlights that employing a scribe was not necessarily perceived as a disadvantage since it continued into the nineteenth century when literacy increased. Others have argued that writing was a joint endeavour and that illiterate people, to some extent, still controlled part of the process.102

Being unable to draft the letter yourself necessitated contact with a scribe whose qualifications and expertise could vary.103 An inability to read would also hamper the petitioner’s ability to assess the quality of the writer’s work, although scattered evidence suggests that the letter’s contents was read to those involved.104 As Christoffer Åhlman has noted, the inability to read and write could pose a problem in legal contexts. Contemporaries expressed such disadvantages as well. For example, Sven Svensson in Långhälla noted in a debt case how he, ‘unable to write and stylise, have had to be satisfied with having [the promissory note] read to me’.105

However, considering the knowledge and skillsets required to make yourself heard in the petitioning process, the scribe could provide much more than the written document. In the best scenario, he would have known the formal procedure, the relevant laws, and might even have put the client in a better position than a literate person with less legal literacy.106 Even if you could read and write, there might have been good reasons to let someone else do it for you.

Lack of literacy was not the only reason for having someone else write or handle the case for you. First, handing in a petition took time away from other important matters, such as farming. We find one such example in a petition to the governor of Uppsala in 1733. When the burgher Johan Åhman was instructed to pay a debt that year, he sent in a power of attorney stating that he was busy harvesting and loading hay. Therefore, he allowed his relative to answer in his stead.107 Second, it could depend on what happened in the case. In 1838, a merchant called Kraak in Sala chose to engage a city court judge as his representative when the respondent objected to his claim. Kraak otherwise handled straightforward debt cases on his own and had no trouble to write his

103 Villstrand, ‘Memorialets makt’, 222.
104 Lindström, Prästval, 139–140; Premo, ‘Legal Writing’, 14. For an example where the response was read to the respondent, see 1838 Case 1546.
105 Åhlman, Mötet, 177; 1803 Case 526: ‘såsom okunnig af alt skrivvande och stylicering, hvarvid jag måst mig åtnöjas med allenast föreläsning hörande’; see also 1758 Case 95, 155; 1803 Case 613; 1838 Case 1053, 2022; 1880 Case 348.
106 Houston points to the similarities between hiring a scribe historically and hiring a lawyer today, see Houston, Peasant Petitions, 82–3; see also Kuvaja et al, ‘Språk’, 94.
107 ULA, LU, Lka I, D IV c:7, 17330303 Olaus Er. Huss (17330704 power of attorney signed Joh. Åhman).
own applications. The choice of who to turn to could also depend on the administrative level. For example, in Finland, parish scribes wrote letters to the governor, but not petitions to the higher levels of government.

Finally, using a scribe or a representative could be connected to your position. For the seventeenth- and eighteenth-century Netherlands, Danielle van den Heuvel has found that women in charge of large international companies tended to rely more on male employees to handle public-facing parts of the business, such as contact with banks, than men did. There were places where business was conducted where it was inappropriate for women of this social status to go. In nineteenth-century China, the law required women to file petitions through their male relatives on pain of punishment. From a perspective geographically closer to the GA in Västmanland, Åsa Karlsson Sjögren has found that widows who could vote in the parish assembly in the eighteenth and nineteenth centuries used representatives more than men, suggesting it might have been due to a male norm. On the other hand, Martin Almbjär argues that female petitioners to the eighteenth-century Diet did not seem to act through representatives.

To understand how scribes helped their clients deal with their lack of writing ability, procedural knowledge, other pressing matters, or social norms, we must examine who they were and their relationship to their clients. This section starts by exploring our understanding of what a scribe or representative was and what levels of engagement the role could involve. Second, I investigate who these scribes and representatives were and their geographical proximity to their clients. Finally, I conclude with a closer look at the relationship between scribes and representatives on the one hand and women and labouring people on the other.

### 3.2.1 Scribes and representatives with varying levels of involvement

The petition helpers were involved in several ways, as illustrated by a few cases from 1803 involving Baroness Dygdig Maria Reuterholm. She lived in the parish of Rytterne with her father, the former governor Gustaf Reuterholm. After her marriage in 1799, she remained there with her husband. In 1803, she helped her ageing, blind father with his correspondence, including acting for him when he needed to contact the GAV. She was literate and displayed some familiarity with legal matters. In 1811, long after her father’s death, the now-divorced baroness wrote a note detailing everyone living in her household for

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108 1838 Case 847. For other petitions that Kraak wrote himself, see, for example, 1838 Case 1757, 1759, 1762, 1764.
tax purposes (mantalsuppgift). In the message, she noted that one of her maids had been taken in as an orphan, why she should therefore ‘according to the Servant Act be exempt from personal taxes until turning 24’.\textsuperscript{111} We know that Reuterholm wrote the note because the text and signature correspond to each other, and her signature is the same as on one of the petitions she sent in on her father’s behalf in 1803.

\begin{figure}
\centering
\includegraphics[width=\textwidth]{image.png}
\caption{Dygdig Maria Reuterholm’s script in a taxation note (above) and a petition (below) (AD, Mantalslängder 1642–1820 Västmanlands län, vol. 169, unpag., Bild-id v900144.b4510; 1803 Case 76). She did not write the words ‘Odjmjuke tjenare’.
}
\end{figure}

Despite having some legal literacy, Reuterholm did not write her father’s petitions; she only signed them. Like many women and men of higher status,

\textsuperscript{111} AD, Hallstahammar församling, Al:6, 59; Rytterne församling, Al:a:6, 121; Anrep, \textit{Svenska adelns ättar-taflor}, iii. 360; iv. 104.
she might have let the bailiff at the estate, Erik Apelgren, do it instead.\textsuperscript{112} When her father died later that autumn, leaving several outstanding monetary claims, she chose to hand over matters entirely to the bailiff, Johan Fredrik Hultberg, who lived in Västerås. She gave Hultberg complete authority to handle the cases by phrasing her power of attorney: ‘I accept whatever legal actions my representative does or has someone else do.’\textsuperscript{113}

Previous research has problematised the nature of the author of a petition, concluding that it was a joint action of several people, of which Reuterholm’s case is an example. Thomas Sokoll has argued that English pauper letters were produced collaboratively by the sender (the person who signed the document), the author (in whose voice the letter was written), and the writer.\textsuperscript{114} In Reuterholm’s case, she signed for her father, but the petition was written in his voice (in the first person), and the writer was a third person. Petitions were collectively produced documents.

However, Reuterholm’s case also reveals that the notion of the writer could be just as complex. What was a scribe exactly? And what did they do? In the first instance, Reuterholm wrote a critical part of the petition, her father’s signature, but another wrote the body of text. When she handed over matters to Hultberg, he wrote and signed the petitions without her involvement. However, as the power of attorney indicates, he likely did more than write the petition; he had a mandate to handle the entire case. Therefore, one can consider the scribal task on a spectrum: from simply writing a mark or a signature, via only aiding with writing the body of the text to handling the entire case, including travelling, paying fees, buying the necessary paper, et cetera.\textsuperscript{115} Depending on the involvement level, the party had more or less help from someone else.

The varying levels of scribal involvement are evident from the different words describing people who acted for others. An ordinance from 1738 stipulated that all applications to the Diet should, whenever the applicant has had someone else compose it, be signed by the client as well as the scribe, and, whenever letters are signed by a representative, the power of attorney should be attached.\textsuperscript{116}

\textsuperscript{112} See 1803 Case 333. One Eric Apelgren attested a copy with a signature which was similar to the handwriting in the application. At the estate, Stora Ekeby, the bailiff was called Eric Apelgren, see Rytterne församling, Ala:6, 122.
\textsuperscript{113} 1803 Case 643: ‘hållandes jag för godt och giltigt, hwad detta mitt ombud derwid lagl. gör och låter.’ For Hultberg’s domicile, see AD, Västerås domkyrkoförsamling, A I a:8, 89.
\textsuperscript{114} Sokoll, Essex Pauper Letters, 62; see also Whiting, Women and Petitioning, 25–6.
\textsuperscript{115} For an example of the applicant signing but not writing the text, see 1803 Case 740. For examples where the representative seemingly handled almost everything (writing, submitting and retrieving documents etc.), see 1838 Case 1201, 1427, 1794.
\textsuperscript{116} Cited in Villstrand, ‘Memorialets makt’, 204: ‘[Alla ansöknings till Rst.] börja, enär then sökande betjent sig af någon annan till theras upsättjande, jemte principalen, af concepisten underskrivvas och, när någor såsom fullmäktig sådana skrifter underskrifver, behörig fullmackt biläggas’.
The difference between scribes (koncepist, skrivare) and representatives (fullmäktig, ombud, kommissionär) was that the former could not act for the client in their own name. In expense bills, more money was asked for when a representative was mentioned rather than only having the letter written, further indicating the higher level of involvement.

Scribes and representatives generally signed letters differently. Scribes signed in the document’s lower-left corner, noting that they had written it. The representatives signed the same way Reuterholm did for her father. Ending the petition, she wrote: ‘[Your Grace’s] Humble servant, Gustaf Reuterholm per pro Dygdig Maria Reuterholm’ (see Fig. 3.11). The per pro (genom) seems to have indicated, sometimes explicitly, that the person was acting with a power of attorney with a mandate to handle the entire case, including drafting documents. One such example, from 1803, was vice district judge Anders Ekholm. He represented several people at the GAV, many living in Stockholm.

**Figure 3.12** Petition signed by Anders Ekholm for wholesaler Magnus Lindgren (1803 Case 434).

From his distinct handwriting (Figure 3.12), we can conclude that he wrote all the documents, including the expense bills, and it is highly probable he handled the cases in their entirety. Since both people who had and had not written their letters signed in this way, it does not necessarily tell us who wrote

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117 For an example of this distinction, see 1803 Case 805.
118 In the expense bills analysed in Section 3.1, the median cost for a representative was equivalent to 3 days’ labour, while the corresponding value for a scribe of a petition or a response was 1½ days’ labour. For the cases included in this median, see 1758 Case 45, 133, 178, 235–6; 1803 Case 599, 706, 731; 1838 Case 1026, 1187, 1371, 1592, 1602, 1618, 1710, 1998, 2075; 1880 Case 36, 54, 102, 107, 114, 147, 167, 187, 207, 216, 251, 348, 407.
119 See, for example, 1758 Case 119, 182, 242; 1803 Case 166, 328, 472; 1838 Case 1305, 1710, 1924; 1880 Case 38, 202, 348.
120 For similar cases with explicit references to a power of attorney, see, for example, 1758 Case 176, 278, 332; 1803 Case 359, 453, 847; 1838 Case 1053, 1164, 1932; 1880 Case 59, 102.
the actual document. In many cases, representatives did write the documents, as exemplified by Ekholm, but it was not always the case. I have therefore distinguished between the two signing practices, defining those who signed in the left-hand corner as scribes (whom we know wrote the body of the text) and the others as representatives (whose involvement could vary).

3.2.2 The important civil servant

In Sweden, our knowledge of who wrote petitions remains limited. Ling notes that ‘professional scribes’ normally wrote petitions. Other researchers have ascribed their identities to priests, noble landowners, and other non-noble persons of rank (stândspersoner). Arja Rantanen has found that in the province of Österbotten appointed parish scribes helped write to the GA. Nevertheless, the question have seldom been studied on a larger scale. In Norway, a formal system of specially appointed writers (sorenskrivare) helped people with writing tasks. In other countries, scribes have been identified as the petitioners’ relatives, patrons, local officials and lawyers, clergymen, and professional scribes. Lyons describes three groups of writers in early modern France: the urban professional scribe; the local notable (the rector or village mayor); and the family member or close colleague. Professional scribes were common in large cities, whereas evidence for and research on local notables is scarcer.

As far as I can ascertain, no Swedish regulations prescribed who was suited to write a petition as a scribe. However, for formal court representatives, the procedural legislation specified that they had to be respectable, honest, and knowledgeable men. In 1897, the word ‘men’ was removed, formally allowing women to be representatives. However, the Diet’s missive to the king revealed that the rule had not been uniformly applied. The Diet said it was aware ‘not all courts in the country share the view that the current law does not unconditionally forbid women’ to act as representatives. Consequently, the word ‘men’ had been removed to achieve unity in the rule’s application. Again, we find different interpretations of the law opening up for various actions, where women sometimes were allowed to serve as representatives and sometimes not.

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124 RB1734, 15:2, in Carlén, Sveriges Rikes Lag, 257.
125 Riksdagens Skrifvelse, no. 39 (24 April 1897), 9–10: ‘att icke alla domstolar i landet dela den åsigten, att ifrågavarande lagbestämmelse icke utgör ovillkorligt hinder för qvinna’.
126 These rules concerned court representatives, but given the similarities between courts and the GAV (Chapter 2) it is not unreasonable to think they would have been applicable to the
The following figures are based on signatures or narrative information about the named scribes or representatives who acted for individuals or groups of identifiable individuals. Cases where their clients were corporations, such as parishes, banks, and companies are excluded because I am primarily interested in how people, not legal entities, were represented. Since I want to know more about how people accessed this help, I did not include scribes or representatives who were parties themselves, acted from an appointed position (for example, guardians and custodians), or as servers of petitions who wrote short replies.\textsuperscript{127}

I found information about one or more scribes or representatives in a total of 593 extant files and 16 register entries in the four years studied.\textsuperscript{128} Given that this is only a minor share of the extant files, and an even smaller proportion when one considers the total number of cases each year, the picture is incomplete and by no means shows all scribes and representatives who might have acted as such. Nevertheless, these cases yielded 699 scribal or representative entries, a figure that gives us a fair image of who these intermediaries were.\textsuperscript{129}

Before analysing them, the question of identification must be addressed. Scribes and representatives sometimes only signed with their names; others added titles or domiciles. But to find out who they were or where they lived when such information was missing, I consulted church records, tax records, probate inventories, and other cases at the GAV. However, as always when doing nominal linking during this period, there is a measure of uncertainty about whether the person found in other sources was, in fact, the one who signed the document, especially when there was only a name.

To minimise this uncertainty, I looked for them in other extant cases to compare signatures. It was not unusual for people to act more than once at the GAV, enabling me to find missing information. In addition, for Västmanland, all extant probate inventories have been registered in a searchable database. If a scribe’s wife had died, his signature could be found on that inventory, thus confirming his identity. However, when I only had the signed name and could not find a matching signature in other cases or probate inventories, I had to assess whether or not it was reasonable that the person I located in other sources was the same. I based the assessment on a few factors. Was the name unusual? Did the person live close to the client? If they represented clients on GAs too. Other procedural rules such as punishments for scribes, set down in RB1734 14:7, were applied at the GAV.

\textsuperscript{127} The guardian’s representation of their wards will be dealt with in Section 4.2.1. Servers of petitions have been excluded because there were too many to analyse in the time available.\textsuperscript{128} This represents about a fifth to a third of all extant files in the first three years but only about a tenth of files in 1880 (55 files in 1758, 235 in 1803, 255 in 1838, and 48 in 1880). For exact cases, see Israelsson Dataset, Scribes and representatives (described in Appendix 1).\textsuperscript{129} Nine scribes subsequently acted as representatives in the same case and have therefore been counted as both scribes and representatives.
separate occasions coming from different parishes, did they live in Västerås? Was scribe their job title? Was there another familial or professional relationship with the client? In total, 103 annotations were included based on such assessments.

The named writers and representatives were almost all men. Only two women acted as representatives, Reuterholm for her father and a mother for her grown son who lived outside Västmanland in 1838, and neither of them wrote the applications themselves. If women wrote for others, which they certainly might have, they did not put their names on the letters.130

Based on their titles, civil servants and military officials constituted the largest group of scribes and representatives in all four years studied, by a wide margin (Tables 3.4 and 3.5).131

**TABLE 3.4 The identity of scribes by the number of scribe–client relations.**

<table>
<thead>
<tr>
<th>Year</th>
<th>CM</th>
<th>P</th>
<th>O</th>
<th>TC</th>
<th>LP</th>
<th>Ch</th>
<th>E</th>
<th>U</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1758</td>
<td>14</td>
<td>0</td>
<td>3</td>
<td>6</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>8</td>
<td>32</td>
</tr>
<tr>
<td>1803</td>
<td>97</td>
<td>20</td>
<td>12</td>
<td>9</td>
<td>5</td>
<td>2</td>
<td>1</td>
<td>18</td>
<td>164</td>
</tr>
<tr>
<td>1838</td>
<td>94</td>
<td>17</td>
<td>9</td>
<td>5</td>
<td>11</td>
<td>2</td>
<td>0</td>
<td>16</td>
<td>154</td>
</tr>
<tr>
<td>1880</td>
<td>8</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>12</td>
</tr>
<tr>
<td>Total</td>
<td>213</td>
<td>37</td>
<td>25</td>
<td>20</td>
<td>16</td>
<td>6</td>
<td>1</td>
<td>44</td>
<td>362</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset: Scribes and representatives, column Title (scribe or representative). For a description of the dataset, see Appendix 1.

Key: Civil servants and military officials (CM), Peasants (P), Others (O), Tradesmen and craftsmen (TC), Labouring people (LP), Church-affiliated servants (Ch), Elites (E), Unknown (U).

**TABLE 3.5 The identity of representatives by the number of representative–client relations.**

<table>
<thead>
<tr>
<th>Year</th>
<th>CM</th>
<th>O</th>
<th>TC</th>
<th>P</th>
<th>E</th>
<th>Ch</th>
<th>LP</th>
<th>U</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1758</td>
<td>15</td>
<td>9</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>33</td>
</tr>
<tr>
<td>1803</td>
<td>93</td>
<td>2</td>
<td>5</td>
<td>4</td>
<td>6</td>
<td>1</td>
<td>0</td>
<td>6</td>
<td>117</td>
</tr>
<tr>
<td>1838</td>
<td>97</td>
<td>18</td>
<td>13</td>
<td>9</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>6</td>
<td>146</td>
</tr>
<tr>
<td>1880</td>
<td>28</td>
<td>5</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>41</td>
</tr>
<tr>
<td>Total</td>
<td>233</td>
<td>34</td>
<td>24</td>
<td>17</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>17</td>
<td>337</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset: Scribes and representatives, column Title (Scribe or representative). For the key, see Table 3.4.

130 1803 Case 76, 110, 163, 333; 1838 Case 736. Another woman was noted in the register as acting for someone else, but without enough information to say in what capacity, see ULA, LV, Lka I, B II:1, 17580113 (Maria Grönvall).

131 For titles used to create and allocate group categorisations, see Section 5.1 The pattern persists, albeit somewhat less pronounced, if we look at individual scribes and representatives instead of client relations: of 311 individual scribes/representatives, 139 were civil servants or military officials. The smaller share of the total speaks to the fact that these men acted for others on more than one occasion.
These civil servants and military officials wrote for and represented people from virtually all walks of life: from workers, peasants, soldiers, ironworks owners, and nobles to craftsmen, merchants, servants, and other officials. Among the scribes and representatives from this group we find notaries, bailiffs, quartermasters, customs officials, GAV staff, regimental scribes, and judges. The group also contained lower civil servants, such as local constables and customs constables (tulluppsyningsmän). However, almost half of the men who signed as scribes or representatives in this group were from the local administration (whether rural or urban) or were staff at the GAV. In addition, the group ‘Other’ was mainly composed of clerks, estate stewards and bookkeepers – men who performed similar tasks to civil servants, but not for the Crown.

Several researchers have noted that individual civil servants aided the public with writing documents and that they could be popular agents. From the nineteenth century, at least, many would have had a higher education since a degree became a requirement for bailiffs and many of the GAs’ employees from 1823. However, even before that, when there were no formal educational requirements, these were men who often came into contact with matters pertaining to the GAs’ jurisdiction through their office. Compared to most people, their knowledge of composing applications and responses to a GA would have been extensive. Therefore, many people who turned to others for help went to the men who were the most knowledgeable about it.

Nevertheless, the situation in Västmanland seems to have been somewhat different from what has been described for Scottish and English courts, where professional lawyers aided people, or for some larger cities where people used an urban professional scribe working from a booth. Employees at the GAV did assist people, but scribes and representatives also came from other backgrounds. Several would have had a law degree or had obtained legal knowledge through experience, but most were not professional lawyers. Few people went to professional writers, as I only have 23 relations where a total

132 Of the 446 scribe and representative relations in the group CM (Civil servants and military officials) (see Tables 3.4 and 3.5), 214 had titles indicating their position at the GA or in the local administration. The commonest were sheriff (länsman) (46), regional clerk (landskanslist) (34), bailiff (kronofogde, kronobefallningsman) (28), castle steward (slottsinspektor) (28), city prosecutor (stadsfiskal) (14), and district judge (häradshövding) (12).
135 Evidence of outright incompetence among scribes and representatives is rare. However, see, for example, 1838 Case 1182 where the writer of the response showed he had not mastered the genre by using certain words incorrectly.
of twelve men titled ‘scribe’ (skrivare, kontorsskrivare, sockenskrivare, tingssskrivare) wrote documents (five of whom lived in Västerås).\footnote{Israelsson Dataset, Scribes and representatives, column Title (scribe or representative).}

None of the scribes or representatives were rectors, and only one was a curate (komminister).\footnote{The other men in this group were organists, sextons, and one titled ‘magister’ (magister).} This absence is notable since rectors are often mentioned as potential (and actual) writers for the peasantry.\footnote{'t Hart, ‘The people’, 334–5; Kuvaja et al., ‘Språk’, 73; Linde, Statsmakt, 91; Räihä, ‘Kejsarinnans undersåte’, 601–602, 614; Villstrand, ‘Bokstäver’, 102, 141.} However, if they did in Västmanland, they did not sign. Rectors wrote in cases involving the parish council, representing it as its chairman but not as scribes or representatives for individual people.\footnote{For example, see 1838 Case 674, 883.} The absence of clergy might be related to a nineteenth-century professionalisation that included calls for the separation of civic matters and clerical office.\footnote{For the clerical profession, see Evertsson, ‘Bishops and Professionalization’.} On the other hand, the number of scribes and representatives from the clergy was low already in the eighteenth century.

In 1758, 1803, and 1838, peasants were involved in helping others with their petitions and responses; in 1803 and 1838, so were labouring people. People from these groups almost exclusively acted or wrote for members of the same groups.\footnote{In only three instances did they act for someone else, see 1838 Case 1084 (a parish artisan), Case 1546 (a smith’s wife), and 1839 Case 1 (a sexton).} In a study of writing practices of peasant parliamentarians in the eighteenth century, Nils-Erik Villstrand hypothesises it might have become easier for peasants to find writers from within their own ranks in the following century due to increased literacy.\footnote{Villstrand, ‘Memorialets makt’, 223.} The increase of scribes and representatives from these groups in 1803 and 1838 might indicate that that was the case in the first half of the nineteenth century. However, the peasant scribes were often lay judges (nämndeman) who would have acquired extensive legal literacy during their appointments.\footnote{22 of 54 peasant scribe and representative relations were between the client and a lay judge.} Due to the increased social stratification within the peasantry in the nineteenth century, it is therefore hard to ascertain if these men were approached because they were socially ‘closer’ to their clients (and thus perhaps more accessible) or engaged because they, like many civil servants, had practical knowledge of the process.

In 1880, the number of relations, particularly scribal relations, was extremely low. Since the numbers do not give us a complete picture of all scribes (because they did not all sign), it does not necessarily mean that using a scribe was more unusual. However, a few factors make it a reasonable conclusion. First, literacy levels rose in the nineteenth century. Second, as we saw in Chapter 2, the formal beginning and end of the applications became shorter and less important. Third, material aid became more common, with epistolary manuals containing forms and eventually preprinted applications in debt cases. Therefore, applicants in 1880 likely needed less help than before.
How did petitioners and respondents access scribes and representatives? A closer look at their parochial proximity (the parish where they were domiciled) reveals two strategies: People engaged someone who lived in the same or a neighbouring parish, or they went into town. In almost 40 per cent of all scribe and client relationships (262/699), they were hired by people from the same or a neighbouring parish (Table 3.6). If the petitioner did not recruit the scribe or representative locally, chances were they did so in Västerås. In 1758, the scribe or representative lived in Västerås half of the times when they resided in a different parish from the client. In 1803, this share had risen to two-thirds, in 1838 to three-quarters, and in 1880 to over four-fifths.145

Table 3.6 Parochial proximity in number of scribe and representative relations.

<table>
<thead>
<tr>
<th>Year</th>
<th>Same parish</th>
<th>Neighbour. parish</th>
<th>Different parishes</th>
<th>Mixed parishes (several clients)</th>
<th>Unknown</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1758</td>
<td>15</td>
<td>10</td>
<td>26</td>
<td>0</td>
<td>14</td>
<td>65</td>
</tr>
<tr>
<td>1803</td>
<td>51</td>
<td>33</td>
<td>132</td>
<td>4</td>
<td>61</td>
<td>281</td>
</tr>
<tr>
<td>1838</td>
<td>108</td>
<td>26</td>
<td>136</td>
<td>1</td>
<td>29</td>
<td>300</td>
</tr>
<tr>
<td>1880</td>
<td>16</td>
<td>3</td>
<td>25</td>
<td>0</td>
<td>9</td>
<td>53</td>
</tr>
<tr>
<td>Total</td>
<td>190</td>
<td>72</td>
<td>319</td>
<td>5</td>
<td>113</td>
<td>699</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset, Scribes and representatives, column Geography. To decide whether parishes were neighbouring, I have used descriptions in Tham’s Beskrifning öfver Westerås län (1849). For a description of the dataset, see Appendix 1.

Thus people who wanted help with writing or representation generally turned to a man, often a civil servant, who lived either in Västerås or in the same or neighbouring parish. In other words, people seem to have known to contact those with the most experience and contact with the GAV. Contrary to what is often said, the clergy did not seem to act as scribes or representatives very often in eighteenth- and nineteenth-century Västmanland. Even though the petitions and responses do not reveal all writers or representatives, the rectors were completely absent. Had they been the primary go-to people for the local inhabitants, it ought at least to have been visible more. In the first half of the nineteenth century, peasants and labouring people helped to draft applications, indicating that such knowledge had become more widespread across society. By 1880, it is more than likely that many could draft and hand in the increasingly simple applications themselves.

3.2.3 The complexities of representation and position

What role, if any, did gender, age, socioeconomic status, and household position have in relation to representation? And how could it affect the ability

145 1758, 13 of 26 relations; 1803, 92 of 132 relations; 1838, 104 of 136 relations; 1880, 21 of 25 relations.
to petition and respond? This section studies these questions by comparing women’s and men’s relationships with their scribes and representatives, first generally and then for specific socioeconomic groups. Here, the strategies of labouring women and men will also be examined in detail.

The need for women (whatever their status) and labouring people to have access to others who could draft their letters and act for them might have been higher than for others. As we saw in the section’s introduction, women could have had difficulty participating in some areas due to gendered norms. In addition, although the research is ambiguous, literacy for these two groups might have been lower than for others. For early modern labouring people, we can find statements to the effect that most were illiterate. For a later period, Sokoll has found that English pauper letters in the first half of the nineteenth century were likely written by members of the same group.146 Regarding female literacy, Lyons has argued that literacy statistics have probably underestimated their ability to read, but that their ability to write was less widespread than men’s. Nevertheless, Åhlman has shown that women in eighteenth-century Sweden, and particularly those who were or had been married, used their writing ability in various contexts.147

There certainly seems to have been a contemporary perception that women and labouring people could not draft petitions. In the preparatory statements for the Swedish Law Code of 1734, referral bodies discussed the rule when a scribe was supposed to sign documents. One opinion raised was that this should be mandatory when it was likely that the party could not write it themselves. It was argued that the requirement to do so be applied to the peasantry (allmogen), all women and other simple (enfaldiga) persons.148 Ultimately, the rules did not explicitly mention specific groups, only that the writer had to sign when clients could not draft documents themselves.

The discussion does not show whether this opinion was pervasive in society, but it raises a source-critical issue concerning quantitative differences for these groups and others. If a scribe did not indicate his name when the client could not draft, the authority ought not accept the case.149 With a possible perception that certain groups could not write by default, it could have made scribes more prone to sign their names when representing women and labouring people so the case would not be dismissed. Therefore, even if women and labouring people were overrepresented as clients with named scribes and representatives in the sources, it would not necessarily mean they employed such people more often than other petitioners. For example, in 1758,

147 Åhlman, Mötet, 171–2; Lyons, ‘Power of the Scribe’, 252.
148 Villstrand, ‘Memooriaets makt’, 205–206, citing Pia Letto-Vanamo’s thesis on the emergence of professional laywers in Finland during the seventeenth and eighteenth centuries.
11 per cent (62 of 588) of the petitioners and respondents in cases with extant files were women, but their share among parties with a named scribe or representative in the files was 20 per cent (17 of 84). However, it is impossible to say if this means they more often employed help or if it was just noted more often.

The overall pattern also highlights similarities between men’s and women’s strategies. Just as men, many women engaged civil servants and military officials, often from the local administration or the GAV staff, as scribes and representatives. They either looked for them closer to home or in Västerås. In addition, both women and men who were clearly literate still decided to go to others when they needed to petition.

When we only know who wrote for or represented another and where they lived compared to their client it is not possible to know why a particular person was hired. But sometimes, we have additional information about their relationship. On rare occasions, the scribes and representatives were related to their clients. Looking at who was represented by relatives, we find mainly similarities, not differences. In the four cases where a relative represented women, all were widows, three older and one younger. The older (aged 56–74) were represented by younger male relatives (sons and a son-in-law). For example, when Magdalena Grave, the widow of ironworks owner Lars Polhammar, wanted permission from the GAV to expand her mills, her son signed the petition for her. He later acted as her representative at the subsequent investigation into the mills. Two older men were also represented by younger family members. One was Gustaf Reuterholm, represented by his daughter, and the other, a 68-year-old rector, was represented by his son.

The other men whom relatives represented were younger, unmarried men who had not yet formed their own households, or had done so only very recently. When one Jan Petter Persson had a debt claim, his brother, who was noted as the head of the household, wrote the petition for him. Similarly, when the unmarried Hans Hägerlind, who had recently taken over his parents’ farm, wanted to forbid his previous master (the notary Abraham Gother) from having anything to do with the farm, Hägerlind’s father signed the petition in

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150 In 52 of 102 relationships where a woman was a client, she was represented by men from these groups, and of those 25 were local administration or GAV staff.
151 See, for example, 1803 Case 607 (a peasant who knew how to write a bill), 643 (Dygdig Maria Reuterholm); 1838 Case 847 (a merchant who sometimes wrote his own applications).
152 For husbands and guardians as representatives, see Chapter 4.
153 1803 Case 708; AD, Västerförnebo församling, AI:15, 37; for the other cases, see 1838 Case 1221, 1618 alongside AD, Hubbo församling, AI:7, 33; Västerås domkyrkoförsamling, Al a:12a, 151.
154 1758 Case 176; 1803 Case 76, 110, 163, 333. Muncktell, Westerås, iii. 238.
his stead by proxy. ¹⁵⁵ No young unmarried women have been found represented in this manner, but plenty were on the other hand represented by their guardians (Chapter 4). The few young men represented by their kin thus indicate that being a young man of age without your own household could have impacted whether you looked to your relatives for help. For adult women, age did not play the same role, since it was their marital status that determined whether they had a guardian. But for both men and women, household position seems to have shaped whether someone related to you (or who was your guardian) acted for you.

I have not found any male established householders represented by kin and only one woman. The younger (30-year-old) widow mentioned above was represented by her father. Her reasons for having him help her alluded to her household position as a lone widow as well as his knowledge. When the GAV questioned her father’s lack of formal power of attorney, she answered with her own signed response, saying that she had employed her father to help her, a ‘defenceless widow’ and small children in her daily troubles. She agreed with what he had written since he knew the debt-ridden estate best. ¹⁵⁶ Thus, in this one case, we find a possibly gendered representational choice since no men in her situation has been found represented by their older relatives, nor would they describe any representation as due to their defencelessness.

The similarities between men and women continue if we compare women’s scribal strategies with men from the same socioeconomic status. Just as Andersson has found for court proceedings, wealthy women and men owning larger estates let their stewards or other employees handle contacts with the GAV. ¹⁵⁷ Like Reuterholm, they did not engage a representative due to a lack of literacy. Instead, they acted from a position of power, having subordinates that could do the work for them. ¹⁵⁸

If necessary, they stepped in for their stewards. In 1758, the owner of Skultuna brassworks, the widow Susanna Westerling, complained through her estate bookkeeper Per Sverdström that the parish of Lillhärad had unlawfully felled timber on a property of which she was joint owner. The parish answered that someone had probably tricked or persuaded her to complain (an accusation made towards men and women) and asked that her representative be punished for writing. ¹⁵⁹ Upon these accusations, Westerling took over,

¹⁵⁵ 1758 Case 162; 1838 Case 1826; see also 1758 Case 137; 1838 Case 15, 736. Sources for the men’s ages and marital status when not mentioned in the cases can be found in the specific case enumerated in the source key (Appendix 3).
¹⁵⁶ 1758 Case 436: ‘wärnlösa Änka’. For the widow’s age, see AD, Sala stadsförsamling, AI:7, 138.
¹⁵⁷ Andersson, Tingets kvinnor, 99.
¹⁵⁸ See, for example, 1758 Case 35, 75, 94, 231, 242, 252, 288; 1838 Case 754–5, 786–7, 1195, 1281, 1319, 1546; 1880 Case 377. For sources on the relationship when not indicated in the case, see Israelsson Dataset, Scribes and representatives, column Sources.
¹⁵⁹ See 1758 Case 96 (against an official at the Admiralty), 315 (against a crofter); 1803 Case 949 (against a peasant and his wife). For other women, see 1758 Case 199, 418.
signing comments to the GAV in her own name.\textsuperscript{160} She stated that she ought to ignore the allegations silently but could not when they accused her advisers and asked for them to be punished for the truth. She added she would be truly pitiful if she did not know more about the situation without writers or advisers. Westerling’s answer shows her view of her role in the matter: she knew what she needed to and did not need help from either advisers or scribes.

A similar situation arose in June 1838 when the steward at Fiholm, E. Rickman, sequestered the property of a crofter living on the estate. Such sequestration had to be confirmed by the GAV, and the steward requested it a few days later. The crofter was asked to respond, and protested against the sequestration, partly because Rickman had not presented a proper power of attorney either at the sequestration or the GAV. This caused the estate’s owner, Count and General Carl Ridderstolpe, to act himself, writing that the GAV should disregard the argument because ‘it is known that he [Rickman] has already managed the property for me for 13 years’.\textsuperscript{161} When their representatives were questioned, the wealthy could speak for themselves.

In the nineteenth century, especially in 1838, merchants were common applicants because they had many outstanding claims due to credit purchases (Section 5.2.1). The representative strategies of merchants and merchants’ widows show both similarities and differences. Women and men from this group employed representatives if they were located further from Västerås, for example in Stockholm or Borås.\textsuperscript{162} Local male merchants more rarely used representatives and typically seem to have written the short letters themselves.\textsuperscript{163} They did have others serve their petitions, sometimes sending their assistants (handelsbetjänt).\textsuperscript{164} For women, on the other hand, the situation could vary. In 1838, one particularly active merchant’s widow was Carolina Sophia Pipping, who handed in over 150 applications between March and August that year. Her husband, Lars Boman, had died in December 1837, leaving a substantial estate with many claims.\textsuperscript{165} Pipping continued the business for a while, but later seems to have transferred it to one of her former

\textsuperscript{160} Westerling might have written the answer herself, but the signature was written in a different ink, making it difficult to compare with the body of text, see 1758 Case 35.

\textsuperscript{161} 1838 Case 1527: ‘då kändt är, att han redan i 13 år för mig förwaltat Egendommen’.

\textsuperscript{162} See, for example, 1758 Case 354; 1803 Case 160, 359, 549, 560, 702; 1838 Case 668–9, 1729, 2144, 2467; 1880 Case 364.

\textsuperscript{163} Among the many examples, see, 1803 Case 1008 (Anders Låstbom); 1838 Case 1582, 1585 (C. W. Kraak), 1590 (P. O. Flodin). The clients were men with some variant on the title merchant (handelsman, handlande, grosshandlare) in a total of 37 relationships, of which only 11 were merchants from Västmanland, see Israelsson Dataset, Scribes and representatives, column Title (client).

\textsuperscript{164} See, for example, 1803 Case 249, 345, 447 together with AD, Västerås domkyrkoförsamling, A 1a:8, 9, 124 when the merchant A. Låstbom let his assistant L. G. Krook handle communications.

\textsuperscript{165} AD, Västerås Rådhusrätt och Magistrat, F IIIa:39, 221. For the number of applications, see Israelsson Dataset 1838, column Name (S).
assistants, Per Erik Lundberg, who had married her niece. In nine cases, Lundberg and two other assistants explicitly acted as her representatives, but the others were simply signed ‘Lars Boman’s widow’ without any indication of having someone write for her. However, comparing with her signature on her late husband’s probate inventory, she likely did not write these, although it is unclear who did. Her assistants also aided in serving applications and accepting payments. Thus, Pipping handed over more tasks to her assistants than her male counterparts. To what extent these differences were due to gender or other factors such as not intending to continue the business, recently being widowed, grief, or other responsibilities remains an open question.

By contrast, the applicatory practices of another merchant’s widow, Ulrika Schutzberg, were more similar to her male counterparts. Her husband died in 1828, and ten years later she was still running the business. Her signature on the probate inventory and on the petitions show that she signed them herself. In addition, the handwriting did not obviously diverge from her signature, indicating that she wrote applications and bills herself. The presence of any assistant is not visible in the cases. Thus, she seems to have had a more direct hand in managing applications.

Among the 94 relationships where labouring women and men had a named scribe or representative we find primarily soldiers and their wives or widows, farmhands (drängar), maids (pigor), crofters and others living in the village outfields. They were potentially more vulnerable than others when trying to find someone to represent or write for them. First, there is evidence that economy impacted the choices labouring people had to find representation. The number of relationships found where someone signed as a scribe or representative was about the same (362 scribal relationships and 337 representative relationships) (Tables 3.4 and 3.5). For labouring people, the ratio was 74 scribal relationships versus 20 representative relationships. Therefore, labouring women and men seem to have engaged scribes (who were a cheaper option) rather than representatives.

It is not certain the business was transferred to him, but shortly after his marriage Lundberg was titled a merchant and not a merchant’s assistant. He was the one who took over Boman’s property and continued to live there, while Pipping moved away after a few years. In her probate inventory, she no longer owned any immovables. In addition, assistants who had worked for Pipping continued to work for Lundberg, who also owed her a substantial amount of money at her death ten years later, see AD, Västerås domkyrkaoarkiv, AI a:12c, 29–30; AI a:13c, 36, 398; AD, Västerås Rådhusrätt och Magistrat, A II:96, 18481002, no. 154, Lit A (Bild-id: v719114.b1520); Västerås Rådhusrätt och Magistrat, F III a:41, 474.

167 1838 Case 756, 874, 879, 1159, 2439, 2869; 1839 Case 950, 1663, 1663, 2535.

168 See, for example, 1838 Case 1680–1, 1685, 1788; 1839 Case 10, 1663.

169 1838 Case 1768–70; 1839 Case 695–6; AD, Sala rådhusrätt och magistrat, F II:27, 395; AD, Sala stadsförsamling, AI:15b, 36; AI:16a, 163; AI:16b, 114.

170 Soldiers and wives, 25 relationships, see Israelsson Dataset, Scribes and representatives, column Title (client); farmhands (20), maids (3), crofters etc. (29), see Israelsson Dataset, Scribes and representatives, column Title (client).
Having less money could lead to being assisted by a less competent person. However, based on titles alone, the people who primarily wrote for labouring people were the same as for others. More than half of them went to scribes or representatives from the ranks of civil servants or military officials, many from the same or neighbouring parish or in Västerås.\textsuperscript{171} As for other groups, these civil servants were bailiffs, sheriffs, customs scribes, provincial prosecutors, employees at the GAV, and lower civil servants such as local constables and customs constables. In contrast to what Sokoll has found for English paupers asking for relief, labouring people in Västmanland did not seem to have gone to people with a similar background for help.\textsuperscript{172}

Second, labouring people were often dependent and subordinate in relation to people who were crucial for their subsistence and everyday lives. Servants had masters who had the right to decide over them and who controlled their living spaces, food, and salary. Crofters lived on land belonging to others and could be evicted. Soldiers depended on their rusthållare and rotar, who paid their wages and provided them with crofts.\textsuperscript{173}

Speaking up against your master or landowner could result in repercussions, regardless of gender. In the case mentioned above between Ridderstolpe and the crofter, Per Olof Windahl, Ridderstolpe wrote how, because of Windahl’s and his scribe’s defiant response, he ‘of course withdrew my promise’ to pay Windahl’s debt to another person. Since Ridderstolpe could not expect any recompense for any further aid or the days’ labour Windahl had ‘disobediently’ (‘ genom tredsko’) failed to perform, he now intended to evict him.\textsuperscript{174} Similarly, in June 1838, the old soldier’s widow and cotter Brita Johanna Jansdotter complained against her landowner and asked for recompense because he had let his animals graze on her patch of land. The landowner, Anders Lindström, denied having done anything wrong, claiming she had been given legal notice to move. Now he requested ‘an eviction decision, and she can under no circumstances stay here.’ He also asked the GAV to fine the writer for bringing up things unrelated to the matter.\textsuperscript{175}

As these cases exemplify, protesting about your superiors or their actions could not only have negative consequences, but could also expose your scribe to criticism. Depending on who the master or landowner was, it could have made it more difficult to find someone willing to help you openly. And when

\textsuperscript{171} 49 of 94 scribe and representative relationships.
\textsuperscript{172} Sokoll, \textit{Essex Pauper Letters}, 5. The next commonest group of scribes and representatives (10 relationships) were peasants.
\textsuperscript{173} The rusthållare and members of a rote (a group of farm owners or users, mostly peasants) paid wages and provided the troopers and soldiers they had recruited with a croft, see Thisner, \textit{Indelta inkomster}, 21–2.
\textsuperscript{174} 1838 Case 1527: ‘naturligtvis återkallade mitt löfte’.
\textsuperscript{175} 1838 Case 1498: ‘Wräkningsdom och under inga villkor få hon qvarbo.’; see also 1880 Case 377 when a worker claimed he was denied work at Utterberg’s ironworks and by others in the vicinity because he had angered the ironworks’s steward by suing him in court after the steward had beaten the worker’s son.
the client could not draft their own letter, a scribe was obliged to put his name there. This requirement came from an opinion that some representatives tricked the applicants, ‘especially the simple of the peasantry’, into action for their own gains rather than because of the case’s legal merits. Regardless of whether or not this occurred, the mere existence of such a notion could have made a potential scribe hesitate if the case matter was sensitive.

Yet labouring people did find scribes prepared to sign their names in various cases, both against their masters and against others. The sources often do not allow us to determine why they had help, but sometimes there are clues. In Brita Johanna Jansdotter’s case, her petition was written by the bailiff Carl Reinhold Lönbohm, her and Lindström’s neighbour. In her petition, Lönbohm wrote how the landowner ‘had recently been fined for his thievish intrusions’ on the property of the bailiff’s official estate. This statement suggests that the relationship between the bailiff and Lindström was less than amicable. Only the year before, Lönbohm had requested that a surveyor divide the roads and gates in the village once and for all: ‘Put a stop to the disorder … that prevails in Östanbro village’. Lindström had refused to sign the subsequent division. The ongoing conflict between Lindström and Lönbohm could be why he wrote her petition. Theresa Johnsson has found similar disputes between scribes for male labourers and counterparties in the same period.

The dependent relationship that might have caused difficulties in obtaining help could also be what enabled labouring people to make themselves heard. In some cases, we find servants who were aided in writing by their masters and crofters by their landowners. For example, when the maid Catharina Vretström wanted payment of a loan in 1803, her master, Eric August Roberg, wrote the petition. Similarly, in 1838, the leaseholder at the estate Rödö wrote an answer in a debt case for one of his employees, Anders Kätt, upon request. In one case, we can also find indications that even though a master did not write, he could assist in finding someone who could. In November 1758, the colonel’s widow and noblewoman Christina Elisabeth von Bysing petitioned the GAV to fetch back her crofter, Per Persson, whom she argued had left the croft without her permission and taken service with a peasant, Lars Bengtsson. Persson replied with the help of juris doctor Nils Zellén. Just a month later, in mid-December, Lars Bengtsson stood as godparent (fadder)
for Zellén’s newborn daughter. The men obviously knew one another, and it is not unreasonable to think that Lars procured Zellén’s help. After all, he risked losing his servant if Bysing’s claim was approved.181

Soldiers had another superior they could turn to: their commanding officers. When the trooper Mats Rungberg’s brother-in-law asked him to pay several debts, the company clerk (mönsterskrivare) in Rungberg’s company wrote the response for him.182 Having help from officers was particularly evident in cases where the soldiers petitioned against their rote or rusthållare claiming salaries or access to crofts.183 Upon the complaint, the officer handled matters and handed in the request on the soldier’s behalf.184

In summary, whether or not and in what ways your position affected your choices of representative was a very complex issue. There were positions, such as being a servant or a soldier, which provided access to people who could help you. However, that same subordinate position could also likely make getting help more difficult in some situations. Representation between different socioeconomic status and genders displayed similarities, as people from all walks of life engaged civil servants and military officials to a high degree. Delving deeper into individual women’s strategies reveals many similarities as well as some differences to men with the same socioeconomic status, but what lay behind a particular strategy is more difficult to say. Other factors such as age and a subordinate household position also shaped representation, as young men who were not heads of household were seemingly more often represented by family members. Older men and women could be represented by younger relatives. In essence, the choice to have someone act for you and who that person was depended on many different things.

3.3 Concluding remarks

In aiming to understand the conditions for voice, this chapter has investigated a part of the petitioning process that we still know little about: the restrictions on making yourself heard in practice. Previous research on Swedish petitioning highlights that these impediments existed.185 However, before we have more information about their practical contents and how people overcame them, it is difficult to say how they impacted people’s voice.

181 1758 Case 205; AD, Dingtuna församling, C:5, 92.
182 1758 Case 137. The company clerk was in charge of the army company’s finances and registers, see SAOB, s.v. ‘mönsterskrivare’. For information on Tideström’s company, see 1758 Case 343.
183 See also Linde, Statsmakt, 111–12.
184 See 1838 Case 329; ULA, LV, Lka I, B I:20, 59 (Lieut. Wirgin); ULA, LV, Lka I, B II:44, 94/370.
185 See Almbjär, Voice?, 47; Frohnert, ‘Administration’, 250–2; Linde, Statsmakt, 91; Ling, Konsten, 53.
First and foremost, the chapter has shown that petitioning and responding was an expensive and collaborative undertaking. Either someone had to have access to others to undertake necessary travels or had to be away for several days, unable to do other work. People who could not or chose not to draft letters themselves needed someone else to do it. Most had to pay fees – and did so. All this required contacts as well as money or credit. Even if the actual costs varied, it was rarely below the official value of a week’s work for a day labourer. The most expensive element was travel. Since Västmanland was a fairly small county geographically, petitioning in larger counties with greater distances might therefore have been even more costly.

Taking all these impediments together, petitioning would have been particularly challenging for someone who was poor or lived far from the provincial capital. The hindrances to petition partially explain why labouring people were underrepresented as petitioners (Chapter 5). The fact that the GAV rarely issued fee exemptions also indicates the very poorest did not petition much. It is hard to think that its associated costs had nothing to do with it.\(^{186}\) Thus, socioeconomic status unequivocally affected their ability to make themselves heard, although we will never know how many wanted to petition but could not do so.

The restrictions were substantial and should not be underestimated. However, we also know that thousands still petitioned. The same logic that leads us to conclude that the impediments were substantial also tells us that many during this time had the resources and abilities to overcome them and participate. Petitioners and respondents knew how the process worked either from their own knowledge or that of others. Therefore, the chapter confirms previous research that underlines how many women and men in the early modern period possessed a degree of legal literacy, a literacy that persisted into the nineteenth century as well.\(^{187}\) At the local level, people were constantly exposed to the law by attending the local court sessions, hearing regulations read in church, witnessing documents or other legal actions such as inspections, seeing a document being served, and by petitioning or being asked to respond. This exposure would have made it possible to either have your own idea of what to do or find someone who knew the proper procedures. The remaining documents at the GAV attest to this legal literacy. When respondents were not served the petition properly, they objected. Most complied with the rule to have their letters written on stamped paper. And the majority for whom we have information about a scribe or representative turned to civil servants, who probably had the most experience of these matters.

\(^{186}\) The GAV did receive cases about poor relief and evictions (Chapter 5) so there would have been reason for the poorest to petition.

In terms of conditions that enabled people to contact the GAV, these local civil servants stand out as an especially important group. In contrast, in tasks connected to their office, scholars have often characterised the interaction between officials and the local community in terms of opposing interests, conflict, and discontent. For example, several studies have been devoted to the peasants’ struggles to complain about officials in the seventeenth and eighteenth centuries.\textsuperscript{188} Conflicts could arise between the local community and the officials when the latter performed their tasks, such as tax collection or controlling customs evasion.\textsuperscript{189} Maria Cavallin highlights that among the peasantry there was a general distrust of the officials and their work.\textsuperscript{190} In relation to peasant gravamina to the eighteenth-century Diet, civil officials have been described as gatekeepers, controlling the complaints before they were sent.\textsuperscript{191}

However, this chapter has demonstrated another aspect of this interaction. In terms of making themselves heard in a regional context, we see an extensive collaboration between officials and the other local inhabitants. Just as civil servants aided people in court, they helped them write letters to the governor and the GAV.\textsuperscript{192} One important reason for this collaboration is likely that it was performed outside their official duties, where there was less reason for conflicts of interest. As Bo Westerhult has pointed out, such external tasks could have mitigated the opposition between them.\textsuperscript{193}

No doubt, these men wielded a lot of power in the local community and their involvement in the petitioning process meant they could undoubtedly affect who made themselves heard. And traces of people’s complaints against them are visible here as well (Chapter 8). However, people from all backgrounds were also aided by them again and again. In terms of regional contacts with the governor and the GAV, civil and military officials were significant facilitators in making people heard.

One concrete way in which they made it easier to apply and respond was that they were clearly part of established procedures that eventually became explicitly formalised systems. They, along with lay judges from the peasantry, took care of the serving of petitions to the respondents. If the respondents could not read and write, they could receive help from the servers who read the petition and composed short answers. In addition, officials at the GAV helped parties by collecting documents, a practice that by the end of the period was legally sanctioned when a specific individual was appointed to help

\textsuperscript{188} Cavallin, \textit{I kungens och folkets tjänst}, 109–18; Frohnert, \textit{Kronans skatter}, 243–77; Lennersand, \textit{Rättvisans och allmogens beskyddare}; Peterson, “”En god ämbetsman””.
\textsuperscript{190} Cavallin, \textit{I kungens och folkets tjänst}, 243–5.
\textsuperscript{191} Linde, \textit{Statsmakt}, 88–9.
\textsuperscript{192} Frohnert, ‘Administration’, 232; see also Rantanen, \textit{Pennförare}, 224–6, who concludes that parish scribes were an important factor in regional contact.
\textsuperscript{193} Westerhult, \textit{Kronofogde}, 300.
petitioners and respondents hand in, extract, and mediate documents between the parties in exchange for a fee.

They were also the commonest scribes and representatives by far. I would argue that the dominant presence of civil servants (and the knowledge they possessed) among scribes and representatives speaks to the power relations between a party and their scribe or representative. The need to go to someone else for writing services has been connected to a lack of literacy and a handing over of power to a literate person. To an extent, this was true, especially if the writer then did not read the document to you or if his competence was below par. On the other hand, several factors point to this relationship being perceived as advantageous. People who were clearly literate still chose to turn to someone else to draw up their petitions or have someone else manage the case entirely. And the fact that people turned predominantly to those who could be expected to know most about these practices also implies that it was not only writing help the client wanted, but a whole complex of knowledge. Since many also turned to people from the local community, their level of competence was probably known. Thus, needing to employ someone else to write did entail vulnerability, but it was not necessarily the inability to read and write that created it. Instead, it was not possessing the entire complex of knowledge that was required, which would have applied to many – not only the illiterate. Therefore, the power relationship between the scribe and petitioner needs to be nuanced. Yes, the people handed over a certain amount of power over the one who wrote the document. But they also bought a service and thereby accessed knowledge that could put them in a better situation than they would have been otherwise.

194 Kuvaja et al., ‘Språk’, 72–3 note that being unable to read and write was not necessarily a disadvantage because of assessive literacy – illiteracy left peasants vulnerable, but not without scope for political action.
4 Speaking for themselves and being spoken for. Women’s procedural competence and capacity.

When he died, the farmer Jan Persson owned two large farms, Wäsby and Qvistberga. In his lifetime, he had assigned Qvistberga’s care to his unmarried 39-year-old daughter, Stina Lisa Jansdotter. The farm’s management included signing a soldier’s contract, detailing the landowner’s obligation to provide him with maintenance and a croft. In 1838, a few months after Jan’s death, the soldier’s captain applied on his behalf, asking that Stina Lisa be obliged to perform some of the contractual duties. Rather than sending the application directly to her, the GAV ordered the application to be served to her guardian. As it turned out, the court had not yet appointed one, so the local bailiff sent it to her mother. The widow replied to the GAV that she knew nothing of the issue and asked to be freed from all responsibility. When the GAV learnt of Stina Lisa’s lack of a guardian, the district judge was asked to appoint one. He answered that it had to wait until the court convened, but added that Stina Lisa’s mother could protect her rights as her current legal guardian. The GAV seemed satisfied with this and decided on the matter a month later.

Stina Lisa Jansdotter’s situation demonstrates that the right to participate and be heard in the petitioning process was not the same for everyone. Because of her unmarried state, the adult woman managing the farm to which the contractual obligation was tied was not asked to give her view, even though she would have been the one knowing the circumstances best. Instead, her guardian was supposed to guard her rights and speak for her.

In Stina Lisa’s case, the GAV did not ask her to reply because of her gender and marital status. As an unmarried woman, she was subject to a formal guardianship, which in her case gave someone else the right (and obligation) to speak for her. Similar but not identical rules existed for married women that stipulated that they were supposed to be represented by their husbands. However, married women were also household mistresses, in which position they held authority that could lead them to represent the household. Nevertheless, during this period, the rules for unmarried and married women’s

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1 He also owned land in three other villages, see AD, Siende häradsrätt, F II:17, no.186, 12.
2 1838 Case 329; AD, Kungsåra församling, AI:7, 87.
right to act procedurally differed from those applicable to men with the same marital status. To further understand the role of gender and marital status in women’s ability to make themselves heard, this chapter investigates how their participation interplayed with the formal restrictions or how their procedural capacity interplayed with their procedural competence.\(^3\)

The first section provides a short overview of women’s participation, examining how women’s and men’s involvement differed quantitatively, and who these women were in terms of marital status. In the second section, I look beyond the figures to the constellations in which unmarried, married, and widowed women petitioned and responded. Did they speak for themselves or through someone else, and why?

Finally, the question of change over time will be examined throughout the chapter. For the early modern period, scholars have concluded that women’s scope for action – in court participation, property management, entering into contracts, and so on – was often more extensive than the impression given by legal rules. In the nineteenth century, married women’s scope for legal action is said to have been curtailed due to a more formalised application of the laws and a dichotomous view of their legal capacity (myndighet).\(^4\) For unmarried women, the century saw the abolition of guardianship in 1863. How did these changes affect women’s voice at the GA?

4.1 A consistently low participation that varied with marital status.

Studies of women’s petitioning consistently find that their share was smaller than men’s. The GAV was no different. There was an extensive quantitative difference between petitioning men and women, where the latter never reached beyond 10 per cent of the whole (Table 4.1). Overall, women clearly did not participate in the petitioning process as men did.\(^5\)

\(^3\) For an explanation of the two concepts, see Section 1.3.2.


\(^5\) The exact level of female participation is unknown as there were group petitions where the group’s composition is unknown. In 1758 the number cases with unindividalised petitioning groups was highest relative to the total number of cases (82 of 547), see [Israelsson Dataset](#) 1758, column *Unindividalised groups* (S). A few of these cases involved inhabitants of large areas such as whole hundreds or institutions, such as Uppsala University, and many (50) involved smaller groups that were normally represented by household heads, such as village inhabitants, members of *rota* and estates (*dödsbon*) where women might have been present as widows. However, such groups would also have contained men and rarely more than one or two women, so it is improbable their identification would have changed the overall picture of female underrepresentation.
TABLE 4.1 Petitioners at the GA of Västmanland by gender.

<table>
<thead>
<tr>
<th>Gender</th>
<th>1758</th>
<th>1803</th>
<th>1838 (Mar.–Aug.)</th>
<th>1880</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
</tr>
<tr>
<td>Women</td>
<td>57</td>
<td>10</td>
<td>87</td>
<td>6</td>
</tr>
<tr>
<td>Men</td>
<td>527</td>
<td>88</td>
<td>1380</td>
<td>89</td>
</tr>
<tr>
<td>Unknown</td>
<td>12</td>
<td>2</td>
<td>81</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>596</td>
<td>100</td>
<td>1548</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset 1758, 1803, 1838, 1880, columns Unknown (S), Men (S), Women (S). For a description of the dataset, see Appendix 3. Note: The numbers are for individual parties, not individuals. The same person could occur more than once if they handed in more than one petition. The numbers also contain women and men who petitioned in groups if the source material allowed me to identify the group’s composition, typically by their signatures.

It is important to note that these numbers say nothing about how the women participated, i.e. if they represented themselves or if someone else represented them. For example, all but one unmarried woman in 1758 were represented by their guardians. Many of the married women’s husbands wrote for them. Therefore, to know more about the interplay between procedural competence and capacity, we must examine the women’s actual petitioning practices (Section 4.2).

The representation of guardians and husbands contributed to female invisibility in the sources. In the registers, a man (husband or guardian) would sometimes be noted as the only party, while the files reveal that they acted for or with a woman. Even in cases where we have documents, the husband or guardian could petition or respond without mentioning their wives or wards. This means that the share of women in reality was higher than these numbers portray, although it is very unlikely that it would have been on par with men’s. In fact, if we compare with numbers in previous research, the shares seem reasonable. Table 4.2 is a compilation of female petitioners in different authorities and Nordic countries. Methodological differences mean that the shares are not directly comparable to those in Table 4.1, but they offer a general reference point.\(^6\)

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\(^6\) In the literature, sampling techniques are different and authors sometimes count cases rather than individuals.
### Table 4.2 Share of female petitioning in the literature.

<table>
<thead>
<tr>
<th>Year</th>
<th>Absolute share</th>
<th>Relative share</th>
<th>Authority</th>
<th>Country</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>1770–1774</td>
<td>104 of 3525 petitions</td>
<td>2.9 %</td>
<td>GA of Södermanland</td>
<td>Sweden</td>
<td>Westerberg, ‘Suppliken’, 16.</td>
</tr>
<tr>
<td>1771–1772</td>
<td>20 of 359 petitions (sample)</td>
<td>5.6 %</td>
<td>Diet</td>
<td>Sweden</td>
<td>Almbjär, <em>Voice?</em>, 248.</td>
</tr>
<tr>
<td>1730–1749</td>
<td>82 of 356 petitions (extant)</td>
<td>23.0 %</td>
<td>Board of Trade</td>
<td>Sweden</td>
<td>Ling, <em>Konsten</em>, 47.</td>
</tr>
<tr>
<td>1746–1766</td>
<td>95 of 496 petitions (sample)</td>
<td>19.2 %</td>
<td>Crown</td>
<td>Denmark-Norway (Trondheim area)</td>
<td>Helgesen, ‘Supplikken’, 260.</td>
</tr>
<tr>
<td>1750–1793</td>
<td>105 of 345 petitions (sample)</td>
<td>30.4 %</td>
<td>Crown</td>
<td>Denmark-Norway (Christiania)</td>
<td>Sandvik, ‘Umyndige’ kvinner, 129.</td>
</tr>
<tr>
<td>1705</td>
<td>76 of 434 petitioners (sample)</td>
<td>17.5 %</td>
<td>Crown</td>
<td>Denmark-Norway</td>
<td>Bregnsbo, <em>Folk skriver</em>, 79, 249</td>
</tr>
<tr>
<td>1755</td>
<td>139 of 679 petitioners (sample)</td>
<td>20.5 %</td>
<td>Crown</td>
<td>Denmark-Norway</td>
<td>Bregnsbo, <em>Folk skriver</em>, 79, 249</td>
</tr>
<tr>
<td>1795</td>
<td>529 of 2750 petitioners (sample)</td>
<td>19.2 %</td>
<td>Crown</td>
<td>Denmark-Norway</td>
<td>Bregnsbo, <em>Folk skriver</em>, 79, 249</td>
</tr>
</tbody>
</table>
Regardless of the authority, the share of female petitioners was consistently lower than men’s. The highest percentage in Sweden was found by Ling in petitions to the Board of Trade (Handelskollegium). Her method differed from the others because she used extant petitions rather than registers, which might contribute to the difference. Still, trade was an area where women were continually active, making them likely to have had more reason to turn to the Board of Trade than to some other authorities. Case matter could be important for the level of female participation. For example, in seventeenth-century Lancashire, Healey found almost equal numbers of men and women in petitions for poor relief, an area where women were often more visible. The GAV did handle issues where women ought to have had reason to apply (Chapter 5). Many cases involved previous credit transactions, an area where Laurence Fontaine and others have found that early modern women in different parts of Europe and North America were involved. Another ordinary resource transaction that led to regional petitions was land, an area where women were active as buyers and sellers. Despite this, women’s participation at the GAV was less than half of Ling’s numbers and nowhere near half of the petitioners.

Women’s low participation compared to men continues when we look at who responded (Table 4.3). Their degree of involvement thus did not depend on their role in the petitioning process.

<table>
<thead>
<tr>
<th>Gender</th>
<th>1758</th>
<th>1803</th>
<th>1838 (Mar.–Aug.)</th>
<th>1880</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
</tr>
<tr>
<td>Women</td>
<td>42</td>
<td>9</td>
<td>97</td>
<td>7</td>
</tr>
<tr>
<td>Men</td>
<td>410</td>
<td>90</td>
<td>1204</td>
<td>90</td>
</tr>
<tr>
<td>Unknown</td>
<td>2</td>
<td>&lt;1</td>
<td>44</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>454</td>
<td>100</td>
<td>1345</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset 1758, 1803, 1838, 1880, columns Unknown (Fk), Men (Fk), Women (Fk). Note: see Table 4.1.

As far as I am aware, systematic figures for women as respondents do not exist for Sweden. However, a comparison can be made with defendants in district courts, where we have examples from research on seventeenth- and eighteenth-century Sweden ranging from 5 to 27 per cent depending on time

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7 Such underrepresentation in petitions is known elsewhere in Europe and in North America, see, for example, Blackhawk et.al, ‘Congressional representation’, 4; Würgler, ‘Voices’, 25–6.
8 For women in trade in Sweden and elsewhere, see, for example, Bladh, Månglerskor; Heuvel, Women; Mordt, Kvinner; Sandvik, ‘Umyndige’ kvinner.
10 See Damiano, To Her Credit; Dermineur, Women and Credit, Fontaine, Moral economy, 128–56; Spicksley, “Fly with a Duck”. For a waning female participation in debt litigation in eighteenth-century New England, see Dnyton, Women before the Bar, 69–72.
and area.\(^{11}\) Of course, shares could depend on case matter as well so we must be careful in any comparison. For example, women as defendants in criminal cases are a less relevant comparison than in civil matters. Nevertheless, both in the courts and at the GAV, as plaintiffs, defendants, petitioners and respondents, women’s participation was most often lower than that of men’s.

Generally, women’s involvement as petitioners and respondents showed remarkable stability, given the legal, economic, and institutional changes in the period.\(^{12}\) The comparatively low share of respondents in 1880 is noticeable, but whether this is representative of other years at the end of the period is uncertain. However, this impression of stability changes when marital status is added (Table 4.4). Although their share compared to men remained low, the distribution among the women varied dramatically. Among adult women, widows constituted the largest group and married women the second-largest in all years – an expected result given previous research.\(^{13}\) Still, we need to be mindful of the previously mentioned invisibility in the sources, so the share of single women and wives could very well have been at least somewhat higher. But, in 1880, something nevertheless seems to have changed. Now, the proportion of adult unmarried women had more than doubled compared to their highest level in the previous years (21 per cent compared to 9 per cent), while the share of married women remained about the same and widow’s decreased.

<table>
<thead>
<tr>
<th>Year</th>
<th>Unmarried under 15</th>
<th>Married</th>
<th>Widows</th>
<th>Unknown</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
<td>N</td>
</tr>
<tr>
<td>1758</td>
<td>2</td>
<td>2</td>
<td>19</td>
<td>19</td>
<td>58</td>
</tr>
<tr>
<td>1803</td>
<td>2</td>
<td>1</td>
<td>17</td>
<td>9</td>
<td>40</td>
</tr>
<tr>
<td>1838</td>
<td>3</td>
<td>1</td>
<td>20</td>
<td>4</td>
<td>113</td>
</tr>
<tr>
<td>1880</td>
<td>13</td>
<td>11</td>
<td>26</td>
<td>21</td>
<td>29</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
<td>2</td>
<td>69</td>
<td>8</td>
<td>201</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset 1758, 1803, 1838, 1880, columns Marital status (S), Marital status (Fk). For a description of the dataset, see Appendix 1.

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\(^{11}\) See Andersson, *Tingets kvinnor*, 83; Sundin, *För Gud*, 103–105; see also Sogner et al., ‘Women in Court’, 174–5, although they include plaintiffs too. For sixteenth-century England, see, for example, Stretton, *Women Waging Law*, 39, 102.

\(^{12}\) Several legislative changes to women’s rights to represent themselves were introduced in the second half of the nineteenth century, see Hinnemo, *Inför högsta instans*, 13. At the same time, some areas of responsibility were removed from the GA’s purview, see Sörndal, *Den svenska länsstyrelsen*, 305–306.

\(^{13}\) For the distribution of widows and other women in petitions to the Diet, see Almbjär, *Voice?*, 186–7, 248. Hinnemo, *Inför högsta instans*, 39 finds that unmarried women were the largest group of parties before the Judicial Committee of the Council of the Realm (Justitierevisionen) because of applications for legal capacity (myndighet).
The numbers would seem to confirm the emphasis in the literature on how household position conferred authority in the early modern period. The increased share of unmarried women in 1880 might point to a greater scope for action over the course of the nineteenth century, which has been highlighted in relation to their political rights. But to understand the role of marital status for women’s voice, we must go beyond the quantitative data. We need to study how they acted, whether this differed depending on their positions and reason for petitioning, and how their actions related to the legal prescriptions for female representation. Between 1838 and 1880, the legal guardianship for unmarried women became based on age. After 1863, single women over 25 had full rights to represent themselves. Did this mean that they became more visible and thus would explain their increased share in 1880? Or did unmarried women already act without guardians before legal emancipation? And did the way married women participate change over the nineteenth century, in a way that reflect a more curtailed procedural scope for action?

4.2 The procedural competence and capacity of unmarried women, wives, and widows

Women of different marital status were subject to separate legislation that set the limits for their procedural competence. However, the contents of these rules – and thus what women were and were not legally allowed to do in a procedural context – were unclear, which could open up for local variations. As Ågren has argued, it is precarious to draw conclusions about women’s empowerment from the letter of the law. They might have impacted the women’s procedural capacity, i.e. what procedural responsibility they took upon themselves and were awarded by the GAV and their counterparties. However, that needs to be established empirically from the cases themselves.

In this section I address how women’s procedural competencies and capacities varied with marital status. First, I will show that the distinct differences between these women meant that this part of their position was essential for how they participated. However, there were also important similarities in some situations, ascribed partly to the resource behind the petition and partly to household position.

Second, just as previous research has concluded for actions outside the procedural sphere, unmarried and married women’s procedural capacities are best described as a spectrum of capacities that could – but did not have to – be

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16 Ighe, Ifaderns ställe, 14.
connected to their procedural competencies. Before 1880, single women’s participation was characterised by an independent procedural capacity relating to certain resource transactions in a way that has not been sufficiently emphasised in previous research. But whenever their guardians were involved, the women completely lacked procedural capacity. The situations where a guardian stepped in were clearly connected to the property the guardian was meant to protect. Therefore, guardianship greatly affected how single women acted at the GAV, but it did not mean that the adult unmarried woman completely lacked scope for independent action.

Third, wives were often explicitly or implicitly represented by their husbands as heads of the household or målsmän (marital guardians). However, they could also assume a procedural capacity beyond, if not against, the målsmanskap. When their husbands were absent, wives’ actions resembled those of widows. They acted as the heads of household in those situations, with complete procedural competence and capacity. However, since the absence of a husband was an exception for a wife, but the definition for a widow, in practice widows acted on their own more often and in more varied contexts.

4.2.1 Under guardianship: A combination of independence and invisibility

Until 1863, unmarried women in Sweden were legally supposed to be under guardianship regardless of age. Researchers have debated what this guardianship and legal incapacity (omyndighet) that followed with it entailed. Several scholars have argued that before 1800, legal capacity was not something you either had or did not have; it was relative and situational, like many other rights in early modern society. Therefore, an unmarried adult woman’s scope for action could vary depending on the specific circumstances. Over the nineteenth century, Hinnemo argues, legal capacity (omyndighet) became an either/or; you had it, or you did not.

Many studies about women’s actions and legal capacity have been interested in what women of different marital status were legally allowed to do and what they did outside the procedural setting of the courtroom or other authorities. Women’s legal rights – their ability to conclude contracts, trade, manage property, and be legally responsible for it – have been thoroughly investigated. However, in this chapter, it is precisely the connection between

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19 Hinnemo, Inför högsta instans, 208.
20 For only a few examples, see Ågren, Domestic Secrets; Andersson Lennström, ‘Makt och myndighet’; Dübeck, Købekoner; Hinnemo, Inför högsta instans; Ling, Konsten; Mordt, Kvinner; Sandvik, ‘Umyndige’ kvinner; Sogner & Sandvik, ‘Ulik i lov’.
the women’s competence and capacity to act at the GAV that is of interest; or their legal and actual scope for procedural action.

Acting outside and at an authority could be connected: if someone had validly concluded a contract, it would be logical to be allowed to speak for themselves in front of courts or other authorities. However, as Inger Dübeck has argued (mainly in relation to married women), this connection need not have been as strong in earlier centuries as in the nineteenth century. Therefore, we cannot assume that a right to manage property and conclude valid contracts automatically led to a right to represent yourself procedurally in those issues.

As to the details of the right to represent yourself and its connection to marital status for unmarried women in Sweden, it has primarily been studied in the context of court participation, not petitioning. Ann Ighe points out that unmarried women seem to have been more constrained to act actively in courts than widows and married women. This would of course depend on place, case matter (not least criminal or civil) and time period. In her study of unmarried women’s legal capacity, Britt Liljewall states that single women could act in court, but does not qualify the statement further. Studies of women’s activities in Swedish courts have found fewer unmarried female plaintiffs compared to wives and widows, although they could seemingly act independently in debt cases. However, most of their participation was as defendants in criminal cases, which is less relevant here since the GAV very rarely dealt with such matters, and the law prescribed that everyone had procedural competence when accused of a crime. Although, as the two previous chapters have shown, petitions to the GAV were based on legal grounds and, from a procedural point of view, its activities were similar to a court’s, the petition was also based on reciprocal duties between ruler and subject that might have caused the women to act differently there than in the courts. Nevertheless, in her study using petitions to the Board of Trade, Sofia Ling finds no unmarried women who acted in relation to the government authority.

21 Dübeck, Kobekoner, 86–100, 613 argues the older procedural guardianship (procesvaergemål) did not stop women from being seen as legally responsible in other contexts, and that this guardianship was not necessarily needed in court cases about property law.

22 Ighe, Ifaderns ställe, 16.

23 Liljewall, Mig själv och mitt gods förvalta, 21.

24 Andersson, Tingets kvinnor, 90–2; Pylkänä, ‘Kvinnan’, 370; Karlsson Sjögren, Kvinners rätt, 104–105; Sundin, För Gud, 103–105. Most Swedish research on female court participation concerns the seventeenth or eighteenth centuries, and there are fewer general surveys of court participation in the nineteenth century. For the nineteenth century, see Hinnemo, Inför högsta instans.

25 RB1734, 15:1, in Carlén, Sveriges Rikes Lag, 257. Occasionally, the GAV would hear cases about punishments for drunkenness or fines transmuted to corporal punishment, see ULA, LV, Lka I, B II:1, 17580309 (Åtskilliga byamän), 17580605 (Pet. Ekman); ULA, LV, Lka I, B II:44, no. 57/362, 74/366, 161/384, 193/392; 1803 Case 1017, 1019; 1838 Case 38, 1786, 1808, 1896.

26 Ling, Konsten, 161–2.
After 1863, guardianship for unmarried women over 25 was removed and they no longer had to be represented by a guardian. However, an overview of how unmarried women acted at the GAV shows that they spoke independently at the GAV even before this legislative change. Table 4.5 details how many unmarried women in different age groups acted on their own. In all years, some single women participated at the GAV without guardians. It should be borne in mind, however, that these numbers probably underreport women who were represented by their guardians. In the registers, the guardian who acted for his ward was normally indicated as the only party. Where there are no surviving documents, women would therefore be completely hidden. When we do have extant files, these would sometimes only mention wards (pupill) without any specification. Since it has been impossible to determine their gender or age, they are not included. On the other hand, when the women did act themselves, they would most likely have been visible in the registers. Therefore, the figures should give an accurate picture of women who acted on their own.

<table>
<thead>
<tr>
<th>Year</th>
<th>Women between 15 and 21 acting without a guardian</th>
<th>Women between 21 and 25 acting without a guardian</th>
<th>Women 25 and over acting without a guardian</th>
</tr>
</thead>
<tbody>
<tr>
<td>1758</td>
<td>0 of 1</td>
<td>0 of 1</td>
<td>1 of 4</td>
</tr>
<tr>
<td>1803</td>
<td>0 of 0</td>
<td>0 of 0</td>
<td>7 of 17</td>
</tr>
<tr>
<td>1838</td>
<td>2 of 2</td>
<td>3 of 4</td>
<td>11 of 14</td>
</tr>
<tr>
<td>1880</td>
<td>0 of 5</td>
<td>0 of 4</td>
<td>17 of 17</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset 1758, 1803, 1838, 1880, columns Marital status (S), Marital status (Fk), Guardian? For a description of the dataset, see Appendix 1.

Given the numerical difficulties, we should not interpret Table 4.5 as if unmarried women acted more without their guardians than with them. Yet, as far as we can tell, legal emancipation in 1863 impacted how women acted, especially compared to 1838, where we have the most women in each age group acting on their own with which we can compare. In 1838, women over 15 petitioned and responded independently, regardless of age. For these grown women, whether or not a guardian represented them did not seem connected to age. In contrast, in 1880, age was definitely an essential factor. All women

27 Compare for example ULA, LV, Lka I, B II:1, 17580309 (Brodin & Nilsson) with 1758 Case 135; ULA, LV, Lka I, B II:1, 17580323 (Daniel Hansson) with 1758 Case 63; ULA, LV, Lka I, B II:1, no. 94 with 1758 Case 311; ULA, LV, Lka I, B II:15, no. 40 (Jan.) with 1803 Case 211; ULA, LV, Lka I, B II:15, no. 410 with 1803 Case 532; ULA, LV, Lka I, B II:15, no. 460 with 1803 Case 498; ULA, LV, Lka I, B II:15, no. 1216 with 1803 Case 980; ULA, LV, Lka I, B II:44, no. 1089/83 with 1838 Case 781; ULA, LV, Lka I, B II:44, no. 105/374 with 1838 Case 1316. There were exceptions when the ward was mentioned or the guardian was named, see, for example, ULA, LV, Lka I, B II:15, no. 411, 869; ULA, LV, Lka I, B II:44, no. 68/366.

28 See, for example, 1758 Case 39, 114, 282; 1803 Case 227, 293, 537, 730; 1838 Case 1065, 1092.
of age (25 and over) acted on their own, but none below that age did. By making age the determining factor for procedural competence, it also became crucial for procedural capacity. Based on the numbers alone, it would seem that by 1880, the procedural capacity of unmarried women had become the dichotomy described by Hinnemo: either you had legal capacity (var myndig) and could act on your own, or you did not (var omyndig) and could not act on your own.

4.2.1.1 Unmarried women’s procedural competence before 1863

Unmarried women could act independently of their guardians at the GAV in all the years studied before legal emancipation in 1863. To understand whether this was connected to nature of guardianship, and if so how, a short analysis of their procedural competence is necessary, because as Hilde Sandvik points out ‘in order to analyse legal practice, one must know the laws and their contemporary interpretations.’

According to the Inheritance Act of 1734, ‘Maiden of any age is subject to guardianship.’ However, the article did not go further into what guardianship meant, neither in procedural contexts or otherwise. In a later chapter, the duty of (legally appointed) guardians related to property: he was to care for the wards’ inheritances and, as a second duty, to educate them. The articles did not explicitly mention when the guardians were supposed to speak for their wards. Instead, this was regulated in specific situations, for example, when redeeming (lösa) inherited land or when the heirs wanted to forego breaking up the estate. As in many other areas, the legal stipulations regarding unmarried women’s right to act procedurally were scattered and not entirely clear.

An (unprinted) royal letter to the Courts of Appeal in 1685 reminded them that none without legal capacity, especially ‘maidens, may themselves, without a guardian bring her cause before a judge’. In the Procedural Act of 1734, another statement could be interpreted as the complete removal of all

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30 ÄB1734, 19:2 in Carlén, Sweeriges Rikes Lag, 42: ‘Mö, af hwad ålder hon wara må, stånnde under förmynderskap.’ Guardianship was regulated in the Guardianship Ordinance of 1669, which remained in force after the introduction of the law of 1734, see Ighe, Ifaderns ställe, 59–60.
31 ÄB1734, 22:1, 2, in Carlén, Sweeriges Rikes Lag, 44. In the Guardianship Ordinance of 1669, education was mentioned first and property second, see Kongl. May:ts Förmyndare-Ording (17 Mar. 1669), art. 16, in Schmedeman, Kongl. Stadgar, 1., 576–77.
32 JB1734, 6:4, in Carlén, Sweeriges Rikes Lag, 53; ÄB1734, 11:1, in Carlén, Sweeriges Rikes Lag, 33; see also RB1734, 15:1, in Carlén, Sweeriges Rikes Lag, 257. The Guardianship Ordinance of 1669 did not spell out when a guardian ought to stand in for an adult ward in court. For the meaning of lōsa, see Ågren, Domestic Secrets, 220.
rights to procedural action in court from the unmarried woman. An article under the heading appeals over ‘procedural errors’ (‘felachtighet wid rättegången’), stated that if the court rendered a ‘verdict concerning rights of those who cannot legally answer themselves at court without hearing the legal målsman’, the injured party could appeal.\(^{34}\) Since the guardian was also her målsman, this would seem to mean that the unmarried woman could never speak for herself in court. But the law was silent on whether this applied in all situations – what ‘legally answer’ in court really meant.

Despite this, the legal scholar David Nehrman (1695–1769) interpreted the rules as a general prohibition on unmarried women acting in court. In his introduction to civil procedure, Nehrman stated ‘all persons are not, according to law, allowed to answer in court in person. As such are considered, all who have laga målsmän … such as maidens’. In an earlier work on civil law, Nehrman did not phrase this as a prohibition for the ward but rather an obligation for the guardian: ‘He should answer and speak for the ward in court’.\(^{35}\) Nehrman based his interpretation on the above-mentioned royal letter to the Courts of Appeal from 1685.

However, he still described how a person under guardianship could have some procedural competence – with regard to property that a person over 15 had acquired themselves. Reading the law strictly, this competence was only applicable to men under guardianship. According to the Inheritance Act of 1734, ‘Those who have not reached the age of 21 cannot manage their inheritance. If he earns something, he can manage it himself if he has turned 15.’\(^{36}\) In his lectures on the Inheritance Act, Nehrman noted that the law was silent on whether women also had the right to manage what she had earned ‘because she seldom had an opportunity to do so’, but if she had, she could manage it.\(^{37}\) In his lectures on civil procedure, he also seems to have considered these people to have procedural competence in matters about their earned property.\(^{38}\)

In contrast, the situations where the law specifically charged the guardian to speak for the ward was when the inheritance itself was at stake. In this way,

\(^{34}\) RB1734, 25:21, in Carlén, Sveriges Rikes Lag, 289: ‘eller dömdt, laga målsman ohörd, öfwer thens rätt, som sielf ej kunnat efter lag, för Rätta swara’.

\(^{35}\) Nehrman, Inledning til then Swenska Processum Civilem, 124, 126–7 at 126: ‘en hwar är ej therföre, efter Lagen, skickelig at sielf swara inför Rätten. Således anses alle the, som hafwa laga målsmän … såsom … Jungfrur’; Nehrman, Inledning til then Swenska Jurisprudentiam Civilem, 419, my emphasis: ‘För rätta bör han för Pupillen swara och tala’.

\(^{36}\) ÄB1734, 19:1, in Carlén, Sveriges Rikes Lag, 42: ‘Then som ej hafwer fyldt tiugu ett åhr, äge icke macht, at sielf förestå sitt arf. Kan han sig något förwärfta, theröfwer må han sielf råda, sedan han femton åhr gammal är.’; see also, SOT, Kongl. Maj:ts Resolution och Förklaring Angående De Åhr til hwilka en Mans-Person bör wara kommen (30 Oct. 1721), for the same gendered script. In Norway, unmarried women were seemingly allowed to manage their salaries, see Sogner & Sandvik, ‘Ulik i lov’, 442.

\(^{37}\) Nehrman, Föreläsningar öfwer Årfdä-Balken, 232: ‘Må har sållan tilfälle ther til’.

\(^{38}\) Nehrman, Inledning til then Swenska Processum Civilem, 127. However, it is unclear whether Nehrman thought the procedural competence encompassed both men and women.
the women’s procedural competence can be connected to the overarching purpose of guardianship: to protect the inheritance, and especially immovable property. This purpose can be concluded from the arrangement of the law itself. First, the rules on guardianship were noted in the Inheritance Act. Second, the inherited property (movable and immovable) occupied the first article in the chapter concerning the guardian’s duties. Third, the immovable property was further protected by other stipulations forbidding anyone to buy immovable property from an unmarried woman and prohibitions on her acting as a guarantor for someone else (that surety often being in the form of land ownership).

4.2.1.2 Being represented by a guardian

At the GAV, the unmarried adult women’s procedural capacity was both very restricted and remarkably unrestricted. Whenever a guardian was present, he spoke. The woman was barely mentioned and was not accorded any active procedural role. The guardian signed the petitions and responses; it was to him that the GAV ordered the petitions to be served. Neither the guardian, the opposing party, nor the GAV included the ward’s opinion.

In petitionary practice, there was a clear connection between the purpose of guardianship – to protect inherited and immovable property – and when these women’s procedural capacity was curtailed. Most cases involving the unmarried woman’s guardian were demands to enforce inheritance (often of unknown specification) or consequences of owning land – for example, demands that someone move buildings, pay rent, or pay for immovables.

These were precisely the property issues where the law stipulated that the guardian had a responsibility to act. Therefore, in cases regarding inheritance and land, there was a correspondence between the unmarried woman’s procedural competence and her capacity: she had none.

In addition, the requirement that the guardian respond was set in a formalistic context that the guardian could not shirk. For example, after Anna Dahlbeck’s mother died, she left behind an unpaid debt to the lay judge Daniel Hansson. Since Dahlbeck was the heir, the creditor turned to the GAV in 1758, asking that she pay the debt back. The petitioner explained that Dahlbeck had

39 Ågren, ‘Förmyndarens makt’, 765; Hinnemo, Inför högsta instans, 98. Cf. Ighe, I faderns ställe, 240, 251–2 who highlights protection of property, but argues that the basic function of guardianship was to maintain the patriarchal structure of the family.

40 ÅB1734, 19:2, in Carlén, Sweriges Rikes Lag, 42; HB1734, 10:13, in Carlén, Sweriges Rikes Lag, 124; JB1734, 4:7, in Carlén, Sweriges Rikes Lag, 49.

41 By law, externally appointed guardians had to be men, see Ighe, ‘Manliga förmyndares medborgerliga rättigheter’, 100–101.

42 1758 Case 63, 135, 311; 1803 Case 84, 211, 498, 532, 704, 980, 1007; 1838 Case 781, 1316; 1880 Case 147, 207, 369.

43 For inheritance, see 1758 Case 63, 135, 311; 1803 Case 211, 498, 704, 980, 1007; 1838 Case 781; 1880 Case 147, 369. For immovable property, see 1803 Case 84, 532; 1838 Case 1316; 1880 Case 207; ULA, LV, Lka II, B VI:II, no. 48/13, 50/14, 56/15.
two guardians, and the GAV ordered the document to be served to them for their response. The two men returned their answer, explaining how Dahlbeck’s stepfather had

betrothed her to the son of Eric Hammarlind in Hagby and Tillinge parish, and Hammarlind, according to the enclosed attestation, has taken upon himself to manage his soon-to-be daughter-in-law’s property and to become her guardian...44

Hammarlind had signed an agreement between himself and the guardians in which he explicitly took responsibility for Dahlbeck’s inheritance and its management. Neither the petitioner nor the GAV accepted this transfer of responsibility. Hansson wrote that Hammarlind had to be appointed guardian by the court. The GAV sent this remark to both guardians, ordering them to explain themselves or show that they had been legally separated from the guardianship.

At no point in this case – which is representative of cases where the guardian stood for the ward – was Dahlbeck’s opinion required. Such was the case even when the underlying circumstances show that the unmarried woman had had extensive responsibilities for her property before it came to the GAV. For example, in 1803, Anders Öström applied for the deputy curate Johan Enoch Söderquist’s official income to be transferred to him. The basis for the request was a contract that his ward, Susanna Hellenius – with Öström’s consent – had concluded with Söderquist. In exchange for monetary compensation, she had relinquished all her benefits from the extra year of income she was entitled to from her late father, the previous curate. The contract explicitly said that the guardian consented, but he did not sign it. The agreement further stipulated that the remuneration would be paid either to Hellenius herself or Öström. While she was entrusted with settling the practicalities of the transfer and receiving the money for it, she was not the one who turned to the GAV.45

Hellenius’ situation again shows that the procedural relationship between guardian and ward was a formal one, especially compared to what happened before petitioning. When the GAV deemed the guardian responsible, the ward did not have much voice, regardless of how involved they had been beforehand. As Hinnemo has pointed out in relation to the property management itself, guardianship was restrictive primarily in regards to the inheritance.46 My findings confirm this for the women’s procedural capacity too. Even in the few cases where the women managed their inheritance, it did not

44 1758 Case 63: ‘trolofwat henne med Eric Hammarlinds son i Hagby och Tillinge Sochn, och bemälte Hammarlind, enligit thess i afskrift bifogade begifwande, åtagit sig at förwalta sin tilkommande Sonhustrus egendom och blifwa hennes förmyndare’.
45 1803 Case 532; see also 1803 Case 84 together with AD, Siende häradsrätt, FII:6, 123 (the unmarried woman signed the probate inventory but did not act at the GAV); 1838 Case 329 (the unmarried woman managed the farm but was not allowed to respond at the GAV).
46 Hinnemo, Inför högsta instans, 113.
translate into procedural capacity. As seen in the chapter’s introductory example, this was not even so when the guardian claimed to be unable to perform their duties. While the practicalities of life sometimes seem to have led to women being allowed to manage inheritance and immovable property, no such easement was visible in the procedural context. In this way, the procedural aspects of guardianship seem to have been stricter and more formalistic than the parts to do with property management and care.

4.2.1.3 Representing yourself

When unmarried women lent money and bought goods, their guardians were far less present. The women asked independently for claims in promissory notes to be paid; they faced demands to pay unpaid purchases. In addition, there were demands they move from their living quarters, that they be allowed to enter the poorhouse, that their master give them a letter of recommendation (orlovssedel), that they be paid money for their children’s support. But these cases never explicitly involved inheritance and very rarely the proceeds of immovable property. In other words, unmarried women’s procedural capacity was extensive in most issues except those involving inheritance or land. That said, their inheritance and land could be their most important assets, so the lack of procedural capacity in those instances was also an important lack of voice.

That the women had procedural capacity when the case involved property other than that protected by the purpose of guardianship is evident in a case from 1838. In November 1837, Brita Ersdotter, an unmarried maid, was sentenced to a fine for unlawfully selling spirits. Everyone had procedural competence in criminal cases by law, so Brita signed the guilty plea herself. However, she lacked funds for the fine, so in January 1838 she asked the GAV to convert her punishment to a prison sentence. She signed the petition herself with her mark and explained how – to cover the fines – the local constable had taken some of her clothes and a cabinet that did not belong to her. The GAV sent what they interpreted as an enforcement complaint to the local bailiff for investigation. Later, the constable explained that he had not wanted to take any more of her clothes, so he had travelled to her guardian to sequester the remainder of her inheritance. In addition, he said that Brita had bought the cabinet herself at the market two years before.

The GAV found no reason to ask her guardian for his opinion on the matter; he was only involved when her inherited property was sequestered. In all other contexts – borrowing or buying a cabinet, acting in the criminal case,

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48 For immovable property, see 1803 Case 648.
49 1838 Case 365.
petitioning for conversion of the punishment, and complaining about enforce-
ment of her movable property – Brita Ersdotter acted in her own name. The
instances where women acted on their own demonstrate that guardianship for
an adult woman meant that the guardian primarily spoke for her at the GAV
in some limited circumstances. Therefore, in the first half of the nineteenth
century, their guardianship was not the same as for children under 15, who
never spoke on their own in the cases I have found.50 The unmarried woman
over 15 years had opportunities to speak for herself and did so. Therefore, it
was not only their marital status, but also their age that influenced their pro-
cedural capacity.

The women’s independent actions in these cases were hardly ever
questioned by either the GAV or their counterparts, even in cases where the
woman was referred to as a maid or miss (piga, fröken, demoiselle), thus
giving the GAV reason to suspect she was unmarried.51 As seen in the intro-
ductive example, the GAV sometimes found reason to include the guardian
and did not determine the case until they had said their piece. This happened
in at least one other instance in 1838, when an applicant asked Katrina Pehrs-
dotter to pay a debt where she had stood as a guarantor (borgensman), against
the explicit tenets of the law. The application and appended documents
showed no hint of her legal incapacity (omyndighet), lacking titles or marital
status. After the GAV’s order to serve the document, she admitted the debt.
However, a few weeks later, someone informed the GAV that she was
unmarried. The agency considered this an impediment to determining the case
with her word alone, instead ordering the case to be served to her guardian. If
she had no guardian, the applicant had to go to court so one could be
appointed.52

In this case, the unmarried woman had acted against an explicit legal
article, and the introductory case involved responsibilities connected to in-
herited land. The difference between these situations and those that did not
involve matters protected by guardianship is further established by a case
where the GAV asked the guardian to speak but accepted that he would not.
In August 1838, the parish of Säby asked that the parish of Kungsåra be
obliged to take in poor, sickly Gustafva Ström, a 28-year-old maid who had
returned to Säby after a four-year absence. Kungsåra refused, and the GAV
ordered the documents to be served to Gustafva and her målsman for a re-
sponse.53 The case did not concern either inheritance or land, which explains

50 Since there was only one woman who acted on her own in 1758, and the documents do not
survive, I am hesitant to draw any conclusions about that year. 1758 Case 147, 226; 1803 Case
670; 1838 Case 1187; 1839 Case 1160.
51 See 1803 Case 175, 404, 545, 648, 966; 1838 Case 1114, 1157, 1282, 1496, 1757, 1922.
52 1838 Case 379. This case was handed in in February, and thus is not included in the tables.
53 The term målsman was used for both married and unmarried women. Husband’s were their
wives målsman and a father, mother, or appointed guardian could have been the maid’s
målsman. For further meanings, see Section 4.2.2.1.
why the GAV considered Gustafva to have the procedural capacity. Gustafva
replied herself, explaining that her målsman was dead. Unlike the previous
cases, the GAV did not seem to consider the lack of a guardian to be an
impediment to deciding the case a month later. As far as these cases indicate,
the GAV only thought it necessary for the guardian to be involved when the
issue involved certain types of property or a legal tenet had been directly vi-
olated.

After 1863, when unmarried women aged 25 and over were no longer
required to have a guardian, they became more visible and at that point, they
also acted in cases where they had not before. They acted with complete
procedural competence and capacity, for example, signing powers of attorney
when someone else represented them. They were now supposed to speak for
themselves procedurally in all contexts. When they turned 25, the effects were
immediate. For example, when the widow Brita Ersdotter applied at the GAV
to oblige another widow to move her buildings from Brita’s land, she had a
daughter who turned 25 during the case’s handling. When the respondent
questioned Brita’s ownership of the land and right to speak in the case, she
explained how the daughter had been underage when the application was
handed in but now was of age. The widow added a power of attorney to the
explanation, signed by all her children over 25.

Age was now the sole determining factor of whether women aged 25 and
over had procedural competence and capacity. They acted independently
regardless of case matters, which could concern inheritance and immovable
property among other things. Lifting guardianship affected how and in what
contexts unmarried women of age had voice. It also led to greater visibility,
likely explaining their increased share among women in the sample. However,
it is worth remembering that of the hundreds of individualised applicants and
respondents in 1880, only 17 were unmarried women aged 25 and over –
nowhere near their share of the Västmanland population. The advent of pol-
itical majority seemingly did not lead to a surge of women applying and re-
sponding at the GAV. It is conceivable that a factor in this was their prior
enjoyment of quite extensive procedural capacity.

54 1838 Case 1940; see 1838 Case 1717 for a similar case of the GAV not asking any guardian
to give his opinion when an unmarried mother, Johanna Gustava Jansdotter, asked that she, her
children, and elderly mother be allowed to move into the parish poorhouse.
55 1880 Case 102, 396.
56 1880 Case 407.
57 1880 Case 102, 114, 251, 288, 353, 381, 396, 407, 458, 469, 493, 528, 534, 559.
58 Of the total individualised applicants and respondents in 1880, 0.9 per cent were unmarried
women aged 25 and over (N 1 996, n 17). A calculation using the Swedish Census database
(Folkräkningar, Sveriges befolkning) shows that in 1880, 5 per cent (N 129 481, n 6 521) of the
Västmanland population were unmarried women (born in the period 1700–1855). Population
data by age and marital status is available for the country as a whole for 1870 in Statistiska
Centralbyrån, Historisk statistik, 69–70, which shows 6 per cent were unmarried women aged
25 and over (N 4 168 525, n 255 139).
4.2.2 Procedural capacity and målsmanskap

When wives approached the GAV, they most often did so together with their husbands, meaning they had a procedural capacity that could extend beyond the målsmanskap that regulated their procedural competence.59 However, it was not uncommon that when the wife was initially awarded an active procedural role – either by the GAV or the counterparty – the husband acted on her behalf without any subsequent protests. Finally, wives acted independently, often when their husbands were absent or incapable.

4.2.2.1 Wives’ procedural competence

In the eighteenth and nineteenth centuries, husbands had a legal right to represent their wives vis-à-vis the authorities because of målsmanskap. Andersson has argued for distinguishing between a husband’s målsmanskap over his wife and guardianship (förmynderskap) over unmarried women. She bases her argument on the differences in meaning between the words målsman – meaning the right to speak for someone – and förmyndare, who had the additional right and obligation to care for and manage a ward’s property. Andersson’s conclusions have been criticised by Ighe, who, although she acknowledges that married women did not completely lack legal capacity (’[inte] var helt omyndiga’), argues that early modern legislators instead used these terms as synonyms, which included both representing someone and managing their property. Instead, Ighe notes, the most significant difference in a financial sense between guardianship and målsmanskap was that the husband did not have to give an account for his management and the guardian for unmarried women and men under a certain age did.60

Although I agree with Ighe that this sharp distinction between the words cannot necessarily be found in the phrasing of the laws, the husband’s målsmanskap and guardianship of omyndiga were definitely perceived as two different legal constructions. In his lectures, Nehrman expands on the subject:

Målsman is what we call someone who ought to guard and defend an omyndig’s right … or the rights of those who cannot legally answer in court …. That is why guardians are also called the omyndiga’s målsman … And even though the wife cannot really be called omyndig, which is why we separate her from them … the husband is still awarded målsmanskap over her.61

59 Målsmanskap can be roughly translated as ‘marital guardianship’. However, for reasons elaborated in Section 1.3.2, I have chosen to retain the Swedish term.
60 Andersson, Tingets kvinnor, 54; Ighe, I faderns ställe, 63–5.
61 Nehman, Föreläsningar öfwer Giftermåls Balken, 124–5: ‘Målsman kallas then, hwilken någon omyndigs rätt bewaka och försvara bör … eller thess, som efter Lag ej kan för Rätta swara … . Therföre kallas och Förmyndare the omyndigas Målsman … Och ehuruwäl hustrun ej egenteligen kan kallas omyndig, therföre hon ock från them åtskiljes… likwäl tillägges Mannen målsmanskap öfwer henne.’

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Nehrman clearly distinguished between the two concepts, although he did not say what the difference was. However, he did go on to describe målsmanskap. Under the Marriage Act of 1734, the husband was the wife’s ‘rightful målsman, and has the right to apply and answer for her.”

Thus, målsmanskap clearly involved the wife’s procedural competence. However, I would argue that it is vital to note exactly how the law was formulated. It was phrased as a positive right (and duty according to Nehrman) for the husband to speak for his wife, not as a prohibition on her speaking on her own. As for rules on guardianship, we find vague legislation that could open up for different interpretations and local variations.

Again, Nehrman interpreted the law as prohibiting the wife from answering in civil court cases. Partly, it was because, he explained, ‘although many women are as sensible as the men’, they were not educated in tasks that came with målsmanskap. Neither did it suit their sex to occupy their time in the courts.

What Nehrman thought about the married woman’s representation at other authorities, he did not say. Much later, in 1895, the legal scholar Johannes Hellner interpreted the rule in relation to the courts and other authorities as a ‘right and duty’ for the husband to represent his wife, and that ‘Generally, she is correspondingly not allowed to represent herself.’

Besides speaking for her, målsmanskap included the right to manage the couple’s property and her inherited immovables. Similarly to the guardianship for unmarried women, this part of the målsmanskap has been extensively studied in previous research. For example, Dübeck has studied married women’s legal scope for action in Danish law and legal practice. She is mainly concerned with other legal areas such as commercial law and property law, but touches on procedural competence. One of the more comprehensive studies is by Hinnemo, who concentrates on the wife’s legal scope for action concerning property, work, and mistress of the household.

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62 GB1734, 9:1, in Carlén, Sveriges Rikes Lag, 10: ‘rätte målsman, och äger söka och swara för henne.’ This remained unchanged until 1874, when a stipulation limited the husband’s right to represent his wife about property he did not manage, while introducing the wife’s right to manage more of her property herself, either by prenuptial agreement or by her own labour, see Hellner, Hustrus förmåga, 99–100.

63 Interpreting the rules on målsmanskap before 1734, Pylkkänen, ‘Kvinnan’, 373 similarly argues that it regulated the duties of the husband, not the actions of the wife.

64 For the seventeenth century, Karlsson Sjögren, Kvinnors rätt, 90–1 states the law was inconsistent and shaped by opposing interests: the wife’s subordination versus her importance for her reproductive and productive contributions.

65 Nehrman, Föreläsningar öfwer Giftermåls Balken, 125–6, at 125: ‘at många Qwinnor äga ej mindre wett, än Männerne’; see also Nehrman, Inledning til then Swenska Processum Civilem, 126–7.

66 Hellner, Hustrus förmåga, 74: ‘rätt och pligt’; ‘I regel är hustrun i motsvarande mån obehörig att sjelf föra sin talan.’

67 Nehrman, Föreläsningar öfwer Giftermåls Balken, 60.

68 Dübeck, Købeener, 86–100; Hinnemo, Inför högsta instans; see also Ågren, Domestic Secrets; Sandvik, ‘Umyndige’ kvinner; Sogner & Sandvik, ‘Ulik i lov’. For the procedural part
In this chapter, this second part of målsmanskap is relevant to the extent it had a bearing on the wife’s procedural competence and capacity. For example, Nehrman stated that målsmanskap ‘rested’ – went into abeyance – when the wife disputed the husband’s unilateral decision to transfer her land or when they accused each other of adultery.\(^69\) In those cases, then, wives had procedural competence. However, there does not seem to have been any automatic correlation between legal responsibility and procedural competence. For example, the law assigned an individual responsibility to the wife for debts incurred before marriage, but Nehrman did not mention this as a situation where the målsmanskap went into abeyance.\(^70\) Over time, such a correlation might have become stronger as, in the late nineteenth century, Hellner stated that wives had a right to represent themselves concerning the property they were allowed to manage.\(^71\)

These examples from legal doctrine indicate that målsmanskap and its connection to procedural competence and capacity were not the same throughout the period. Hinnemo and others have argued that the nineteenth century saw a perceptual change in målsmanskap, where the wife became increasingly viewed as lacking legal capacity, and the målsmanskap given a general (as opposed to situational) scope. Around the mid nineteenth century, a dichotomy emerged where ‘the wife was either under her husband’s målsmanskap and therefore did not have legal capacity, or she was allowed to act on her own and therefore had legal capacity, but then she could not at the same time have a målsman.’\(^72\) Dübeck’s and Hinnemo’s conclusions are based primarily on studies of the second part of målsmanskap – the husband’s right to manage property, compared to the wife’s right to enter into binding contractual agreements. If such a tightening of the målsmanskap took place in relation to procedural actions, we should see a change in how wives acted at the GAV – with more husbands standing in for them and their participation being questioned when they acted alone.\(^73\)

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\(^69\) Nehrman, *Föreläsningar öfwer Giftermåls Balken*, 127.

\(^70\) For spouses’ responsibilities for each other’s debts, see Hinnemo, *Inför högsta instans*, 78–81.

\(^71\) Hellner, *Hustrus förmåga*, 74.


\(^73\) For an earlier period (1645–1725), Andersson, *Tingets kvinnor*, 95–100, 123–6 finds that wives were increasingly represented by their husbands in Asker’s district court. She attributes this to practical and tactical reasons rather than to the greater application of the rules on målsmanskap. In some cases, however, målsmanskap had become a procedural reality.
4.2.2.2 Beyond målsmanskap: Spouses with joint procedural capacity

When both spouses were in evidence at the GAV, those involved often assigned an active procedural role to husband and wife. From the spouses’ point of view, this could come in the shape of a jointly signed letter or a joint description of circumstances. Similarly, the counterparty could assign responsibility to both spouses by stating they were both accountable or that the issue concerned them both. The GAV assigned procedural capacity by ordering both husband and wife to respond to a petition, essentially saying, ‘We think you should speak in this case.’ For example, in June 1802, the farming couple Cajsa Jansdotter and Eric Larsson needed a loan. They received the money from manufacturer Jonas Felix Asplind after both spouses signed a promissory note, undertaking to pay back the loan with an amount of hay. As security, they pawned their farm’s yearly yields. In April 1803, when they failed to deliver all the hay, Asplind asked the GAV for enforcement. It ordered ‘the debtors’ to respond, which the couple did with a jointly signed response, framing the situation as a mutual concern. They explained how ‘We needed’ funds, ‘we were obliged to sign a written’ obligation, ‘we … did not understand the contents of the obligation’ and finally asked that ‘we be … acquitted from Asplind’s demand’.

If the parties and the GAV had strictly applied the rules of målsmanskap, it would not have been necessary to ask both husband and wife to respond. The husband had a right to speak for both himself and his wife. Nevertheless, there seems to have existed a tendency to ascribe the wife a procedural capacity beyond the målsmanskap, especially when the case involved a previously joint activity. The couple never said why they chose to act together, but sometimes, as I will show, the property type could give them a reason to do so. One must also take into account that the couple were jointly responsible for the management of their household. As Andersson notes, the wife shared the role

78 1758 Case 119, 249, 435; 1803 Case 191, 227, 394, 409, 537, 639, 640, 716, 799, 989, 1017; 1838 Case 505, 839, 1098, 1103, 1111, 1206, 1770, 1890, 1981, 2511; 1839 Case 422, 501, 696; 1880 Case 120, 159, 247, 377, 395, 397.
of master of the household (*husbonderollen*).\(^79\) If they had acted together before the petition, it would not be strange that they also chose to do likewise procedurally – regardless of what *målsmanskap* prescribed.

When a couple acted together, it could indicate an active wife and a cooperative marriage, but it could also be legally required.\(^80\) For example, joint activity often involved immovable property, such as when it had been mortgaged on a promissory note signed by them both.\(^81\) The law that governed a husband’s control of his and his wife’s immovable property was complicated, and distinguished between property owned jointly by the spouses or whether it was the wife’s own. Her own immovable property was protected by law, as the husband could not sell or pawn it without her consent. This prohibition meant that *målsmanskap* was restricted to his right to manage the property but not dispose of it without her permission and written signature (or an oral statement before a court).\(^82\)

Therefore, when courts judged cases of the unlawful sale or pawning of a wife’s immovable property, the law protected her right to have her say. However, as an executive agency, petitions to a GA did not concern the legal validity of the property disposal. Ideally, this ought to have been decided by the courts; if not, the GA should have remitted it there as a disputed case. Instead, the question was whether or not a debt could be enforced because of an existing transfer or joint mortgage. In those cases, the creditor would append the promissory note with the mortgage, which both spouses had signed, thus demonstrating the wife’s consent.

Occasionally, therefore, we see how the husband alone was awarded the procedural capacity after a joint action regarding immovable property. For example, in May 1758, the parish tailor Lars Olofsson requested foreclosure on land belonging to the couple Eric Ersson and Maria Andersdotter, a demand based on a jointly signed mortgage. The GAV ordered that only Eric be served, and he was the only one who responded.\(^83\) Similarly, in February 1803, Lars Jonsson asked the GAV to enforce a debt owed to ‘him’ consisting of the proceeds of a sale of his wife’s inherited property. Lars’ wife did not sign the petition, and Lars clearly described the claim as his, not theirs.\(^84\) Therefore, an underlying transfer or mortgage of immovable property did not necessarily translate into the wife having procedural capacity at the GAV.

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\(^79\) Andersson, *Tingets kvinnor*, 94. For spouses’ joint responsibility for the household, see also Ling, *Konsten*, 207–10; Ågren, ‘Conclusion’, 216–17.


\(^81\) See 1758 Case 119, 249; 1803 Case 191, 394, 409, 537, 639, 989; 1838 Case 1206; 1839 Case 501; 1880 Case 120.

\(^82\) Nehrman, *Föreläsningar öfwer Giftermåls Balken*, 161. For differences between rural and urban property, see GB1734, 10:3, 10:5; 11:1, in Carlén, *Sveriges Rikes Lag*, 12–13. For an analysis of the development of the regulations concerning women’s property and the husband’s *målsmanskap*, see Ågren, ‘‘His estate’’.

\(^83\) 1758 Case 119; see also 1803 Case 750; 1880 Case 159, 395.

\(^84\) 1803 Case 289.
However, often it did, which was probably an effect of the law’s demand for her consent to the mortgage in the first place.

However, the assignment of joint procedural capacity did not stop at events concerning immovable property. It also happened when the petitioner demanded debt payment from the couple due to having signed joint promissory notes, when the wife was her husband’s guarantor, or due to joint purchases of goods.85 There was no formal requirement for the wife to speak, since it fell within the confines of the målsmanskap for the husband to speak for her.86 Yet, the GAV, the opposing party and the spouses all found reason to go beyond målsmanskap. Even if there was no automatic connection between the couple’s joint actions and the wife’s procedural capacity, they were more likely to be awarded or to take a joint procedural role if they had acted together for their household beforehand. Consequently, a wife’s procedural capacity at the GAV was tied not only to her marital status, but also to the way the couple had acted before the petition.

Even when the GAV ordered the petition served only to the husband, thus not considering the wife necessary for the process, at least one couple chose to act together, showing it was a procedure that involved them both. In May 1803, Jan Hansson signed a promissory note to pay a sum of money to Johan Nilsson. The note was later passed to bailiff Hultberg, who immediately demanded its enforcement. The petition had been served solely to Jan, but the receipt acknowledging the debt returned with both Jan’s and his wife’s signatures.87

Similarly, as petitioners, a couple sometimes chose to act together beyond målsmanskap even though it would have been formally enough that the husband applied. For example, in May 1838, Anna Lisa Hilfert and her husband, Anders Odin, asked to be released from their service with Stina Lisa Jansdotter. They started their petition by describing how ‘our pay’ was not sufficiently paid ‘to us’. The petition’s authorial voice then changed to Hilfert’s, stating that Stina Lisa had ‘assaulted my husband and me with beatings, and six weeks ago, when he was weak and sick, beat him so badly

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86 Sometimes, the circumstances of a case complicated matters, leaving the wife’s procedural competence unclear. Hinnemo, Inför högsta instans, 80–1 cites a case from 1840 of both spouses having signed a promissory note, but the creditor argued it ought to have been enough to serve the application for debt enforcement to the husband for the wife to be encompassed by the demand. The city court judged in the creditor’s favour; the Court of Appeal and the Supreme Court did not. However, the couple had divorced in the meantime and the Court of Appeal in a previous judgement had decided debts were to be primarily claimed through the husband, so it is unclear how the higher courts would have judged had the spouses still been married.
87 1803 Case 640. Sometimes the GAV ordered the petition to be served only to the husband, who answered alone, but the petitioner made the claim against both spouses, see 1758 Case 119; 1838 Case 505, 1292; 1880 Case 159, 377, 397.
that he is still suffering from it’. Then, the text reverted to a joint description, where ‘we ask to be released’ from the service, ending with their signatures.\footnote{1838 Case 2511: ‘utgifva oss; vår stat’; ‘med hugg och slag mig och min man öfverfallit och sednast för Sex veckor sedan, då han förut var sjuk och svag, blev så illa slagen, att han ännu deraf har mehn’; ‘vi anhålla att blifva från tjensten … skiljde’; see also 1758 Case 150; 1803 Case 888, 1017.}

Joint procedural action of this kind is found each of the years studied here. In 1880, spouses acted together or were awarded procedural capacity in cases involving immovable and movable property.\footnote{1880 Case 93 (the wife as sole contractor of a tenancy agreement), 120 (jointly signed promissory note with mortgaged immovables), 167 (wife’s inheritance of moveables), 247 (husband’s debt and the wife argued she was not responsible for it); 407 (wife’s inherited immovables).} All four years therefore display similarities rather than differences. In this sense, there was no sign of a tightening or stricter application of målsmanskap.

\subsection*{4.2.2.3 Under målsmanskap: Husbands with sole procedural capacity}
While some spouses showed a procedural capacity beyond målsmanskap, it was also normal that their participation took the route dictated by law, with the husband acting on the wife’s behalf. Sometimes, this was explicitly said by the phrase ‘on my wife’s behalf’ (‘på min hustrus vägnar’), or by the actors asking the husband to act by virtue of his målsmanskap.\footnote{See, for example, 1758 Case 435; 1803 Case 130, 684; 1838 Case 1206, 1468; 1880 Case 93.} For example, in 1838, the crofter Olof Ersson asked that ‘The crofter Anders Andersson … as målsman for his wife Anna Chatrina Blom be obliged to pay’.\footnote{1838 Case 940: ‘Att Torparen Anders Andersson … såsom målsman för sin Hustru Anna Chatrina Blom måtte blifva ålagd att genast utbetała’. For the husband acting alone in regards to an action ascribed only to the wife, see 1758 Case 38; 1803 Case 119, 657; 1880 Case 102.} Despite the claim being based on a promissory note signed by his wife alone, the application was ordered to be served only to Anders, who answered alone.

A husband could even act for his wife when the GAV requested that both spouses respond.\footnote{1758 Case 435; 1803 Case 130, 684; 1838 Case 1206, 1468; 1880 Case 93.} Again, the issue could involve jointly signed promissory notes and immovable property, but also when the wife undertook the preceding action alone. For example, in February 1758, Maria Charlotta Ahlbom, wife of secretary Brauner, signed an assignation of payment (invisning) during Sala market (likely for a purchase she had made). When the designated payers opposed it, the creditor turned to the GAV to imprison Ahlbom for debt.\footnote{Legally, wives could not be imprisoned for debt, see UB1734, 8:5, in Carlén, Sweriges Rikes Lag, 223. After 1798, the wife’s imprisonment was possible if they were indebted as a result of their own authorised business, see SOT, KF1798, art. 5.} The petitioner did not mention Ahlbom’s husband, but the GAV requested that both spouses reply to the petition. Although both Ahlbom and her husband signed the service receipt (delgivningskvitto), the response
was signed only by Brauner himself, stating that ‘I am being wrongly claimed.’

Even when the wife ought to have had a say according to the law, it did not always happen. In July 1758, Erik Ersson asked that his sister’s inherited immovable property be transferred to him (immission) because her husband owed him money. The GAV explicitly ordered both spouses to explain themselves, saying ‘it is incumbent upon the aforementioned wife and witnesses to sign the explanation.’ The decision to communicate with the wife was probably due to the demanded transfer of her inherited property. However, the response that reached the GAV was signed only by the husband, Mats Rungberg, and phrased in a way that made it clear that he considered himself the only procedural actor, saying that since ‘I have made sure to satisfy my brother-in-law … I ask … to be acquitted … and that my wife’s inherited immovables … be free from transfer’. Despite the previous explicit order, the GAV did not find the lack of the wife’s or any witnesses’ signatures to stop them from resolving the case. The GAV – noting that the husband alone had responded – obliged Rungberg to pay the debts he had admitted, and if his movables did not cover it all the petitioner could take the immovables. Thus, in certain circumstances, the husband could act on his wife’s behalf despite her right to a say being legally protected.

Målsmanskap, combined with the husband’s role as the head of the household, impacted wives’ procedural capacity because their husbands could and did speak for them. The conclusions drawn thus far are based on situations where wives were visible as procedural actors. They could be noted in the registers, signed letters, were ordered to be served the documents or were mentioned in the letters. But most cases at the GAV involved only men, many of whom were likely married, but the wife went unmentioned. So, the husband probably often acted as the household representative or his wife’s målsman without explicitly saying so in the petition or the response, rendering the wife invisible in a procedural context. For example, visible wives made up between 1–2 per cent of parties at the GAV in all four investigated years, whereas as their proportion of the Swedish population has been estimated at

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94 1758 Case 227, my emphasis: ‘huru obefogadt jag … sökes.’ In some cases in 1838, both spouses were served and both responded, but the wife was the only one assigned procedural responsibility by the counterparty, see 1838 Case 1142–3, 1518; 1839 Case 950.
95 1758 Case 137: ‘åliggandes bemålade hustru jemte tilkallade witnen förklaringen underskrifwa; ‘som jag sielf warit sorgfällig om min Swågers fornöjande … anhåler jag … wara frikänd … , och min hustrus arfslott … wara för immission frikallad’. For the GAV’s decision, see ULA, LV, Lka I, A I b:29, 520–22.
96 Possibly, the GAV acted in this manner because the spouse had denied the transfer.
97 When the husband acted on his own and did not explicitly say he was acting for his wife, it is difficult to know if he did so because of his role as målsman, as the head of the household, or for himself alone.
98 In a pilot study, I found 76 per cent of the male parties were married, see Israelsson, ‘Supplikmål’, 154.
17–18 per cent. They could very well have been involved in previous events, but if so, it did not translate into procedural capacity.

Such invisibility also makes it difficult to say whether husbands were more given to standing in for their wives in the nineteenth century compared to the eighteenth (since they could do so without the wife being visible at all). From what we can see, there were a variety of procedural capacities in all years, where spouses, the GAV and the counterparties could ascribe the wife with procedural capacity in various circumstances. However, there are scattered signs that the GAV acted with increased formality, considering it important to investigate whether the woman was under målsmanskap when it did not appear in the applications. For example, in 1880, when C. F. Petersson asked the GAV to oblige Mrs S. Nilsson to pay her debt, the authority communicated it to the respondent. However, they phrased their order ‘to be served to said S. Nilsson, or if she is omyndig, with her legal målsman’. In this way, the GAV conditioned procedural capacity based on legal capacity (myndighet). However, they did not always do so, since it was known for them to communicate directly with the woman.

This more formal application of the rules aligns with the growing legal formalisation (Chapter 2). If this qualification was due to what Dübeck and others have described as a view that the wife was increasingly and dichotomously considered lacking legal capacity is more difficult to say. First, comparing legal doctrine from the beginning and the end of the period in question points to increased competence for married women to act as independent procedural subjects. When discussing the prohibition for the wife to act as a representative in the mid eighteenth century, Nehrman made no allowance for married women to act independently or act for their husbands in the courts, regardless of his consent. He stated, ‘Therefore the law has prescribed men to be their [wives’] Målsmän, in all civil cases.’ In practice, we know that they did stand in for their husbands, and from at least 1803 the GAV accepted that husbands could give their wives procedural competence by power of attorney. At the end of the period, Hellner, in contrast to Nehrman, argued that the husband could legally give his wife procedural competence by power of attorney.

99 For example, in 1758 there were 596 petitioners and 494 respondents at the GAV, of whom 1.8 per cent (n 19) were married women, see Tables 5.1, 5.2, 5.4. For the figures used to calculate the proportion of married women in the Swedish population, see Statistiska centralbyrån, Befolkningsutvecklingen under 250 år, 23.

100 1880 Case 106: ‘delgifvas nedannämnda S. Nilsson, eller derest hon omyndig är, hennes laga målsman’. For a similar example, see 1880 Case 353. For an example where the GAV communicated only with the woman, see 1880 Case 381.

101 Nehrman, Föreläsningar öfwer Giftermåls Balken, 126: ‘Alt therföre har Lagen förordnadt Männerna til theras Målsmän, i alla twistemål’. Nehrman did reason about a wife’s ability to act with her husband’s consent in other areas.

102 See, for example, 1803 Case 659.

103 Hellner, Hustrus förmåga, 92.
Second, although legal capacity (myndighet) was perceived as something you either had or did not have, the question of whether a wife had or did not have it was a contested issue at the time. In 1895, Hellner argued (just like David Nehrman over a century earlier) that målsmanskap and guardianship were two different legal constructs, and a married woman, as a main rule, ought to be seen as having legal capacity (vara myndig), especially after the legal changes in her right to manage property that took place in 1874. Rather than seeing the wife as prohibited from doing anything unless the law allowed it, because she was under målsmanskap, Hellner’s viewpoint was that a wife’s actions were legally valid except where the law had limited her competence to act. To find the scope of a wife’s competence in those situations, one had to determine the extent of målsmanskap. In other words, målsmanskap was situational, not unconditional. The same view was expressed by Justice (justitieråd) Qvensel in the Supreme Court’s opinion on the proposed changes to the Marriage Act in 1874, stating he did not consider the wife lacking legal capacity (omyndig) according to law, although her independence was limited. Justice Lindhagen opined that, even though the wife did not lack legal capacity by the letter of the law, its application had led to her being practically seen as such. Finally, Justice Olivecrona described how the law had imposed ‘limitations in the husband’s authority over her’, which was, in essence, the opposite of Hellner’s opinion.

In the final quarter of the nineteenth century, legal scholars disagreed about whether the husband’s målsmanskap over his wife also led her to be omyndig. While legal capacity for unmarried women undoubtedly had become an either/or, målsmanskap for married women seemed less dichotomous. However, by this, I do not mean to argue that Hinnemo and Dübeck are wrong, quite the opposite. In fact, the dichotomy and tightening Hinnemo demonstrates in the Supreme Court’s verdicts seem to have contributed to the legal revision in 1874 that gave married women an extended right to manage specific property. In their proposal to the King in Council, the Diet wrote how one reason to give wives this right was that it would be ‘unfair and many times humiliating for the wife to lose the right to manage the property she brought into the marriage when she, if myndig before marriage, had had such a right’. In other words, when legal capacity for unmarried women became an either/or, it apparently became untenable to retain such a view of married women. As a result, their formal status under målsmanskap again became situational, but in a more formalised and regulated way than before.

105 ‘Högsta domstolens utlåtande’, 7–8, 30 at 8: ‘begränsningar af mannens myndighet öfver henne’.
106 ‘Högsta domstolens utlåtande’, 1: ‘obilligt och mången gång för hustrun förödmjukande, att hon, då hon i boet infört egyptom och möjligên såsom myndig före äktenskapet fällt råda deröfver, genom äktenskapet går förlustig om denna rättighet’.
4.2.2.4 Against målsmanskap? Wives with sole procedural capacity

As I pointed out earlier, the letter of the law gave husbands the right to speak for their wives, but it did not necessarily forbid the wives from acting on their own. However, contemporary jurists in both centuries interpreted the law as if wives were not allowed to speak for themselves in a procedural context. Given that the literature has found that women, despite the legislation, often acted on their own in courts, it is curious that the prohibition was not invoked more often by opposing parties as a strategy to delay a case or have it dismissed.\(^{107}\) Yet, such protests were not made even once over these four years when women acted independently. Either the counterparties knew such a protest would not be successful, or it was presumed that a wife who acted independently did so as representative of the household or with her husband’s consent (although there were no explicit rules about whether the husband had to or even could consent to his wife’s independent action).\(^ {108}\) Another possibility is that courts and authorities did not treat the husband’s right to speak for his wife as if she, at the same time, was prohibited from doing so, regardless of the legal scholars’ interpretations and recommendations. The law was vague, so a spectrum of actions became possible.

On the other hand, the cases where there might have been cause for protest were also very few because wives rarely acted in a way that could be interpreted as being against målsmanskap. We find wives who petitioned independently or were awarded sole procedural capacity by the GAV, but often, their husbands were absent or incapable, which, as I will argue in the next section, was seen as assuming the responsibility of a head of the household and not against målsmanskap. The other times when wives acted alone, and where we can determine the closer circumstances, were often specific situations. In 1758, four married women acted with or were given sole procedural capacity. In all but one example, they had recently remarried and answered for actions undertaken as a widow or in the previous marriage.\(^ {109}\) In

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\(^{107}\) Andersson, *Tingets kvinnor*, 125–6 accounts for a few such protests by the wife or husband themselves; see also Karlsson Sjögren, *Kvinnors rätt*, 107. I have found one example when the husband objected that his wife had not been authorised to buy immovable property, 1758 Case 191, and one when the husband disputed his wife signing on his behalf for the receipt of a petition in his absence, see 1838 Case 1185.

\(^{108}\) For example, Hellner, *Hustrus förmåga*, 92 describes a case where the wife was not permitted to represent her husband in the Court of Appeal despite having his power of attorney, but the Supreme Court did not agree.

\(^{109}\) 1758 Case 38, 123, 170, 313; see also 1838 Case 635, 726; ULA, LV, Lka I, B II:15, no. 334. In several of these cases, the woman’s remarriage was not known to the GAV or the counterparties and she was communicated with as a widow. There were more cases where a woman acted alone, but the husband was absent (Section 4.2.3).
one case in 1803, a wife protested against her husband selling her inherited land, which she had procedural competence to do.110

One case in 1838 nevertheless suggests that wives acted with procedural capacity in a way that can be interpreted as going against her competence. In August, Lars Boman’s widow asked that ‘rector Gezelius’ wife’ (‘Fru Pastorskan Gezelius’) be obliged to pay a bill through ‘on pain of distraint and imprisonment’. Even if the letter of the law did not necessarily stop Mrs Gezelius from answering, she could not be imprisoned for debt except for those incurred as part of her own permitted business. In the expense bill, Boman’s widow asked for payment for 16 purchases over four years. The items were foods (coffee, raisins, syrup, sugar), spices (cinnamon, fennel, saffron), textiles (yarns, ribbons), and other goods such as candles, oats, and rye. While she might have had her own business, nothing in the bill indicates that she made the purchases as part of such an enterprise. Instead, they were everyday household goods. This explains why the GAV saw fit to order the application to be served to both spouses even though Boman’s widow had only mentioned Gezelius’ wife. However, when it returned, only the wife had signed it and admitted to the debt, thus assuming procedural capacity for herself alone. But, the GAV’s decision reveal that the reason she could and was allowed to do so was perhaps due to a mistake. When the GAV decided that she was obliged to pay (but not to imprison her), they denominated her ‘widow’ (Enkefru). For some reason, the handling official thought her husband was dead, despite nothing in the documents indicating it. Although Gezelius’ wife assumed procedural capacity for herself, the GAV did not necessarily regard it as permissive to let a married woman speak for herself independently.111

In 1880, three wives acted independently, according to the extant documents.112 All applied in a new case type involving their trade, asking for permission to trade specific goods or move their business from one premises to another. However, these women should not necessarily be interpreted as acting against their målsmanskap. In 1874, new legislation had been

110 ULA, LV, Lka I, B II:15, no. 1180. This was not a dispute as in court, but a protest against the contract itself to be registered in the GAV’s minutes, so that it could not be enforced without court proceedings, see UB1734, 4:3, in Carlén, Sveriges Rikes Lag, 215.

111 1838 Case 2331: ‘genom utmätningz och Bysättningstvång’; ULA, LV, Lka I, A I b:90, no. 2625, Akt 2331. There was a similar case in 1803 when a decision on imprisonment was actually taken, but complicated by the husband probably not being able to represent himself because of ill health – he died a year later of tvinsot (lit. wasting disease), a description of illnesses where the person faded away and became weaker and weaker, see SAOB, s.v. ‘tvinsot’. The wife was consistently represented by her son, see 1803 Case 83; Köpings stadsförsamling, F:IV, 1804, no. 1.

112 1880 Case 443, 464, 527. An additional six wives were noted as sole parties in the registers, but due to the lack of documents it is not possible to investigate whether or not they actually acted on their own at the GAV, see ULA, LV, Lka II, B III a:2, no. 1/39, 13/131, 13/137, 31/215; ULA, LV, Lka II, B V a:2, no. 19/2, 12/4.
introduced that widened a wife’s right to manage property, such as her income from work. Correspondingly, the husband’s right to speak for his wife was removed. According to Hellner, income from work should be understood as not only from manual labour, but also from a business.\textsuperscript{113} The wives who applied for permits to sell certain goods referred to themselves as in charge of sales. For example, Anna Charlotta Hagelberg wrote in her petition that she ‘apply for permission to move my sales of beer, porter and coffee’, indicating it was her business. Since she managed the business, she had procedural competence to speak for herself when it came to it.\textsuperscript{114}

In summary, just because wives acted on their own does not mean we should interpret it as if they acted against the legal rules of mälsmanskap, or, more generally, as if there was necessarily a conflict between legal rules and practice. What the law allowed women to do and not was unclear, which opened up for a variety of actions and interpretations.

4.2.3 Wives and widows as sole heads of household

When wives petitioned, responded, or were accorded procedural capacity alone at the GAV, it was common that their husbands were absent or incapable (Section 4.2.3.1). The same has been found for courts and in letters to the King in Council (Kungl. Maj:t).\textsuperscript{115} The wives then took over as the head of the household, like widows did when their husbands died.\textsuperscript{116} There is evidence that a missing or dead spouse in itself sparked a need to turn to the GAV. However, while the widow was by definition without a spouse, this was less so for wives, leading to a situation where we find many more widows than wives who acted on their own. Except for this quantitative difference, the widow’s procedural role as the head of the household was more clearly visible than the wife’s, because the former sometimes petitioned in larger groups and more varied contexts.

4.2.3.1 The procedural effects of an absent spouse

Upon the husband’s death, mälsmanskap ended, and the widow acquired full procedural competence for herself and her children.\textsuperscript{117} Nehrman argued that

\textsuperscript{113} Hellner, \textit{Hustrus förmåga}, 74, 103. The new legislation in 1874 clashed with the ordinance that liberated trade in 1864, where the wife required her husband’s consent to run a trade. From Hellner’s (fairly complicated) reasonings about how the two laws ought to relate to each other, it is obvious that this was less than clear at the time, see Hellner, \textit{Hustrus förmåga}, 92–6. But this clash explains why two husband’s took on such a responsibility in the applications, see 1880 Case 490, 521.

\textsuperscript{114} 1880 Case 464: ‘anhålla om tillåtelse att få förflytta min … utöfvade försäljning af Öl, Porter och Caffe’.

\textsuperscript{115} Norrhem, \textit{Kvinnor vid maktens sida}, 32–3; Sogner et al., ‘Women in Court’, 178–9.

\textsuperscript{116} Sandvik, ‘Gender and Politics’, 330.

\textsuperscript{117} ÅB1734, 19:3, 20:2, in Carlén, \textit{Sveriges Rikes Lag}, 42–3. The law said she should take the advice of her kin or guardians in regards to the children and their property.
the same applied to wives when the husband was absent or incapacitated. His lectures stated that ‘when the husband cannot manage it [målsmanskapet] … the wife has no målsman and can manage house and children herself.’ The målsmanskap was on hold. A wife who petitioned independently in her husband’s absence did not act against målsmanskap because it was inactive. The higher courts shared such a viewpoint. In 1687, the Svea Court of Appeal deemed that a wife had the right to protect her children’s rights in her husband’s absence. Later, in 1849, the Supreme Court judged that a wife had independent procedural competence when her husband was missing.

Widows and wives with absent husbands thus acted as the sole head of the household, which led to similarities in how they made themselves heard at the GAV. Being in charge of a household thus conferred voice to both widows and wives. This similarity between widows and wives as heads of household was explicitly enunciated by Anna Mattsdotter in 1803 when she complained about the local constable Eric Pehrsson, who she said was guilty of unlawful distraint at her home while she was away to appear in court. In her complaint, she said ‘I am almost to be considered a widow since my husband from my second marriage absconded from the house two years ago’. She went on to lament how the constable’s removal of her animals and farm equipment ‘leaves me incapable of managing the cultivation and the farm’. Finally, she asked for more time to pay the debts so that ‘my animals and tools, with which I should run my business, or manage the farm, is not … seized.’ Anna represented her household in the courts and at the GAV with full procedural capacity.

Of the 35 extant files where wives acted independently in the four years studied, the husband was absent or incapable in at least 23. These absences or incapacities were of the more severe or permanent kind. Husbands were missing because of the military campaign in 1758 or because they had a separate residence, or had migrated, absconded, fallen ill, or been imprisoned. The cases involved several issues: their husbands’ salaries, or, for

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118 Nehrman, Föreläsningar öfwer Giftermåls Balken, 172: när nu Mannen ej kan förestå thet [målsmanskapet] … har hustrun ingen Målsman, och kan therföre sielf förese bo och barn.”; see also Hellner, Hustrus förmåga, 68.
119 Hellner, Hustrus förmåga, 85–6.
120 1803 Case 489: ‘Nästan som Enka at anse, emedan min man i 2:dra giftet på öfver 2:ne års tid afviket Huset’; ‘hvar i genom Jag blir ur alt stånd, at sköta Åkerbruket och Hemmanet’; ‘at mine dragare och åkerredskap, hvarmed min närings bör idkas, eller Hemmanet skötas, icke … utmätas.’ Anna Mattsdotter was also a respondent that year, see 1803 Case 176, 587, 751.
121 1758 Case 79, 115, 208, 218, 332; 1803 Case 176, 359, 458, 477, 489, 587, 643, 653, 659–60, 664, 712, 751; 1838 Case 40, 81, 1546, 1751; 1880 Case 204. These include cases where an application or response was missing but the wife was awarded sole procedural capacity by the GAV or the opposing party. In five cases (1758 Case 79, 115, 332; 1803 Case 458; 1880 Case 204), the husband’s absence has been found in other sources, see Appendix 3. In one additional case, 1803 Case 83, the husband was likely ill, but it can not be certain.
122 For military campaign, see 1758 Case 79, 208, 332. For separate residence, see 1803 Case 458, 643, 653, 659–60, 664. For migration, see 1838 Case 1546; 1880 Case 204. For
example, purchases made by the husband, joint or individual unpaid debts, or claims that their husbands ought to be free from prison.

Sometimes, a husband’s absence itself seems to have created a reason to turn to the GAV, as the cases reveal that such women had severe difficulties providing for themselves and their children. For example, in 1838, Catharina Dorothea Rak, wife of the former soldier and worker Gregorius Rak, now in Långholmen prison in Stockholm, petitioned the GAV. She asked the governor to oblige either the couple’s last master or the parish to give her and her two daughters somewhere to live for the winter and some other support or help them to work suited to their ability. Similarly, that year, Lovisa Qvalström explained that she and her husband had been imprisoned in Uppsala and she, but not her husband, had been released. Their property had been sold during their imprisonment, and she, ‘in such defenceless … and distressed circumstances’, asked for permission to return to her home parish.123

Like Anna Mattsdotter, widows also pointed to their responsibility as heads of household. In 1758, the widow Britta Andersdotter had received orders to pay her taxes in kind, in the form of hay. She stated, ‘this year, it is impossible for me to pay [the hay], lest the animals necessary for the household’s maintenance will die’, and asked to be allowed to deliver its equivalent in money instead.124 Similarly, when the burgher’s widow Margareta Säf lost her farmhand to the army the same year, some weeks after her husband had died and with the harvest upon her, she argued from her position as head of the household. It could not be the legislator’s meaning, Säf noted, to leave the masters of the household (husbondefolket) without servants when the reservists were called up.

Säf also pointed out her widowed state, as her husband’s demise made her situation even direr since she now ‘have no one to trust in, and neither can I myself contribute to the important work that comes with harvest and field’.125 It was common that the husband’s death prompted the widow to petition and respond.126 Widows had the task of liquidating the estate after their husbands. Tim Stretton has noted that in early modern England, widows were ‘expected to take on responsibilities, to be aware of legal rights and duties and to be

absconding, see 1758 Case 115; 1803 Case 176, 489, 587, 751. For illness, see 1803 Case 359, 712. For imprisonment, see 1803 Case 477; 1838 Case 40, 81, 1751.
123 1838 Case 81: ‘I såndant wärnlöst … och nödstäldt tillstånd’; 1838 Case 1751; see also 1838 Case 40.
124 1758 Case 304: ‘det är för mig i år aldeles omöiligit, at utan dragkreaturen, och eljest flere til hushålds underhållande nödig boskaps förgång, utbetała [höet]’; see also 1758 Case 436 (a widow who said she had managed the homestead and needed to pay the servants).
125 1758 Case 229: ‘hvarken hafwer någon att lita på, eller sjelf förmår något serdeles bidraga till det angelägna arbetie, som brädaste andetiden och åkerbruket med sig hafwer’.
126 The proportion of women widowed within two years of the investigated year was 26–62 per cent depending on the year (23 of 58 widows in 1758, 37 of 85 widows in 1803, 197 of 318 widows in 1838 and 10 of 39 widows in 1880), see Israelsson Dataset 1758, 1803, 1838, 1880, columns Marital status (S), Marital status (Fk).
supremely competent immediately upon the death of their husbands.' Supremely competent immediately upon the death of their husbands.'127 Such activities frequently involved monetary claims and debts.128 Sweden was no different, and at the GAV, the widows’ cases included settling debts and other parts of the inheritance.129

The extent of procedural activity sparked by the husband’s death could sometimes be substantial. Take, for example, Carolina Sophia Pipping (Chapter 3). When her husband, the merchant and city councillor (rådman) Lars Boman, died in December 1837, she settled his large estate with around 1,000 monetary claims. As a result, she handed in over 150 petitions for payment between March and August 1838.130 Boman’s situation was exceptional, but it shows that widows could become responsible for complicated and large estates, prompting them to take extensive procedural action.

Apart from resolving debts, widows acted to protect other benefits following their husbands’ deaths. Widows of civil servants and soldiers differed from farmers’ and merchants’ widows because they could not continue their husband’s office after he died. The Swedish system of paying officials and soldiers salaries by entitlement to a croft or a farm meant that when he died, the widow was supposed to leave after a time, which gave them every reason to turn to the GAV. Soldier’s widows petitioned to be allowed to stay on the crofts or right to its yields.131 Widows of civil servants wanted permission to continue using plots of land in the city or to live on the farm tied to the husband’s office.132 However, these widows could also be on the receiving end, being asked to move out.133

4.2.3.2 The widow as the sole head of the household
Losing one’s husband either by death or other forms of absences could create substantial shifts in the woman’s circumstances.134 This prompted both wives and widows to act independently at the GAV. However, the actions of wives and widows also differed. First, widows appeared more often and more because of previous events where they had been involved independently. This can be explained by the fact that when the husband was alive, he was usually

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129 For widows collecting their late husbands’ monetary claims, see, for example, 1758 Case 199, 418; 1803 Case 413, 681, 779; 1838 Case 872, 1078, 2075; 1880 Case 114. For claims against widows by their late husbands’ creditors, see, for example, 1758 Case 224, 270, 302, 436; 1803 Case 410, 205, 453, 518, 686, 711, 730, 1007; 1838 Case 818, 845, 899, 1153, 1187, 1221, 1554, 1829, 1846, 2244; 1880 Case 369.
130 AD, Västerås rådhusrätt och magistrat, F III a:39, no. 221; for her petitions see Israelsson Dataset 1838, column Name (S), ‘Pipping’.
131 1758 Case 250, 300.
132 1758 Case 272, 401.
133 ULA, LV, Lka I, B II:1, 17580511 (Roten no. 83); 1880 Case 385.
134 Widowhood was a particularly vulnerable time for women. For example, they were overrepresented among those considered poor or as recipients of poor relief, see Schmidt, ‘Survival strategies’, 270; Sharpe, ‘Survival strategies’, 224–5.
not absent and could represent the household on his own or together with his wife. The widow, on the other hand, had to act on her own. Second, because of their greater numbers at the GA, we see them in a larger variety of cases.

The share of petitioning and responding widows was much higher than their share of the female population, which is to be expected (Table 4.6). Compared to wives and unmarried women, the widows’ participation was the only one remotely similar to their presence in the population when including men.\textsuperscript{135} Using numbers in the report \textit{Befolkningsutvecklingen under 250 år}, the widow’s share of the population as a whole in the period ranged between 4–5 per cent.\textsuperscript{136} Widows as a proportion of petitioners and respondents at the GAV ranged from 6 per cent in 1758 to 2 per cent in 1880.\textsuperscript{137} As we have seen, unmarried and married women were a much higher proportion of the population, yet their share of petitioning and responding was consistently lower.

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|c|}
\hline
\textbf{Year} & \textbf{Widowed petitioners} & \textbf{Widowed respondents} & \textbf{Share of widows in the female Swedish population} \\
\hline
1758 & 35 of 57 & 23 of 42 & 10 \% (1760) \\
1803 & 29 of 87 & 56 of 97 & 9 \% (1800) \\
1838 & 194 of 221 & 124 of 266 & 9 \% (1840) \\
1880 & 21 of 82 & 18 of 39 & 8 \% (1880) \\
\hline
\end{tabular}
\caption{Widowed women’s share of female petitioners and respondents.}
\end{table}

Widows also petitioned and responded independently in collectives as heads of household in a way that married and unmarried women did not during these years.\textsuperscript{138} Widows were asked to pay taxes or they in turn asked for exemptions from various obligations. For example, in 1758, there were cases where widows acted in groups, asking to be allowed to pay their taxes in cash rather than kind or requesting a surveyor’s appointment to draw up redistribution of village land.\textsuperscript{139} In all four years, widows – together with others or on their own – petitioned or responded to claims based on the household’s possession of

\textsuperscript{135} See also Stretton, ‘Widows at law’, 196.
\textsuperscript{136} Statistiska centralbyrån, \textit{Befolkningsutvecklingen under 250 år}, 23. The report presents figures for the category ‘previously married’, meaning widows and divorcees. In this period, the number of divorcees ought to have been negligible. For comparison, searching the Swedish Census database (Folkräkningar, Sveriges befolkning) for 1880 reveals 2 126 divorced women in Sweden, while \textit{Befolkningsutvecklingen under 250 år} reports over 190 000 ‘previously married’ that year.
\textsuperscript{137} There were 58 widows of the 1 050 petitioners and respondents in 1758, 85 of 2 893 in 1803, 318 of 6 973 in 1838, and 39 of 1 996 in 1880.
\textsuperscript{138} Andersson, \textit{Tingets kvinnor}, 74 also finds widows in collectives.
\textsuperscript{139} 1758 Case 285, 291.
immovable property: logging permits for building improvements, complaints about obligations based on the size of the property and more.\textsuperscript{140} Given that wives with absent husbands also acted for their households, there is no reason to believe they were prevented from acting in such cases, but I have not found any (probably because the husband was most often there).

It was common for a widow to petition or respond due to a written contract that she had concluded. A widow’s contracts could be directly tied to a household owning or using immovable property, such as tenancies and promissory notes with mortgages resulting in claims for evictions, rents, or the sequestration of property.\textsuperscript{141} More common still were the situations where the widows were creditors or debtors due to loans or purchases of goods.\textsuperscript{142} Other times, albeit more rarely, the widow acted because she was in charge of a business, such as when Maria Schutzhalter – widow of a barber-surgeon – wanted to be paid for services rendered by her journeyman.\textsuperscript{143} Here, we can see a similarity between widows and unmarried women, both acting at the GAV in issues concerning contracts they had agreed to on their own. In contrast, married women more often became petitioners or respondents due to contracts they had signed together with their husbands.

\section*{4.3 Concluding remarks}

This chapter has examined the interplay of women’s voice in the petitioning process and the legal restrictions on their procedural actions, in order to understand how the conditions for voice were connected to position, and especially gender, marital status, and household position. Specifically, I have looked at how women’s and men’s petitioning and responding differed, who these women were, and how they acted as petitioners and respondents. The investigation has yielded three main results: First, gender and marital status had an important role in women’s voice, but other factors – such as previous resource use, age, and household position – were also essential. Second, instead of understanding women’s procedural participation as a limited competence and more extensive capacity, it is fruitful to speak of a spectrum

\textsuperscript{140} For widows as petitioners, see, for example, 1758 Case 35, 271, 304; 1803 Case 42, 131 260, 292, 698, 708, 808; 1880 Case 576; ULA, LV, Lka I, B II:44, no. 14/432; ULA, LV, Lka II, B III a:2, no. 5/176; ULA, LV, Lka II, B VI:2, no. 2/2, 11/5, 66/18. For widows as respondents, see 1758 Case 139, 267, 290; 1803 Case 495, 1024; 1838 Case 999; 1839 Case 1292; 1880 Case 142.

\textsuperscript{141} 1758 Case 19, 42, 52; 1803, Case 95, 636, 658, 802, 898; 1838 Case 592, 951, 1946; 1880 Case 67, 395; ULA, LV, Lka II, B III a:2, no. 28/2.

\textsuperscript{142} See, for example, 1758 Case 49, 75, 234; 1803 Case 226, 273, 463, 502, 533, 787, 830, 949, 988; 1838 Case 796, 1040, 1209, 1345, 1466, 1471, 1493, 1496, 1529, 1592, 1602, 1634, 1768–70, 1815, 1944, 1951; 1839 Case 104, 695; 1880 Case 106, 137, 241, 348. Widows could also act as guarantors, see 1838 Case 777; 1880 Case 265.

\textsuperscript{143} 1758 Case 226; see also 1839 Case 1086; 1880 Case 460.
of both competencies and capacities. Third, despite an increased formality in handling cases in petitioning practice, no tightening of the målsmanskap or equating it with complete legal incapacity (omyndighet) was visible in the nineteenth century, in contrast to what has been found for women’s management of property.

Compared to men, women were severely underrepresented both as petitioners and respondents, indicating that gender was of key importance for how much women participated. However, widows – with full procedural competence – were much less underrepresented. In other words, gender in itself does not sufficiently explain women’s ability to have voice; it must be combined with marital status. However, even this is not enough because after 1863, when the procedural competence of unmarried women aged 25 and over was the same as widows’, their participation remained low. Thus, other factors, such as the nature of the resource transaction and household position, are important in explaining women’s participation.

How did women act and how did it relate to their procedural competence? While unmarried women’s procedural capacity (and competence) was virtually non-existent when it came to their inheritance, in most other situations, their capacity was not limited at all. Unmarried adult women acted alone when they had lent out money, when they complained about enforcement measures, when they wanted poor relief and more. Here, their procedural capacity was similar to that of widows, who also acted due to their own previous actions and concluded contracts. The unmarried woman’s scope for action in a procedural context is sometimes said to have been more curtailed than that of married women and widows – she did act independently, but mostly in criminal cases. This chapter has shown that this was certainly so in relation to cases regarding property that their guardianship was meant to protect. In cases about other resource transactions, it seemed remarkably unconstrained. Just as Hinnemo highlights that unmarried women were primarily limited from managing their inheritance, such a limitation is also what we see in relation to their procedural capacity.144

Except for being connected to the purposes of the guardianship, the unmarried women’s extensive procedural capacity in relation to other property was due to age. As far as we can tell from the extant files, children never acted on their own at the GAV. Therefore, procedurally, the guardianship of adult women was not the same as that for children. After 1863, age was the single determining factor for single women’s procedural competence. This also led to changes in their procedural capacity. In 1880, all women of age represented themselves, regardless of the issue. For them, procedural capacity and competence had become the same thing.

For married women, being under målsmanskap had an impact on their participation. Husbands used their extensive rights to speak for their wives, in

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144 Hinnemo, Inför högsta instans, 113.
rare cases even regarding the transfer of her inherited immovables – where her right to a say was protected by law. That said, it was not uncommon for the wives’ procedural capacity to go beyond the tenets of målsmanskap. In many cases, a preceding joint action by the spouses – such as signing a promissory note together – led to them acting together at the GAV as well, even though it was not strictly necessary according to the rules. For married and unmarried women alike, the nature of the previous resource transactions mattered for their procedural capacity.

Wives also acted on their own. However, unlike single women, the wives’ position as sole petitioners and respondents was more predicated on their husbands’ absence than the previous resource transactions. In other words, married women’s independent voice had more to do with their household position. When the husband was not there, the wife assumed responsibility for the household; målsmanskap was not applied, and she therefore had full procedural competence the same way a widow did.

Therefore, household position created similarities between how wives and widows acted. Being without a husband led to participation in and of itself, due to the liquidation of an estate, difficulties in providing for one’s family on one’s own, or because the petition was designed to rectify the situation that had led to the husband’s absence. However, the number of times widows acted as sole petitioners widely surpassed the number of times wives did, resulting in practical differences. For example, widows acted in groups of heads of household in ways wives did not in the four years studied.

The legal constructs of guardianship and målsmanskap, interpreted by contemporary jurists as prohibiting unmarried and married women from acting in procedural contexts, created differences in how women of different marital status petitioned and responded. Nevertheless, the regulations were unclear as to what really applied. The vagueness allowed for a range of interpretations and subsequent actions, as we have seen. As to their capacity, whatever their marital status women not only acted procedurally, they acted independently in various situations. Sometimes their actions were similar regardless of marital status and other times they were different. Their procedural competence and capacity are therefore best described as a spectrum of competencies and capacities shaped by gender and marital status as well as by age and the nature of the previous resource transaction. It was not an either/or situation where women either had or did not have competence and a capacity that exceeded their competence, but rather a complex one depending on the particular situation. Sometimes women could not speak for themselves and their households; sometimes they could; and other times it was somewhere in between. The interplay of legal rules, their interpretation, and the women’s actions was more complicated and situational than generally having a limited competence and a more extensive capacity.

This scope for interpretation continued into the nineteenth century. In the petitionary practice at the GAV, I have not identified the tightening of
målsmanskap, and its equivalence to legal incapacity (omyndighet) that Hinnemo and Dübeck have found for other legal contexts. Wives’ general invisibility in the material means that numerical conclusions must be tentative, but when looking at how they acted, continuity rather than change is visible over time. In each of the four years studied, we find married women who acted with their spouses, on their own in the husbands’ absence, and being represented by their husbands. The rules were indeed applied more formally in 1880, for example, in the GAV’s occasional conditioning of procedural capacity based on målsmanskap. On the other hand, that year wives’ procedural competence had widened to encompass property they managed themselves. The legal theorists did think about legal capacity (myndighet) as an either/or as Elin Hinnemo has concluded, but by the end of nineteenth century they did not necessarily consider wives omyndiga; instead their status was open to interpretation, much – it would seem – as a result of the introduction of wives’ possibilities to manage certain property themselves. However, regardless of how the question of procedural competence was viewed by the lawyers, the wives’ procedural capacity at the GAV remained the same: a consistently low participation that came in many forms.
II Voice and economic necessity

In November 1758, the district clerk (häradsskrivare) Samuel Röding issued a transport order to the villagers of Hälla. It instructed them to deliver to the wife of cavalry captain von Rosen ‘her lord’s allotted salary hay if you wish to avoid debt enforcement’. This led the peasants to contact the GAV with a claim to pay Lady von Rosen in cash instead. In their endeavour, they used several justifications for the approval of their claim. In the supplication’s first sentence, presenting them to the governor, they highlighted their position as ‘poor homesteaders’, who had been harshly ordered to deliver the hay. After that, they recounted how, for the past 20 years, the order had been to pay in cash instead of kind. In addition, a ‘Peasant’ had a right to pay after a particular tariff during bad harvest years. Finally, they questioned the lord’s and lady’s need for the hay. He had likely brought his horses with him on military campaign. She had moved to town and had probably sold her fodder. In contrast, the petitioners greatly needed the hay to sustain themselves and care for their farms because ‘if we … are obliged to deliver this hay, our cattle will starve, and we and our homesteads will be ruined.’ Subsequently, the letter was ordered to be served to Lady von Rosen, giving her two weeks to respond.

The case between the Hälla villagers and Lady von Rosen illustrates several strategies used by eighteenth-century petitioners in their claims (Chapters 6–8). First, the farmers emphasised their position as ‘peasants’ and ‘homesteaders’ throughout the supplication. In the manner analysed in Chapter 2, they positioned themselves in relation to the governor as ‘poor’ homesteaders in the letter’s formal beginning. Combined with the description of harsh treatment by one of the governor’s subordinates, their position was used to invoke the governor’s responsibility to hear their plea, as the highest political authority in the province.

Unfortunately, Lady von Rosen’s response does not survive. However, other letters from women enable us to analyse another important characteristic of position: gender. Historians of women’s petitions in North America and Britain have described the arguments as gendered. For example, Hobby highlights how, in seventeenth-century England, ‘assertion of the women’s helplessness, distress and need for protection’ marked the texts as ‘typically female’ and how petitioners ‘cited their feminine weakness.’ In revolutionary North America, Beatty argues, ‘Women activated the language of dependence as a strategy for survival, portraying themselves as helpless, financially dependent, apolitical, ignorant, and in need of the legitimation of male

1 1758 Case 208: ‘thess herres på löhn anslagne Räntehöö, så kiärt Eder är att undwika lagsökning’; ‘fattiga hemmansbrukare’; ‘Bonden’; ‘Om wij … skulle påläggas detta höö ifrån oss leferera, sågo wij derigenom wara egna Chreaturs och dragares swält och undergang, war igenom både wij och heman blifa ruinerade.’

voices. In a Nordic context, the research about the role of gender in petition arguments is mixed. Differences between women’s and men’s argumentation have been highlighted, especially in relation to raising issues about ignorance, protection, poverty and supporting children. However, Sandvik has also highlighted the strong similarities in arguments between men and women in these specific issues.

Second, similar to what several researchers have shown, the farmers used custom (how they had delivered previously) and implicitly referred to written legislation. According to an ordinance from 1723, ‘the peasantry’ (allmogen) and ‘the peasant’ (boden) was entitled to pay tax in cash in years with bad harvests. Again, we can see how villagers used their position as ‘peasants’, this time as a result of legal tenets. As long as the law differentiated between rights and obligations based on position, there would be a reason for people to highlight who they were in their arguments.

Third, the last essential argument for the peasants in Hälla was their need for the hay to provide for themselves and the upkeep of their farms. Such statements elevated the issue in one particular case to matters of societal concern, as a ruined farm would not provide any taxes at all. These abstractions occurred repeatedly as petitioners and respondents connected their individual situations to more general problems, making a personal case into something of broad political interest.

Over time, some of these arguments disappeared or became rare, similar to those in the petitions’ formal parts (Chapter 2). In 1880, petitioners and respondents seldom highlighted their position, custom or need to provide for themselves. Instead, arguments relevant because of written law took centre stage. Specific groups could use other arguments, such as their difficult circumstances, but even these were deployed differently and about particular issues. What was a valid argument at the beginning of the period was no longer by the end, showing how the exercise of voice had changed.

Aside from how petitioners justified their claims, the case between the Hälla villagers and the von Rosens show how access to resources was critical for why people made themselves heard and, from the petitioners’ perspective, how participation in the regional petitioning process was characterised by a

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3 Beatty, In Dependence, 40.
5 Sandvik, ‘Gender and Politics’, 333; see also Lindberg and Ling, “Spanska” citroner, 27–8; Ling, Konsten.
6 For peasants using legislation and custom, see Bergman, Makt, möten, 84–5; Frohnhert, Kronans skatter, 137; Linde, I fädrens spår?, 101; Neveux & Österberg, ‘Norms and Values’, 162–4. For the use of law among paupers in Scotland, see Jones & King, ‘Voices from the Far North’, 93; see also Kidambi, ‘Petition as Event’, 225–7 for petitioners using law and custom in early twentieth-century Bombay.
7 Förordning huru wid Missväxt, afraden af Skatte och Krono-hemman, må til et wist pris med penningar betalas (17 Oct. 1723), in Modée, Utdrag, i. 503.
need to resolve a conflict over this particular resource (Chapter 5). The villagers’ need to petition arose from their obligations derived from the land they used and the couple’s corresponding right to receive these returns. This right and obligation came from the military allotment system, which stipulated that some military and civil officials were paid by fiscal revenue from specific homesteads. As land users, landowners, and military officials, the peasants and officers all had a connection to the land, a connection that sometimes created conflicts that needed to be resolved. When the military allotment system changed over the nineteenth century, increasingly moving towards salaries in cash, these delivery conflicts disappeared, and so did the cases at the GAV.8

The rights and obligations connected to resources could be intertwined with different aspects of the petitioner’s and respondent’s position. Those who owned or leased taxed homesteads – mostly peasants at this time – had to pay a part of their land returns to officials, who had a corresponding right to the resource as part of their office. In effect, the petitioners turned to the GAV because of their obligations as landed peasants. Lady von Rosen was drawn into the case because her husband was an officer with land-related salary rights. Therefore, in this case (but not always) the connection to resources, and consequently participation, was related to their socioeconomic status.

Participation was also connected to gender and marital status. As Röding described in his order, the resource was ‘her lord’s allotted salary hay’. The right to the hay was connected to his office, but both spouses had the right to receive it. His wife collected it when lord von Rosen was abroad and consequently became a respondent in her husband’s absence. When a husband died, his widow’s right to the allotted salary ceased after a time. This sometimes caused widows to protect their temporary rights to these benefits at the GAV. Neither men of the same socioeconomic status nor women whose rights to a certain income were unaffected by their husbands’ deaths did this.

In Chapters 5–8, I will analyse why people made themselves heard through the petitioning process and how they justified their claims, in order to see how access to and interaction over resources shaped the need to petition and what purpose the GAV filled for them. In doing so, I will show how people’s need for voice was intertwined with their endeavours to make a living and how voice through the petitioning process was very much a matter of using the state for conflict resolution. In addition, I consider the role of position in why people made themselves heard and the arguments they made.

Since resources are at the heart of these questions, the chapters are arranged accordingly. I begin with an overview of the resources, the participants’ socioeconomic status, and the types of cases people brought to the GAV. Subsequent chapters focus on the principal arguments used in these cases, divided by resource.

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8 For cash wages, see Thisner, Indelta inkomster, 25.
5 Credit, land, and working roles: Resources at the heart of voice

Why did men and women participate in the petitioning process? What resources lay behind their need to make themselves heard, and how did they use the GAV over time? And how was their participation related to their position, primarily gender and socioeconomic status? The following chapter examines these questions with the aim mentioned in the introduction to part II. It also serves as an overview of the people and cases at the GAV, providing context for the following chapters.

After looking at the methodological considerations of using titles to determine socioeconomic status, I present who petitioned and responded. Previous studies of seventeenth- and eighteenth-century supplicants have found that groups rarely participated in a way that corresponded to their share of the population. For example, at the GAs, peasants were consistently underrepresented, although the degree depended on the region.\(^1\) Likewise, Mats Berglund finds that few labouring people used the petitioning channel to the city council in Stockholm in 1740.\(^2\) In petitions to the Diet, peasants and labouring people were a minority, and military personnel and civil servants were overrepresented.\(^3\) At a time of increased polarisation within socioeconomic groups, what did this participation look like in the nineteenth century? And who responded?

To understand why people made themselves heard, this general overview of who petitioned and responded should be combined with the resources behind the requests, which I will do in the second part of the chapter. It is structured after the identified resources behind the petition: credit, land and working roles, and the various case types in each group of resources. I chose such a structure partly to provide an overview of the cases at the GAV, but also because identifying resources and case types is an important result.

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\(^1\) Frohnert, ‘Administration’, 253–4; Jonsson, De norrländska landshövdingarna, 226.
\(^2\) Berglund, Massans röst, 44–6.
\(^3\) Almbjär, Voice?, 144–5.
5.1 Petitioners’ and respondents’ socioeconomic status

In the three sections below, I present the socioeconomic status of petitioners and respondents. The results serve as a baseline for analysing resource transactions and socioeconomic status (Section 5.2).

5.1.1 Titles as indicators of socioeconomic status

To create categories of socioeconomic status, I have used people’s titles. By using the term socioeconomic status, I wish to highlight that the same title can contain information on several forms of stratification, both horizontal and vertical. One example is military titles. Cavalry captain (ryttmästare) von Rosen, whom we met previously, had a title that denoted his rank in the military organisation (and among officials more broadly since these ranks were part of an officially created ranking order). However, the title also implied that he had income from a state salary delivered directly to him by the owners or users of specific farms. Some titles, often called occupational titles, such as shoemaker and merchant, suggest income from trade in goods and services. But, in the eighteenth century, such titles also indicated other group belongings. To engage in shoemaking in Swedish cities, you had to be a guild member. Therefore, the title shoemaker also meant belonging to the burgher estate. Similarly, the title peasant (bonde) indicated belonging to the peasant estate as well as managing a taxed farm in the countryside.

The ‘occupational’ titles do not give a complete picture of how people made their living since they do not indicate all or even most things people did to sustain themselves. It may even be anachronistic to say they denoted occupations, as Carl Mikael Carlsson has argued. Instead, Carlsson, Det märkvärdiga mellantinget, 87 argues these should be called ‘position titles’ since they denote the person’s vertical and horizontal position.

4 Wirilander, Herrskapsfolk, 140–142.
6 Instead, Carlsson, Det märkvärdiga mellantinget, 87 argues these should be called ‘position titles’ since they denote the person’s vertical and horizontal position.
social aspects. By categorising the cases after the resource transaction that led to petitioning and comparing who petitioned about what, it is possible to see how socioeconomic status and voice were intertwined.

Using titles to categorise people into groups is a well-established but complicated method that requires theoretical and methodological considerations about what these labels are and what their limitations might be. First, titles awarded a person with a position but should not be seen as reflecting an objective stratification. These labels are contemporary cultural constructs, which would speak against using them to compartmentalise people, since this gives the impression of a static, objective partition. It does not mean that the method is impossible to use, but it emphasises the need for awareness and caution regarding what conclusions can be drawn from the resulting numbers. These should therefore be combined with a deeper analysis of the cases themselves.

Second, titles are fluid, both in their application to people and over time. A person could acquire a title for a position he did not attain or keep a title even though the position that gave rise to it had ceased to exist. One such example was Lars Kihlberg, who was pursued to pay for two credit purchases in 1838. The applicant called him a soldier, but he was noted as a peasant in the parish register. What had happened was that Kihlberg had previously been a soldier but had moved to a farm by the time of the petition. Over time, a title’s range could also change. One such example is ‘leaseholder’ (arrendator). In the eighteenth century, it was used for people of higher rank and implied their social distance from the peasantry. In the following century, peasants started to use it too.

Moving on to concrete methodology, the titles in the sample are primarily taken from the registers or cases themselves. If titles were missing, I could sometimes find the parties in other sources, such as church and tax registers. The use of a particular title can depend upon the purpose of the source (fiscal,

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7 Not all titles imply access to material resources. For example, Mr (herr) denoted gender and vertical status in some time periods. I have not used them to categorise people.

8 Most studies that compartmentalise petitioners by social or socioeconomic status use titles, see, for example, Almbjär, Voice?, 29–30; Bregnsbo, Folk skriver, 237–9; Hinnemo, Inför högsta instans, 41–2.

9 Carlsson, Det märkvärdiga mellantinget, 86.

10 Almbjär, Voice?, 29.

11 1838 Case 1762; AD, Enåker församling, AI:9, 78; AD, Möklinta församling, AI:11, 160.

12 Carlsson, Det märkvärdiga mellantinget, 98–100.

13 I have not systematically searched for people in other sources as this could not realistically be done for such a large volume of cases.
religious, legal, and so on) or the intentions of the person writing. The officials at the GAV seem to have copied information from the petitions into the registers, so conflicting titles that affected categorisation did not occur often.

Nevertheless, difficult instances did transpire. For example, in 1758, several cases involved the notary Abraham Gother and a man called Hans Hägerlind. In May, Hägerlind petitioned the GAV for help to oust Gother from the farm he had recently taken over from his parents. In August, Gother asked the GAV to force Hägerlind back into his service. In the first case, Hägerlind called himself the åbo (denoting the usufruct of a taxed farm), while Gother named him a dräng (a male servant). The parties’ use of these titles was tied to the case matter. Hägerlind wanted to prove he was now the farm’s correct occupant, while Gother wanted the opposite and to have him back as a servant. Even though these cases were rare, they show people applied titles purposefully and not as objective facts.

Some people, especially from the peasantry, were not accorded the names that we traditionally call titles. In the letters, they could be named peasant (bonde) or homestead owner (hemmansägare), but such epithets were not often used in the registers. The normal way to indicate peasants was using the formula ‘given name + surname + in + name of the farm’. When this was used without other titles and a patronymic surname, I have categorised the person as a peasant.

However, this formula could also be used for servants and labouring people, whom I wanted to separate from peasants. When documents survive, they are easier to distinguish because of the additional titles or from indications that a person lived on the farm’s outfields rather than on the farm itself. But in the registers, there is a risk that some individual phrases denote others than peasants. Sometimes I could identify them using other sources, such as church records, but the number of people was too great to do so systematically. Therefore, the ratio of landed peasants to labouring people presented below likely exaggerates the number of categorised peasants somewhat.

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14 Carlsson, Det märkvärdiga mellantinget, 86.
15 When deciding where to categorise them, I used what I perceived was the most specific title from a resource perspective, for example choosing an office title rather than a noble one, though I chose to give precedence to labouring people when possible; however, such conflicts were rare, and categorising them in another group would not have affected my conclusions.
16 1758 Case 162, 222. In the two cases, I noted both titles in the dataset but categorised Hägerlind as a servant in both cases for consistency’s sake, but also reflecting my interest in servant’s histories. For another example of purposefully deployed titles, see Jansson, ‘Pigors arbete’, 140–141.
17 ‘Positioner i prepositioner: Kategorisering av människor utifrån prepositioner i gårdsnamn’, unpublished manuscript (Carl Mikael Carlsson, pers. communication). The key element in the formula to indicate a peasant was the type of preposition. Other prepositions, such as at (vid) or on (på), were used to denote people of other socioeconomic status.
18 I did not apply this principle for 1880, because I had access to the digitised and searchable census instead, see RA, Folkräkningar.
Women mostly had titles that indicated household position and marital status, such as mistress (husbru), widow (änka), or miss (fröken). In other words, their titles did not imply material resources in the same way as many men’s titles. Therefore, I categorised the women and children by their husbands’ or fathers’ titles. However, it is important to remember that widows probably did not subsist as they had when their husbands were alive. Based on the titles, I created seven categories of socioeconomic status:

**Peasants.** Their titles indicated the use or ownership of a taxed farm. They were overwhelmingly denoted by the formula described above, which, together with the title homestead owner (hemmansägare) and peasant (bonde), encompassed more than 80 per cent of the individuals in this group (3 908 individuals out of 4 741). Other common titles were lay judge (nämndeman) and rusthållare (included if they also had a patronymic surname).

**Civil servants and military officials.** Their titles indicated remuneration connected to the office, often including land in the form of an official farm or city plot. If one considers rank, this is a broad group containing the highest military officers and the lowest civil servants. The commonest titles, comprising over one-third the total (581 of 1 534), were sheriff (länsman), bailiff (befallningsman, kronofogde) and city councillor (rådman). Other titles were, for example, surveyor, city bailiff (stadsfogde) and military ranks such as lieutenant and captain.

**Tradesmen and craftsmen.** Their titles indicated income from selling goods and services. Here, merchants (handelsman, handlande) made up over 65 per cent of the group (1 749 of 2 685). Others were different craftsmen such as tanners (garvare), cobblers (skomakare), tailors (skräddare) and smiths (smed). Included in the group are also countryside artisans (sockenskräddare, sockensnickare, sockenskomakare) and innkeepers (gästgivare).

**Labouring people.** In this group, titles could indicate different resources, for example, access to smaller plots of land, remuneration connected to an office, and manual labour. Perhaps the most defining characteristic was their subordinate position or that they were required to work for someone else. Since I am particularly interested in the people from this group, I have let their titles have precedence over others in case of conflicts. The commonest titles were 393 various soldiers (soldat, rytare, grenadjär, husar, båtkarl, artillerist, gardist, infanterist), 323 crofters (torpare), 300 people living in the village outfields (på ägor), 222 male servants (dräng), 71 miners (gruvardräng, gruvvarbetare) and 67 workers (arbetare,

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19 Almbjär, Voice?, 30.
20 This group also included peasants working on land belonging to the nobility (frälsebönder). Unlike other peasants, they were not represented in the Diet, they had a more subordinate relationship to the landowner, and they were often exempt from land tax obligations such as coach duty; however, I included them because could rarely be distinguished as such.
arbetskarl, arbetskvinna). In this group I also placed 16 journeymen, 4 apprentices, and 30 maids (piga). Together, these people comprised over 80 per cent of the group (1 426 of 1 754).

**Church-affiliated officials.** People with titles indicating remuneration connected to the office, sometimes including access to land through a farm. Based solely on the material resources implied by the title, I could have put them with the civil servants and military officials. I nevertheless chose to separate them in order not to make the group too wide. The commonest titles among them were curate (komminister), variants on priest (kyrkoherde, prost, pastor), and sexton (klockare). They made up two-thirds of the group (148 of 220).

**Elites.** Their titles indicated income from a larger estate. More than 85 per cent of them (205 of 241) had titles indicating high nobility (baron, greve) or were owners of ironworks (bruks patron, brugs ägare).

**Other.** The group includes various titles that might indicate access to material resources, such as a salary or land, but that did not fit into the groups above. Most common in this group were people with titles indicating work as private officials such as stewards (inspektor, förvaltare, rättare, gårdsfogde), bookkeepers (bokhållare) and rusthållare who did not have a patronymic. Together they made up about half the group (200 of 426).

### 5.1.2 Petitioners

Petitioners from the peasantry, civil servants and military officials, and tradesmen and craftsmen dominated petitioning throughout the period (Table 5.1). Together, they constituted from 65 per cent of petitioners in 1758 to 84 per cent in 1838.21

Peasants comprised 25 to 36 per cent of petitioners, depending on year. Compared to other studies of regional petitioning, this share is relatively low. For example, between 1685 and 1735, Alexander Jonsson found that peasant petitioners ranged between about 45 to 70 per cent at the county secretariat in Västernorrland. Frohnert found a peasant share of about 40 per cent at the GA of Örebro during three months in 1760.22 Demography and time could contribute to these differences. The northern regions had a higher share of peasants in the population. Jonsson also finds that peasant petitions became less dominant in the eighteenth century. However, the differences are also likely due to different categorisations. Frohnert’s and Jonsson’s peasantry likely contained several people I have classified as labouring people with the help of the extant files.

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21 It is likely that many of the unknowns were civil servants, military officials, tradesmen, or and craftsmen, so their share should probably be somewhat higher.

22 Frohnert, ‘Administration’, 253; Jonsson, De norrländska landshövdingarna, 226. The different ways of counting (petitions vs. petitioners) mean the exact figures are not directly comparable.
TABLE 5.1 The socioeconomic status of petitioners.

<table>
<thead>
<tr>
<th></th>
<th>1758</th>
<th></th>
<th>1803</th>
<th></th>
<th>1838 (Mar.–Aug.)</th>
<th></th>
<th>1880</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td></td>
<td>N</td>
<td></td>
<td>N</td>
<td></td>
<td>N</td>
<td></td>
</tr>
<tr>
<td></td>
<td>%</td>
<td></td>
<td>%</td>
<td></td>
<td>%</td>
<td></td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>P</td>
<td>209</td>
<td>35</td>
<td>551</td>
<td>36</td>
<td>1620</td>
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<tr>
<td>CM</td>
<td>127</td>
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<td>321</td>
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<td>851</td>
<td>25</td>
<td>267</td>
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<tr>
<td>TC</td>
<td>53</td>
<td>9</td>
<td>245</td>
<td>16</td>
<td>389</td>
<td>11</td>
<td>TC</td>
<td>201</td>
</tr>
<tr>
<td>LP</td>
<td>38</td>
<td>6</td>
<td>67</td>
<td>4</td>
<td>95</td>
<td>3</td>
<td>LP</td>
<td>81</td>
</tr>
<tr>
<td>O</td>
<td>30</td>
<td>5</td>
<td>52</td>
<td>3</td>
<td>67</td>
<td>2</td>
<td>O</td>
<td>73</td>
</tr>
<tr>
<td>Ch</td>
<td>27</td>
<td>5</td>
<td>42</td>
<td>3</td>
<td>49</td>
<td>1</td>
<td>E</td>
<td>18</td>
</tr>
<tr>
<td>E</td>
<td>16</td>
<td>3</td>
<td>40</td>
<td>3</td>
<td>30</td>
<td>1</td>
<td>Ch</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>U</td>
<td>96</td>
<td>16</td>
<td>U</td>
<td>230</td>
<td>15</td>
<td>U</td>
<td>297</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>596</td>
<td>100</td>
<td></td>
<td>1548</td>
<td>101</td>
<td>3398</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset 1758, 1803, 1838, 1880, columns E (S), CM (S), P (S), TC (S), Ch (S), O (S), L (S), U (S). For a description of the dataset, see Appendix 1.

Note: The numbers reflect petitioners. If the same individuals petitioned more than once, they have been noted the number of times they did. Groups that I have not been able to individualise have not been included. 1838 only shows petitioners from March through August.

Key: Ch = Church-affiliated, CM = Civil servants and military officials, E = Elites, LP = Labouring people, O = Other, P = Peasantry, TC = Tradesmen and craftsmen, U=Unknown.

In addition, some people petitioned in groups. Whenever there was an extant petition, the individuals in the groups could be distinguished, but in the registers, they were only noted as a group. Since I have counted people and not petitions, these unindividualised groups are not included in the numbers in Table 5.1.23 Had it been possible to individualise them, the peasants’ share would have been higher because several were collectives where peasants normally were present, such as villagers (byamän, åbor) and rotar.24 As I have noted in previous quantifications in this thesis, the numbers must be read critically, primarily drawing conclusions from large differences and not putting too much emphasis on the actual figures.

The petitioning activity in registers and extant files nevertheless indicates that peasants, who made up the majority of the population in Sweden, were underrepresented as petitioners. But their underrepresentation was less

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23 I considered counting petitions rather than petitioners, but that would have created other problems, since people with different socioeconomic status could petition or respond together, and it would skew the sample by giving a petition signed by eleven peasants and one signed by a single merchant the same weight.

24 For example, in 1758, when the number of petitioning collectives was largest relative to number of cases, there were 82 cases with groups I have not been able to individualise: 8 cases involved institutions or groups without actual people (such as a guild, poorhouse, ironworks, and trading company); 6 cases involved large collectives, such as the inhabitants of a parish or burghers in a town; 50 cases had smaller collectives, such as wards, children, rotar (small groups of freeholders required to share the costs of one soldier or sailor) and deceased people’s estates (dödsbo); and 18 were groups of unknown size, such as someone’s creditors, several peasants in a parish, or everyone responsible for a certain obligation, see Israelsson Dataset 1758, column Unindividualised groups (S).
marked than in petitions to the central level. In applications to the Swedish Diet during the eighteenth century, peasants never reached above 13 per cent of petitioners (counted by petition), although their share increased over time.\(^{25}\)

Studies have found an increase in petitioning among burghers during the eighteenth century on both regional and central levels.\(^{26}\) At the GAV, there was a similar increase among the tradesmen and craftsmen group until 1838 (Section 5.2.1). Other similarities with previous research are the relatively large share of civil servants and military officials and the few labouring people among petitioners. The increase of labouring people in the population that took place in the nineteenth century is not reflected in their petitioning practice.\(^{27}\) Labouring people did not make themselves heard much as petitioners compared to other groups.

Thus petitioning practices at the GAV were similar to what we know from previous research. Peasants petitioned quite a lot, but not to an extent reflecting their population share. Labouring people were relatively uncommon as petitioners. The petitioning activity of people involved in trade increased greatly over the first half of the nineteenth century.

5.1.3 Respondents

In all four years studied, a majority of cases at the GAV contained a respondent, i.e. a person or group against whom the claim was made, highlighting that the petitioners’ purpose was to get the state’s help with solving a conflict against someone.\(^{28}\) This is the first study in Sweden to systematically look at who these respondents were and to integrate their presence as an essential part of regional petitioning. These women and men did not choose to go to the GAV themselves; they were drawn into the procedure by someone else’s choice. This could entail different levels of power between the petitioner and respondent. Still, we should not necessarily assume that the former always had a stronger position because that depended on the case matter. Being a respondent did not automatically mean that you were at a disadvantage, although often it did. And, importantly, when the petition was handed in, the GAV expected the respondents to make their will known, as evidenced by the practice of ordering the petition to be served. Although they had not chosen to approach the GAV, while participating, respondents did so with equal rights to be heard as the petitioners.

\(^{25}\) Almbjär, *Voice?*, 249.

\(^{26}\) Almbjär, *Voice?*, 249; Jonsson, *De norrländska landshövdingarna*, 225.

\(^{27}\) For the increase, see Gadd, ‘Agricultural Revolution’, 140–3; Johnsson, *Vårt fredliga samhälle*, 63–4.

\(^{28}\) In 1758, 75 per cent of cases (n = 409, N = 547); in 1803, 91 per cent (n = 1 312, N = 1 439); in 1838, 97 per cent (n = 3 306, N = 3 412); and in 1880, 79 per cent (n = 789, N = 1 004): see Israelsson Dataset 1758, 1803, 1838, 1880, column *Title (Fk)*.
Table 5.2 shows that the pattern among respondents differed from what previous research and this study conclude about petitioners. While peasants were one of the largest groups both as petitioners and respondents, their underrepresentation as respondents was less pronounced in all years but in 1758. However, the most eye-catching difference concerned labouring people. As petitioners, they made up a small part of the whole. As respondents, however, their share was consistently higher; in 1838 and 1880, it reached 30 and 23 per cent of all respondents.

Table 5.2 The socioeconomic status of respondents.

<table>
<thead>
<tr>
<th></th>
<th>1758</th>
<th>1803</th>
<th>1838 (Mar.–Aug.)</th>
<th>1880</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
</tr>
<tr>
<td>P</td>
<td>162</td>
<td>36</td>
<td>676</td>
<td>50</td>
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<tr>
<td>CM</td>
<td>91</td>
<td>20</td>
<td>154</td>
<td>11</td>
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<tr>
<td>LP</td>
<td>61</td>
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<td>143</td>
<td>11</td>
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<tr>
<td>TC</td>
<td>38</td>
<td>8</td>
<td>99</td>
<td>7</td>
</tr>
<tr>
<td>O</td>
<td>26</td>
<td>6</td>
<td>54</td>
<td>4</td>
</tr>
<tr>
<td>E</td>
<td>18</td>
<td>4</td>
<td>38</td>
<td>3</td>
</tr>
<tr>
<td>Ch</td>
<td>10</td>
<td>2</td>
<td>13</td>
<td>1</td>
</tr>
<tr>
<td>U</td>
<td>48</td>
<td>11</td>
<td>168</td>
<td>12</td>
</tr>
<tr>
<td>Total</td>
<td>454</td>
<td>100</td>
<td>1345</td>
<td>99</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset 1758, 1803, 1838, 1880, columns E (Fk), CM (Fk), P (Fk), TC (Fk), Ch (Fk), O (Fk), L (Fk), U (Fk). For a description of the dataset, see Appendix 1.

Note: The numbers reflect respondents. If the same individuals responded more than once, they have been noted the number of times they did. Groups that I have not been able to individualise have not been included. 1838 only shows respondents from March through August. The percentage sums do not reach 100 because of rounding.

Key: Ch = Church-affiliated, CM = Civil servants and military officials, E = Elites, LP = Labouring people, O = Other, P = Peasantry, TC = Tradesmen and craftsmen, U=Unknown.

In other words, labouring people participated and made themselves heard through the petitioning process, but primarily as respondents. Thus, they had voice in the sense that they were expected to give their view and argue for their cause, but it was not the voluntary kind of voice petitioners exercised.

The increase among labouring people as respondents was visible in all three resource types treated in the next section, thus likely reflecting their growth in the population. However, it also shows this group’s vulnerability, having difficulties paying their debts in credit cases, risking eviction from crofts in land cases, and from their living quarters when their employment ended. At the same time, we cannot rule out that their increase could indicate other sides of their relationship with the petitioner. That landowners increasingly asked for help with evictions of crofters (Section 5.2.2) could mean that the latter refused to move more than they had before. Labouring people being increasingly sued as debtors could mean higher participation in the
documented credit market. Therefore, being a respondent did not necessarily mean vulnerability and lack of voice.

5.2 Conflicts over resources as the reason for making yourself heard

The choice or need to turn to the GAV often originated in another’s failure to fulfil obligations relating to a previous resource interaction. Studying these more closely reveals that the issues primarily concerned three resources: credit, land, and working roles. For example, lenders extended credit to borrowers who later failed to pay, resulting in petitions for payment or sequestration. Tenants rented land but failed to take care of it, resulting in petitions for eviction. Civil servants performed actions within their office but failed to do them correctly, resulting in complaints about their performance.

By looking at how these cases became more or less common, we can also see how people’s petitioning was connected to societal changes relating to these resource transactions and thus over what was important to make yourself heard about. As illustrated by Table 5.3, cases involving credit obligations dominated in the nineteenth century. In 1803 and 1838, the credit cases completely overshadowed the GAV’s case handling. This increase can largely be attributed to merchants handing in demands for payments of credit purchases, coming from changed consumption patterns (Section 5.2.1). In 1758, the credit cases made up more than a third of all petitions, but those due to land and land rights were more common. In the nineteenth century, the share of land cases was much lower, perhaps indicative of how more and more people lost their connections to the land as a primary source of income. The cases also changed character in a way that can be connected to how an increasing share of the population belonged to those who did not own but used land belonging to others (Section 5.2.2)

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29 These categories are somewhat overlapping since cases about land or working roles could involve credit transactions. If a credit purchase involved land, I have categorised it as land; if a credit transaction was made by a guardian for his ward’s inheritance, I have categorised it as working roles.

30 Cases without a respondent could nevertheless originate in resource transactions. For example, the cases where petitioners asked to be registered as rusthållare originated in a land transfer. At other times, it is more correct to describe the petitions as stemming from a need for particular resources, such as requests for permission to log timber, to sell particular goods, or to receive a particular office.

31 Since the number of unknown debt cases (which possibly involved land) is large, the share of cases involving land may be larger than Table 5.3 indicates (Section 5.2.1).

The increase in the share of issues relating to working roles between 1838 and 1880 can primarily be explained by less credit cases, but also by new applications for permits to sell and keep certain goods, such as spirits, dynamite and poisons. While general trade was deregulated in the mid nineteenth century, the state still required people to ask for permission to sell specific ‘dangerous’ goods (Section 5.2.3).

### 5.2.1 Petitioning cases related to rights and obligations tied to credit

In the nineteenth century, the applications the GAV received were predominantly issues I have identified as ‘credit’ cases. These mostly involved debt cases (*lagsökningsmål*), where an applicant wanted a debtor formally obliged to pay an unpaid debt due to promissory notes, bills or other agreements.\(^{34}\) If the debtor still defaulted after the GAV had rendered such a

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\(^{33}\) The cases in ‘Other’ were mixed. Many were administrative – requests for documents and travel permits, for a decision to be temporarily halted, for permission to withdraw deposited money – and some were vague requests asking for a decision to be enforced or an inheritance of an unknown kind.

\(^{34}\) The register entries were terse. In 1758, the word used to indicate a debt case was *skuldfordran*. In the three years in the nineteenth century, the entry had the sum of the debt and the type of document the request was based on. For example, the first entry in 1803 ran ‘Goldsmith Schmidt against Joh. Brostedt about 20 R:dr according to a promissory note dated 12 April 1803’ (*Guldsmeden Schmidt emot Joh. Brostedt om 20 Rd:r enl. rev. d. 12 April 1802*) see ULA, LV, Lka I, B II:15, no. 1 (Jan.). Over 95 per cent of all cases categorised as credit cases were debt cases (n 4 686, N 4 867). Note that these numbers do not correspond to

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### TABLE 5.3 Cases at the GA of Västmanland categorised by resources.

<table>
<thead>
<tr>
<th></th>
<th>1758</th>
<th>1803</th>
<th>1838 (Mar.–Aug.)</th>
<th>1880</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
</tr>
<tr>
<td><strong>Credit</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Out of which debts of unknown type</td>
<td>115</td>
<td>555</td>
<td>1357</td>
<td>469</td>
</tr>
<tr>
<td><strong>Land</strong></td>
<td>223</td>
<td>41</td>
<td>205</td>
<td>14</td>
</tr>
<tr>
<td><strong>Working roles</strong></td>
<td>74</td>
<td>14</td>
<td>131</td>
<td>9</td>
</tr>
<tr>
<td><strong>Multiple resources</strong></td>
<td>2</td>
<td>&lt;1</td>
<td>12</td>
<td>1</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>46</td>
<td>8</td>
<td>59</td>
<td>4</td>
</tr>
<tr>
<td><strong>Unknown</strong></td>
<td>20</td>
<td>4</td>
<td>2</td>
<td>&lt;1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>547</td>
<td>100</td>
<td>1439</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset 1758, 1803, 1838, 1880, column *Resource.*\(^{33}\) For a description of the dataset, see Appendix 1.
decision, the applicant could receive help with enforcement measures. In many cases, exactly what credit transaction these applications pertained to is unknown due to the summary registers.\(^{35}\) When we have more details about the debts’ origins, they involved loans, credit purchases of goods from individuals or on auctions, and occasionally due to purchased services.\(^{36}\)

Almost all credit cases had a respondent.\(^ {37}\) In these cases, applicants petitioned the GAV to solve a conflict with another person and, as Frohnert has argued, used the state’s resources to guard their right to get paid.\(^ {38}\) From the state's point of view, the executive procedure served several purposes. First, it was a means to avoid people unlawfully enforcing their claims themselves. As such, it was a way to protect the debtor’s legal rights and the rule of law. Another order would, in the words of Nehrman, lead to ‘excessive violence and injustice’.\(^ {39}\) Second, it ensured the creditor’s rights since the ‘Credit is strengthened when each receives what he clearly has to claim’.\(^ {40}\)

As we saw in Chapter 2, executive cases increased drastically over the first half of the nineteenth century. The few studies of regional petitioning in the nineteenth century confirm such an increase for at least one other GA.\(^ {41}\) A compilation of who petitioned illustrates whose activity increased. Table 5.4 shows that the share of applying tradesmen and craftsmen in 1838 was double that in 1803. Most of them were merchants (handelsman, handlande). In 1758, there were 20 supplicants with the title merchant in credit cases. In 1803, this

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the number of debt cases presented in Chapter 1 because those include all cases regardless of originating resource transaction.

\(^{35}\) Methodologically, some of these unknown debt cases could have originated in, for example, a purchase of land, which, had I known, would have been categorised as a land case. Nevertheless, I retained them under credit cases because it did not affect the composition of the petitioners’ socioeconomic background much (see Table 5.4), compared to those with a known resource transaction. If we exclude the unknown debt cases, peasants’ shares were generally higher, and in 1758 and 1880 they made up the second-largest group of petitioners instead of the third-largest (Table 5.4). In addition, the share of tradesmen and craftsmen was somewhat lower, making up the third largest group in all years but 1838 when they were still the largest group.

\(^{36}\) Among many examples, for loans, see 1758 Case 33–4, 38; for purchases of goods, see 1758 Case 121, 133, 325; for auction purchases, see 1758 Case 115; for services, see 1758 Case 226.

\(^{37}\) Of all the credit cases only 27 did not have a respondent. They were predominantly protests against credit arrangements, which the petitioner wanted formally registered in order to later be able to deny enforcement, see UB1734, 4:3, in Carlén, *Sveriges Rikes Lag*, 215.


\(^{39}\) Nehrman, *Inledning til then Swenska Processum Civilem*, 415: ‘öfwerwåld och orättwisa’.

\(^{40}\) Nehrman, *Inledning til then Swenska Processum Civilem*, 414: ‘Crediten blifwer styrkt, när en hwar får thet, som han, efter klaara skiläl, har at fordra’.

\(^{41}\) Aronsson, *Bönder gör politik*, 289–90; Frohnert, ‘Kronan’, 164–5. Still, 1838 was likely a year with comparatively many such cases. The governor of the region noted at the time how indebtedness and enforcement cases had increased, primarily due to ‘the less than beneficial harvests.’, see *Kongl. Maj:ts Befallningshafwande, Femårsberättelse för åren 1832*, 9: ‘de mindre gynnande årsväxterna.’
number had risen to 151; in 1838, it was 1,466.\textsuperscript{42} In other words, much of the increase in executive cases came from petitioning tradespeople.

Table 5.4 Petitioners’ socioeconomic status in credit cases.

<table>
<thead>
<tr>
<th></th>
<th>1758</th>
<th></th>
<th>1803</th>
<th></th>
<th>1838 (Mar.–Aug.)</th>
<th></th>
<th>1880</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td></td>
<td>N</td>
<td></td>
<td>N</td>
<td></td>
<td>N</td>
<td></td>
</tr>
<tr>
<td></td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td></td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>CM</td>
<td>46</td>
<td>25</td>
<td>P</td>
<td>309</td>
<td>30</td>
<td>TC</td>
<td>1596</td>
</tr>
<tr>
<td>TC</td>
<td>33</td>
<td>18</td>
<td>CM</td>
<td>240</td>
<td>23</td>
<td>P</td>
<td>690</td>
</tr>
<tr>
<td>P</td>
<td>29</td>
<td>16</td>
<td>TC</td>
<td>209</td>
<td>20</td>
<td>CM</td>
<td>296</td>
</tr>
<tr>
<td>O</td>
<td>14</td>
<td>8</td>
<td>E</td>
<td>38</td>
<td>4</td>
<td>O</td>
<td>55</td>
</tr>
<tr>
<td>E</td>
<td>9</td>
<td>5</td>
<td>LP</td>
<td>36</td>
<td>4</td>
<td>LP</td>
<td>53</td>
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<td>LP</td>
<td>6</td>
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<td>E</td>
<td>35</td>
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<tr>
<td>Ch</td>
<td>3</td>
<td>2</td>
<td>Ch</td>
<td>16</td>
<td>2</td>
<td>Ch</td>
<td>7</td>
</tr>
<tr>
<td>U</td>
<td>45</td>
<td>24</td>
<td>U</td>
<td>152</td>
<td>15</td>
<td>U</td>
<td>245</td>
</tr>
<tr>
<td>Total</td>
<td>185</td>
<td>101</td>
<td>U</td>
<td>1023</td>
<td>100</td>
<td>2977</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset 1758, 1803, 1838, 1880, columns Resource, E (S), CM (S), P (S), TC (S), Ch (S), O (S), L (S), U (S). For a description of the dataset, see Appendix 1.

Note: The numbers reflect petitioners. If the same individuals petitioned more than once, they have been noted the number of times they did. Groups that I have not been able to individualise have not been included. 1838 only shows petitioners from March through August.

Key: Ch = Church-affiliated, CM = Civil servants and military officials, E = Elites, LP = Labouring people, O = Other, P = Peasantry, TC = Tradesmen and craftsmen, U=Unknown.

Merchants routinely engaged in credit transactions and therefore had more claims on defaulted debts than others, giving them more reason to ask for enforcement. That their claims were related to their trade is evident from the documents they based them on. For example, in March 1838, out of 507 applications from merchants, at least 331 were based on bills (räkning). The extant cases clarify that bills meant lists of goods.\textsuperscript{43} Even if 1838 was a year with more debt cases than usual, the increase of petitioning merchants, I argue, was tied to broader changes in consumption patterns. Over the nineteenth century, people increasingly purchased items from these merchants. In her thesis about the credit activity of peasants on the eastern edge of Västmanland, Erikson found that the number of families who had debts to merchants doubled between the periods 1770–1819 and 1820–1870.\textsuperscript{44} An increased number of people who bought goods from merchants would lead to increased defaults, especially in years of dearth, and give said merchants more reason to apply. Therefore, making yourself heard at the GAV was connected to socioeconomic status as well as changes in consumption and credit practices.

\textsuperscript{42} See Israelsson Dataset, 1758, 1803, 1838 column Title (S). Note that it was not 1,466 individual merchants, but rather that they normally handed in many applications at one time.

\textsuperscript{43} ULA, LV, Lka I, B II:44, no. 434/37–1132/86. For the exact cases concerning merchants, see Israelsson Dataset 1838, column Title (S). For examples of bills, see 1838 Case 598, 681, 766, 934.

\textsuperscript{44} Erikson, Krediter, 181.
In 1880, applications in credit cases had changed in form and sender. As described in Chapter 2, the GAs’ jurisdiction was tightened, in effect making these applications more uniform. They were shorter, the bills had all but disappeared, and what remained were primarily applications based on promissory notes. Now, the dominating group were civil servants, and many of these applications were handed in by six individual men: two sheriffs, two city bailiffs, a police officer, and a city court bailiff (stadsexekutor).

The larger share of civil servants was part of a continual development over the nineteenth century, involving a depersonalisation of credit transactions that we can analyse by a closer look at the promissory notes. In the notes, the person entitled to the debt’s payment could be phrased in different ways. Some were made out to a specific person. For example, in March 1757, the soldier’s wife, Kierstin Ingemarsdotter, entered into a credit agreement with crofter Olof Andersson. The promissory note Olof signed started, ‘The signatory will pay 24 daler kopparmynt to Kierstin Ingemarsdotter’. Another way to phrase it was to make it out to the bearer (innehavare, sedelhavare) or to a named payee, but with the addition ‘or as directed’ (eller order).

Regardless of how the promissory notes were phrased, they could be transferred (sold) to another person who could ask for enforcement. But their wording indicates the parties’ intentions in this regard and, by extension, the nature of the specific credit relationship. By naming the payee, the contracting parties marked their relationship as personal. In contrast, ‘bearer’ indicates the parties expected the note to be transferred, or at least, in the case of the phrase ‘or as directed’ that the debtor allowed it to be.

During these four years, the remaining files (albeit their incomplete nature) indicate a development where the appended promissory notes were increasingly made out to the bearer, not a named payee. Out of 51 credit cases that contained a preserved promissory note in 1758, only nine were made out to the bearer. In 1803, almost half the remaining cases (164 out of 368) had a promissory note to the bearer; in 1838, it had increased further to 361 out of

45 Only 43 credit cases were based on something else, such as contracts, bills of exchange (växel), or bills, see ULA, LV, Lka II, B III a:2, no. 17/2, 39/3, 5/15, 34/16, 47/17, 12/53, 19/53, 27/53, 45/54, 2/58, 5/58, 2/63, 27/64, 28/64, 37/65, 38/65, 32/72, 45/73, 71/74, 74/75, 83/75, 84/75, 33/89, 39/89, 17/104, 20/113, 10/130, 23/131, 12/137, 17/137, 19/137, 20/137, 57/150, 2/172, 5/172, 2/176, 18/177, 30/178, 37/178, 38/178, 20/202, 1/236, 2/236.
47 1758 Case 332: ‘Till Kierstin Ingemarsdotter betalar undertecknad tiugu fyra daler kopparmynt’.
48 UB1734, 4:4, 4:5, in Carlén, Sveriges Rikes Lag, 215–16; see also Philipsson, Om Skuldebref, 6.
49 See, for example, SOT, Kongl. Maj:ts Nådige förordning, angående Gälnderärs bysättande, när the för owillkorlige Förskrivningar sökas (19 May 1756), where the phrase ‘or as directed’ was interpreted as permission to transfer.
627. In 1880, it was almost 80 per cent (186 out of 243).\textsuperscript{50} Credit relations where people asked for enforcement were becoming less and less personal, which had consequences for who turned to the GAV.

If we compare the promissory notes of different groups in 1880, we see how civil servants were more prone to ask for the enforcement of notes made out to the bearer than were peasants and labouring people. Among the former, 82 per cent of notes were made out to the bearer, while only about half for the latter.\textsuperscript{51} Together with how they handed in bulks of applications, civil servants likely asked for enforcement because they had bought promissory notes, not because of their own extended loans. Such an interpretation is corroborated by the fact that in the 16 extant cases where civil servants applied due to a note made out to a named person, 13 had been explicitly transferred to them by the creditor.\textsuperscript{52} It is likely no coincidence that the six commonest applicants from the ranks of civil servants also knew the debt collection process through their offices, being in charge of enforcement. Just as they acted as people’s representatives, they would also buy promissory notes to the same effect. What we see by 1880 therefore was how creditors, to a degree, no longer took their own cases to the GAV but let others do it for them.

Finally, while merchants and civil servants were particularly common petitioners, it should be noted that people from across socioeconomic status acted as applying creditors, including labouring people. Since the transactions appearing at the GAV were only a fraction of the credit market, this illustrates how written credit agreements were seemingly widespread in eighteenth and nineteenth-century Sweden. Within the group of labouring people, we find, for example, a saltpetre maker asking a peasant to pay him for a horse, a castle guard asking for payment of clothes from his sister and her husband, farmhands and maids applying about outstanding loans from peasants and soldiers and crofters and soldiers asking for enforcement due to unpaid goods (oxen, a pair of boots, grain).\textsuperscript{53} Participation in credit arrangements thus led people from broad socioeconomic status to contact the GAV with claims against their debtors.

5.2.2 Petitioning cases about rights and obligations tied to land

Like in credit cases, issues over land and land rights were also – to a degree – related to socioeconomic status. The largest group by far were peasants, who were highly overrepresented in all investigated years compared to their overall participation. For example, in 1803, they made up 56 per cent of petitioners in

\textsuperscript{50} See Israelsson Dataset 1758, 1803, 1838, 1880, column Promissory note made out to?
\textsuperscript{51} Of the 106 cases with a remaining note among civil servants, 87 were made out to the bearer, while for peasants it was 19 of 39 and for labouring people 3 of 6.
\textsuperscript{52} 1880 Case 37, 95, 119, 190, 197–8, 201, 208, 254, 281, 289, 294, 336.
\textsuperscript{53} 1758 Case 183, 313; 1803 Case 183, 218, 235, 266, 404, 430, 493, 521, 545, 697; 1838 Case 637, 1026, 1082, 1114, 1132, 1279, 1371, 1443, 2002; 1880 Case 184.
land cases, while only 36 per cent of petitioners in total (Table 5.1). Thus, petitioning over land was seemingly more common among the peasantry than for other groups.\textsuperscript{54} It is an expected result since they were the most numerous group in society with access to land (either by ownership or usufruct). It also emphasises the importance of relating socioeconomic status to case matters to understand why people made themselves heard. For many peasants, the land was a vital source of income that also brought many obligations. Consequently, they would have many reasons to petition about it, and petition they did.

**TABLE 5.5 Petitioners’ socioeconomic status in land cases.**

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<tr>
<th></th>
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<td>170</td>
<td>56</td>
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<td>100</td>
<td>U</td>
<td>34</td>
<td>11</td>
<td>U</td>
</tr>
</tbody>
</table>

Source: Israelsson Dataset 1758, 1803, 1838, 1880, columns E (S), CM (S), P (S), TC (S), Ch (S), O (S), L (S), U (S) and Resource. For a description of the dataset, see Appendix 1.

Note: The numbers reflect petitioners. If the same individuals petitioned more than once, they have been noted the number of times they did. Groups that I have not been able to individualise have not been included. 1838 only shows petitioners from March through August.

Key: Ch = Church-affiliated, CM = Civil servants and military officials, E = Elites, LP = Labouring people, O = Other, P = Peasantry, TC = Tradesmen and craftsmen, U=Unknown.

But we can find people from all socioeconomic status with cause to make themselves heard due to their access to land. Many civil servants and military officials had an allotted farm (*boställe*) to live on as part of their salary. Soldiers had crofts with a plot for agriculture. Burghers had the right to pieces of land in and around cities. Ironworks owners had large estates. But, overall, these groups were more often underrepresented in land cases, indicating that they petitioned less about it and more about other issues. For example, in 1803, almost a third of all peasant petitioners applied in cases about land (170 of 551). For civil servants and military officials, as well as for labouring people, the corresponding number was just over a tenth.

\textsuperscript{54} It must be repeated that cases involving land could hide among the cases about unknown debts, which I categorised as ‘credit cases’. This could affect the share of peasants and how overrepresented they were, but given that we would expect peasants to be overrepresented in petitions due to land, it still seems like a reasonable conclusion.
Although all socioeconomic groups were represented as petitioners, their connections to the land varied and brought different rights and obligations. This could leave them on opposing sides in the inevitable clashes. For example, as owners and users of taxed land, peasants had obligations to deliver parts of their land returns to civil servants and military officials as part of their salary (Section 5.2.2.3). A crofter’s right to stay on the land could be questioned by the peasant who owned the land (Section 5.2.2.1). Soldiers who had the right to use a croft during their time of service could be requested to leave when discharged (Section 5.2.2.2). All these requests were posed to the GAV because it was an executive agency; petitioners wanted help extracting unpaid taxes or evicting the crofter and soldier.

Depending on the year, between two-thirds and just over half of these cases contained a claim against a respondent, illustrating how many petitioners used the GAV to solve conflicts over land or land returns. In others, there was no opposing party, and most of these could best be described as applications for various permissions. The requests to appoint a surveyor for the enclosure of land and to be registered as rusthållare were analysed in Chapter 2. Another common application was a request to log the district commons. Local courts investigated these applications and determined the need, but the GA decided on the actual permit.

In these cases, the petitioner did not typically want a conflict solved but get help in subjects the state had an interest to supervise. For example, during this period, forests were perceived as at risk of depletion (Section 7.1.2). Therefore, it was important that the governor had insights into the total amount of logging in his region and was also to relay this information to the central government. For the state, the requirement to petition thus worked as an instrument for control and as a way to receive information. For eighteenth-century Iceland, Gustafsson has described similar issues as ‘routine cases’ and argued that it was not a voluntary act to supplicate but something that followed from regulations. This is also true here, as it was an obligation for the petitioner to receive permission before they could log, or to ask for registration to complete their purchase of a rusthåll. Nevertheless, the choice to log, purchase or partition still lay with the petitioner. The act of petition itself may not have been voluntary, but the action behind it could certainly be. And to an extent, these applications also entail using state resources. A peasant who

55 The lowest was in 1880 with 55 per cent of cases (66 of 121) and the highest in 1803 with to 66 per cent (136 of 205 cases), see Israèlsson Dataset 1758, 1803, 1838, 1880, columns Resource, Title (Fk).
56 For the figures for the first two, see p. 89 n. 109. 42 applications for logging or to use the district commons were handed in in 1758 to 1838 (March–August), see Israèlsson Dataset, 1758, 1803, 1838, column Subcategory executive/non-executive, keyword Allmännig.
57 Applications for enclosure were often fraught with conflict, see Chapter 2.
58 See, for example, SOT, Kongl. Maj:ts Nådiga Förordning om Skogarne i Riket (1 Aug. 1805), art. 3.
wanted to partition his land could apply for aid from the state to reach his goals (with or against the wishes of his neighbours) or someone who did not have sufficient forest on his property could petition to receive permission to get the timber from elsewhere. Therefore, although the petitioning served to control resources, it did not necessarily mean that the petitioner did not use the petitioning process for their own gain.

Aside from these applications, I have identified four primary reasons for petitioning: transfers of land or land rights, tenancies or other usufructuary relationships, privileges due to offices and estate belonging and land taxation. In the following, the cases, who participated in them and how they changed character over time in a way that can be connected to broader societal developments will be briefly analysed. In Chapter 7, their closer content and arguments will be dealt with.

5.2.2.1 Petitions due to transfer of land rights and to usufructuary relationships

A total of 86 cases originated in a transfer of land rights, 59 of them in the first two years. Such transfers led to different claims at the GAV (for details and numbers, see Section 7.1). For example, petitioners asked for help against someone else to get access to the land itself or to be paid because of a sales contract. Those remaining in the final two years were more about payment rather than enforcement relating to the land itself. Peasants were the commonest parties in all years, but we also find city dwellers, civil servants and others who asked for payments and other forms of enforcement.

Women were overrepresented compared to their involvement overall. The issues reveal a few reasons for their higher participation, all related to their rights and obligations concerning the land. First, several involved a previous sale or an inheritance of land. According to the law, women and men alike inherited and therefore became owners in their own right. A married woman’s inherited land could not be sold without her consent, meaning they signed the sales contracts. This did not necessarily lead to them becoming petitioners

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60 86 cases relating to transfers, 122 to usufructuary relationships, 38 relating to offices and 247 to land taxation. The figures include the few cases involving multiple resources, if land was one of them.

61 ‘Land rights’ rather than ‘land’ since it was not necessarily ownership that was transferred, it could be its usufruct.

62 Adding all the years together, peasants were 55 per cent of petitioners (54 of 99) and about 70 per cent of respondents (68 of 98), see Israelsson Dataset 1758, 1803, 1838, 1880, columns E (S), CM (S), P (S), TC (S), Ch (S), O (S), L (S), U (S), Resource and Subcategory resource.

63 Taking all the years together, 14 per cent of petitioners (14 of 99) were women in transfer cases, whereas their participation in all petitioning did not reach more than 7 per cent (447 women of 6 662 petitioners, see Table 4.1). For the cases with female petitioners, see 1758 Case 123, 150, 189; 1803 Case 649, 679, 888, 1017; 1838 Case 1187, 1618; 1880 Case 207; ULA. LV, Lka I, B II:15, no. 366, 1180–81.

64 Land that the wife had bought before marriage were also subject to such restrictions, see Nehrman, Föreläsningar öfwer Giftermåls Balken, 161.
or respondents since their husbands could and did act alone when they asked for enforcement of payment or were asked to leave the property due to a joint sale.\(^{65}\) But, as was elaborated in Chapter 4, a previously joint action seems to have made it more likely that the spouses would later act together, and in terms of selling her own (enskilda) land, the law required such an action. In other words, the requirement for married women to consent to the sale of their property did not unconditionally lead to women participating as petitioners or respondents in these kinds of cases, but it did increase their presence.\(^{66}\) In addition, when the spouses bought property together, they became joint owners, which could also make them act together.\(^{67}\)

Second, women often lived longer than their spouses, whose deaths triggered reorganisations of the land. Becoming a widow could lead to petitioning or responding because she was responsible for her husband’s estate. When the husband died, the inheritance was supposed to be settled, which could cause strife and lead both widows and unmarried women to become parties. For example, in January 1803, Jan Pehrsson in Berga asked that his mother and two sisters (through their guardian) pay for his inherited share in the family farm that the mother and sisters inhabited.\(^{68}\)

Usufructuary relationships led to two different kinds of claims: monetary remuneration or claims upon use of the land itself. The remuneration claims were demands to oblige leaseholders, lodgers, or crofters to pay their rent or fulfil other contractual obligations. The second type, made by both tenants and owners, was either requests to be allowed to stay on the property or requests for eviction. The development of these cases over time was the reverse of that for transfers, since cases involving tenancies and usufructs of land increased.\(^{69}\)

There was also a change in who participated in cases regarding claims on the land itself. In the first two years, they concerned evictions from and staying on taxed farms or official residences, involving people from different socioeconomic status, primarily civil servants and peasants.\(^{70}\) However, in the last two years, labouring people had become much more common as parties. This is explained by the fact that cases regarding evictions and being allowed to stay on now concerned smaller plots of land.\(^{71}\) The fact that they appear

\(^{65}\) See, for example, 1758 Case 235; 1803 Case 79, 289, 583; 1838 Case 45, 511; 1839 Case 474.

\(^{66}\) See 1803 Case 649; 1839 Case 501; ULA, LV, Lka I, B II:15, no. 1180. For obtaining a woman’s inherited land from others, see 1803 Case 679, 888.

\(^{67}\) See 1803 Case 639; ULA, LV, Lka I, B II:15, no. 1181. For more about couple’s possibilities to jointly purchase land, see Ågren, ‘Marknadens välsignelser?’.

\(^{68}\) 1803 Case 211; see also 1838 Case 1187.

\(^{69}\) 84 of 122 cases were handled in 1838 and 1880, see Israelsson Dataset 1758, 1803, 1838, 1880, columns Resource, Subcategory resources.

\(^{70}\) 1758 Case 56, 140, 162, 299, 315, 387: 1803 Case 361, 748; ULA, LV, Lka I, B II:1 17580309 (Anna Margareta Strandberg); ULA, LV, Lka I, B II:15, no. 47 (Mar.), 638.

\(^{71}\) In 1838, they were involved in 9 of 15 cases regarding evictions or remaining on the land, while in 1880 the corresponding number was 11 of 17 cases, see 1838 Case 49, 505, 592, 753,
more in the end of the period likely reflect the increased share of the labouring population overall. However, we can glimpse other reasons as well, connected to specific developments over the nineteenth century that impacted labouring people. First, at the local level, Aronsson has shown that conflicts handled by the parish council between those who owned land (besuttna) and those who did not (obesuttna) became more common, especially concerning their sustenance. As will be elaborated further in Chapter 7, some cases regarding evictions and being allowed to stay on a croft or a cottage reveal how landowners clearly enunciated how they ought to be allowed to determine who lived on their property and how the responsibility for people who could not provide for themselves belonged to the parish, not the individual landowner. Second, in at least one case of eviction, the reason for the application was explicitly due to a previous enclosure (laga skifte). As Bäck has shown for Östergötland, with the enclosure movement, many crofters were evicted and became cotters.

The differences between cases regarding transfers and usufructs show how the connection to the resource was important for why people participated in the petitioning process. Labouring people more seldom owned land but lived on others’. Peasants both owned their own land and used that of others’ and therefore turned up in both case types. Differentiating between the connections to the resources also explains why women participated more in certain issues than other.

5.2.2.2 Petitions due to official benefits and estate privileges

While peasants often participated due to transfers of land rights and tenancies, the participation of burghers, civil servants, officers, and soldiers could also be predicated upon a connection between the land and their office. These cases had a high share of female petitioners, several who tried to protect their rights when their husbands had died. For civil servants, military officials, and soldiers alike, the Swedish military allotment and tenure establishment (indelningsverket and roteringen) (MATE) created rights and obligations concerning land. The system was established in the 1680s with the basic idea that returns from certain homesteads were directly allotted as salaries to military officers and civil officials.


72 Uppenberg, I husbondens bröd, 20.
73 Aronsson, Bönder gör politik, 221–7, 241.
74 1880 Case 407; see also 1880 Case 381, when the respondent said the land had been transferred to the current owner through a surveyor’s redistribution of land.
75 Bäck, Början till slutet.
76 9 of 38 petitioners were women. For the cases with female petitioners, see 1758 Case 250, 272, 300, 308, 401; 1838 Case 40, 825; ULA, LV, Lka I, B II:1, no. 74, 162.
officials. These men also received official residences (boställe) as part of their pay. Upon office transition, the successor took over the homestead.77 If the transition was due to the official’s death, it could mean significant financial deteriorations for the widow. Therefore, they could petition the GAV, against the successor, for permission to remain on the land for a time.78 Sometimes, the system also led to disputes between the predecessor or his widow and the successor over liquidation payments related to obligated repairs and buildings (husröta).79 Over time, especially in the second half of the nineteenth century, the official’s use of the official residence declined and the salary system became increasingly based on monetary salaries, resulting in a decline of these disputes and consequently the cases at the GAV.80

Furthermore, the system obligated owners of specific homesteads, most often peasants, to provide regiments with soldiers and troopers.81 The peasants who recruited the soldier (and who together formed a group called a rote) also paid him, often including the use of a croft on their lands.82 These crofts and the system they were part of caused soldiers and rotar alike to petition for permission to stay or for eviction.83 Some of these petitioners and respondents were soldiers’ wives and widows, especially in 1758 during the war with Prussia when many soldiers died or were replaced due to injuries. Upon the soldier’s death, it fell to the widow to protect their rights to the croft when the new soldier was recruited.

For burghers, a connection to the land that led to petitioning was the towns’ allocation of fields. The city courts (magistrat) reserved some urban arable land for the city’s burghers, some of which were granted as wages for town officials.84 Sometimes this distribution of land caused disputes that the GAV judged upon appeal.85

78 1758 Case 401; see also 1880 Case 385, which concerned the widow of a schoolmaster, who was asked to leave the schoolhouse where the couple had lived. According to the law, schoolteachers had a right to an official residence, see Persson, Läraryrket uppkomst, 157–8.
79 1758 Case 103 (to be precise, this case was between the successor and the predecessor’s leaseholder); 1803 Case 1020. The same was the case for clergymen and their successors, see, for example, 1803 Case 414, 605. There were also related cases when a successor asked for an inspection to be held or requested that enforcement due to such debts be delayed, see ULA, LV, Lka I, B II:1, 17580603 (Westling), 17580614 (Axel Hellberg), no. 72, 162.
81 Thisner, ‘Manning the Armed Forces’, 165–6. Technically, these were two separate parts of the system with slightly different rules. Here, however, it is enough to know that the supply of soldiers and troopers was connected to use or ownership of a homestead.
82 For troopers, it was the owner of one farm (rusthåll) that provided the croft.
83 1758 Case 109, 250, 300; 1803 Case 647; 1838 Case 40, 94; 1839 Case 378, 1244; 1880 Case 422; ULA, LV, Lka I, B II:1, 17580511 (Rote no. 83), no. 227; ULA, LV, Lka I, B II:44, no. 126/378.
84 Björklund, Historical Urban Agriculture, 177.
85 IU1734, art. 18, in Styffe, Samling af instructioner, 357–8. See 1758 Case 132, 272; 1803 Case 200; 1839 Case 868.
5.2.2.3 Petitions due to land taxation
Taxes and its collection embody a relationship between the state and the
taxpaying entity (individuals, households, collectives). Much research has
examined this relationship closely, including several works using petitions.86
Taxation has been highlighted as an essential issue in questions about
peasants’ resistance and interaction with the central power.87 However, in re-
gional petitions brought about by land taxation, it was just as much a matter
between individuals or small groups. This horizontal character of the tax
system came about because most taxes were based on the ownership or use of
land, and were delivered in the form of land returns.88 Transporting land re-
turns over large distances was not feasible, which led to a system where the
tax payer delivered his tax directly to the tax receiver, often an official or
another peasant. Over the nineteenth century, the taxation system underwent
changes that gradually weakened its connection to the land and its returns.89
Tax payments became more based on cash rather than kind, which made cases
of a more horizontal character between individuals disappear.90 What was left
were primarily appeals or complaints over imposed taxes by the local council
(kommunalstämma) or church council (kyrkostämma).91

A short description of Swedish land taxes, its parts, destination, and
delivery, is necessary to understand why some people petitioned in these
issues and who their opposing parties were.92 Land-based taxes came in differ-
ent forms and were made up of various parts. The basic taxes (grundskatterna)
consisted of a tax defined in kind (land returns) that was entered into the fiscal
register (jordeboksräntan) and the tithe.93 Initially awarded to the church, the
tithe had been partially retracted to the Crown in the sixteenth century, and
divided into Crown and church tithes (kronotionde and tertialtionde). The
latter was supposed to pay for rector salaries.94

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86 See Frohnert, Kronans skatter, 110–11 and references therein. In his thesis, Linde, Statsmakt,
128–32 uses petitions about, for example, taxation to study peasants’ opportunities to make
themselves heard during the Great Nordic War; see also Bergman, Makt, möten, 195–200; for
an earlier period, see Cederholm, De värjde sin rätt, 298–304.
88 Schön, ‘Rise of the Fiscal State’, 169–70; According to Rydin, Det Svenska Skatteväsendet,
4–5, 46 land had long been the primary capital upon which taxes were based and became even
more so over the course of the sixteenth century.
89 Dahlgren, ‘Skattemotståndet’, 84–5, 124.
90 Granholm, När professionerna blev byråkrater, 144–5.
92 What follows is a simplification of an extremely complicated system, which in the words of
Westerhult, Kronofogde, 47 is ‘difficult to overview’. Land taxation depended on land type and
estate status and had many different parts. For a thorough overview, see Rydin, Det Svenska
Skatteväsendet.
93 Frohnert, Kronans skatter, 95.
94 Rydin, Det Svenska Skatteväsendet, 96–7. Tithes remained part of the taxation system until
the early twentieth century, see Bohman, ‘Tionde’, 450.
The basic taxes could have several destinations, which had implications for its collection and its recipient. It could either be reserved to the Crown (behållen) or allotted for civil and military officials (indelta). A third destination was owners of the high-quality farms that supplied the state with horses and troopers, who received the ‘augment’ tax (augmentsränta). Local bailiffs collected the tax reserved to the Crown, whereas the allotted and augment taxes were delivered directly to the tax receiver after orders from the bailiff. In other words, the Swedish tax collection was highly decentralised, a consequence of transport difficulties. Thus, as Lars Herlitz points out, having the prerogative to decide over the use of the tax (ränteägare) was not the same thing as being the one who received or collected it (räntetagare). This distinction is crucial for why people made themselves heard through land tax petitions because many claims came from or were directed against the actual tax recipient, often the individual to whom the tax was allotted.

Petitioners therefore seldom complained about the tax system itself but over its collection. When they experienced troubles with delivery, taxpayers would petition the GAV against the tax receiver and vice versa. While the tax receiver requested enforcement to get their tax, the taxpayer would instead petition over the form of payment, especially at the beginning of the period. Since the seventeenth century, it was possible to exchange the taxes in kind for money and instead pay in cash (lösa). However, the decision to do so was not always up to the taxpayer; it varied over time. As we saw in the part’s introductory example, the taxpayer could desire this in years of dearth when fodder and grain were scarce. Over the nineteenth century, tax payment became increasingly cash-based, but the legal obligation to deliver taxes in kind was not removed until after the mid nineteenth century.

Other taxes were paid in the form of work obligations. Landowners were responsible to help with public transport (skjuts), maintenance of roads, and building public buildings (churches, rectories, parish houses, bridges, and school buildings). Over the nineteenth century, many of these general duties

95 Frohnert, Kronans skatter, 95.
96 Frohnert, Kronans skatter, 98; Rydin, Det Svenska Skatteväsendet, 159–60.
97 Herlitz, Jordegendom och ränta, 29.
98 In total, I have categorised 247 cases as originating in landbased taxes (82 in 1758, 79 in 1803, 68 in 1838, and 18 in 1880, see Israelsson Dataset 1758, 1803, 1838, 1880, column Resource categorised into the following sub-groups: 104 cases concerning the military allotment system; 53 cases concerning general duties (or an equivalent duty such as building a schoolhouse); and 90 cases concerning what I have called ‘Other taxes’. Among these were tithes, but they could also be more generally described so the exact form of tax is unknown (årliga penningar, ränta, utskylder). Having analysed those that remained as files, I decided not to include ‘Other taxes’ in Section 7.4 because they did not yield any additional results.
99 For tax receivers, see 1758 Case 68, 91, 303; 1803 Case 240, 467, 541, 558, 607, 648; 1838 Case 793–4. For tax payers, see 1758 Case 208, 285, 304.
100 Frohnert, Kronans skatter, 95–7; Rydin, Det Svenska Skatteväsendet, 159–61.
101 Rydin, Det Svenska Skatteväsendet, 85, 163–6.
102 Rydin, Det Svenska Skatteväsendet, 296, 343; Westerhult, Kronofogde, 123, 135.
(allmänna besvär) were mitigated or transformed into fees and other monetary arrangements, such as putting it out on contract.\textsuperscript{103} After the local authority reform in 1862, the duty to build some public buildings was no longer only tied to the land; other forms of income could also bring a duty to contribute.\textsuperscript{104} These responsibilities led to complaints over for example the duties’ distribution or extent, quite often by smaller or larger groups.\textsuperscript{105}

Finally, as described previously, landowners or land users in groups called rotar were obliged to recruit soldiers and provide for them with money and articles in kind. They petitioned over these duties, but as for the basic taxes, the complaints most often concerned the allocation, not the existence of the taxes themselves. For example, there could be questions on how much each peasant within the rote was supposed to contribute.\textsuperscript{106} Conversely, soldiers or their wives who had not received the wages applied against the rote to get it.\textsuperscript{107} In 1758, the war and subsequent shortage of soldiers led to intense competition between rotar, who petitioned to retrieve soldiers they had lent to other rotar or that had been lured into taking service elsewhere.\textsuperscript{108} Therefore, these cases also normally involved two parties rather than being directed against the state.

The main case types due to land taxation originated in taxes concerning the military allotment system, the general duties, and tithes. In this context it is important to note that the GAV’s responsibility for tax collection and to hear complaints over taxes primarily lay on the county office (landskontoret), and as was explained in Chapter 1, those petitions have not been included in the investigation, except from consulting the county office’s registers to get a rough idea of their errands. The reason we still find applications due to land taxation is that the county secretariat was responsible for enforcement and several of the areas involving the general duties, such as roads, buildings, and public transport.\textsuperscript{109}

Looking at what land-related tax cases the county secretariat received, it is obvious it was more a concern between individuals and private groups rather than one between a taxpayer and the Crown.\textsuperscript{110} If they did not receive their allotted support, civil servants, military officials and peasants on rusthåll had

\textsuperscript{103} Rydin, \textit{Det Svenska Skatteväsendet}, 122, 243–9, 257–8, 300–302, 324, 345–46.
\textsuperscript{104} Rydin, \textit{Det Svenska Skatteväsendet}, 350–3.
\textsuperscript{105} See, for example, 1758 Case 287–8; 1803 Case 454, 1023; 1838 Case 47, 51; 1880 Case 453, 581. About half of the cases (27 of 53) involved two or more petitioners, see Israelsson Dataset 1758, 1803, 1838, 1880, columns Resource, Total number of petitioners, Unindividualised groups (S).
\textsuperscript{106} For example, 1758 Case 306; 1838 Case 82.
\textsuperscript{107} 1758 Case 79, 184, 264; 1838 Case 58.
\textsuperscript{108} For example, 1758 Case 80, 252.
\textsuperscript{110} Such cases would have been more likely to be handed in to the county office, which was supposed to handle all matters pertaining to the taxes reserved to the Crown (behållne).
to turn to the GAV themselves against the taxpayer (often another peasant). Similarly, the general duties and the duty to recruit soldiers brought conflicts within the peasantry about who was to perform what. This horizontal character of land tax petitioning was particularly visible during the first two years of the investigation, where we only find cases without counterparties or made by or against an institution in a minority of instances.\textsuperscript{111} In the last two years, cases concerning land taxes had become less common at the county secretariat.\textsuperscript{112} Cases regarding allotted taxes (cases between \textit{rotar}, cases about augment taxes and about allotted salaries) stood for most of the decline, likely reflecting the diminishing importance of this system. When less taxes were delivered in kind directly to the official, there were naturally less conflicts to bring to the GAV. In 1880, the few land tax cases instead almost exclusively came in the form of appeals against imposed taxes by the local council or church council.\textsuperscript{113} In the sense that complaints were made exclusively against the institution that imposed the tax, they had lost their horizontal character.

Because the taxes were based on land ownership and use, many of the petitioners and respondents were peasants, but civil servants and military officials also frequently participated due to their acquired salary rights.\textsuperscript{114} However, while women were quite numerous in the previous land cases, they were not in cases related to land taxes, except in 1838 when a particularly active rector’s widow petitioned for her tithe. Whenever women did participate, they were overwhelmingly widows or married women with absent spouses, acting as the head of the household.\textsuperscript{115}

\textsuperscript{111} There were no opposing parties in 20 of 82 cases in 1758 and 12 of 79 cases in 1803, see Israelsson Dataset 1758, 1803, columns \textit{Resource, Title (Fk)}. 11 cases in these two years were against an institution as respondent or petitioner, such as a parish or the city council, see 1803 Case 514, 793; ULA, LV, Lka I, B II:1, 17580127 (Hospitalet), 17580309 (Fru Mathiesen), 17580309 (Gymnasiestaten); ULA, LV, Lka I, B II:15, no. 196 (Mar.), 296, 370, 859, 1208, 1260. That the cases in March 1758 concerned taxes can be surmised from the minutes, see ULA, LV, Lka I, A I b:29, 55–7, 77–9, 133–7.

\textsuperscript{112} Of the 247 categorised cases due to land tax, only 86 occurred in 1838 and 1880.

\textsuperscript{113} Only 2 of 18 cases were not against an institution, see 1880 Case 124, 138, 142, 361, 453, 468, 497, 506, 514, 518, 522, 525, 572, 576, 579–82 of which 7 concerned school buildings. The duty to contribute to school buildings was not necessarily based on land at this time, as other income could also oblige a person to contribute, see Rydin, \textit{Det Svenska Skatteväsendet}, 350–3. In two cases, the duty to contribute was not due to land, see 1880 Case 138, 506. In one case, it is unclear whether the complainant was taxed because of land, see 1880 Case 518. However, I have chosen to include them because of their similarity to the cases regarding the general duties (\textit{Allmänna besvärl}). At the county office in 1880 taxpayers complained about tax on income and immovables, see ULA, LV, Lko I, B I:67, 1/322–45/326.

\textsuperscript{114} When only a register entry is available, it is often impossible to distinguish invidivuals, but it is likely that most were peasants due to the groups being village inhabitants, members of \textit{rotar}, etc.

\textsuperscript{115} 1758 Case 79, 208, 271, 285, 288, 291, 304; 1803 Case 458, 495, 648, 1024; 1838 Case 1, 1330, 1829; 1880 Case 142, 576. ULA, LV, Lka I, B II:1 17580309 (Fru Mathiesen), 17580309 (Gymnasiestaten); ULA, LV, Lka I, B II:15, no. 124 (Jan.), 334, 633, 1189; ULA, LV, Lka I, B II:44, no. 77/366, 485/290, 486/290, 487/290, 702/303, 703/303, 772/307, 824/311, 825/311.
5.2.3 Petitioning cases about rights and obligations due to working roles

At times, people’s working roles – roles that came with certain rights and obligations related to the work activities performed – led to petitioning. Five such roles have been identified: officeholders, people with temporary official assignments, positions tied to burgher trades, servants, and wage workers. When petitioning the GAV, the rights and duties of these positions, and therefore their characteristics, were essential. For example, people complained about officeholders performing unlawful enforcements, masters requested help to get their servants back who had left without permission, and artisans protected their privileges against infringements from others.

Table 5.6 Petitioners’ socioeconomic status in cases about working roles.

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Source: Israelsson Dataset 1758, 1803, 1838, 1880, columns E (S), CM (S), P (S), TC (S), Ch (S), O (S), L (S), U (S) and Resource. For a description of the dataset, see Appendix 1.

Note: The numbers reflect petitioners. If the same individuals petitioned more than once, they have been noted the number of times they did. Groups that I have not been able to individualise have not been included. 1838 only shows petitioners from March through August.

Key: Ch = Church-affiliated, CM = Civil servants and military officials, E = Elites, LP = Labouring people, O = Other, P = Peasantry, TC = Tradesmen and craftsmen, U=Unknown.

During the first three years, petitioners in these cases were predominantly peasants, civil servants and military officials, and labouring people (Table 5.6), while tradesmen and craftsmen were more common in 1880. The numbers reflect the working roles these cases dealt with, again pointing to a connection between the resource and why specific people petitioned. Some socioeconomic groups had access to or held certain positions and therefore had reason to petition about or because of them. For example, peasants petitioned because of temporary assignments as guardians or auctioneers and they applied as masters against their servants. These same servants asked for wages they had earned in service as well as to be free from their service. Civil and military officials applied for various offices and remunerations. The higher share of tradesmen and craftsmen in 1880 was due new case types
where people asked for permits to trade with specific goods, as a result of the deregulation of trade in 1846 and 1864.

5.2.3.1 Petitions due to official duties

The GAV handled various cases related to the offices of civil servants and military officials. Some were relatively unique, such as when officials had questions about formal procedures, asked for time off, requested official pronouncements, or demanded other people pay fines for drunken behaviour and other misdemeanours.116 Three other identified case types were more common and occurred over the entire period: officeholders who wanted various payments, petitions for or complaints over appointments and other petitioners who complained about the official’s actions.117

When officeholders petitioned for payments related to the office, they did so within the GAV’s executive jurisdiction. As with most enforcement cases, they directed their claims against another person or group. The requests did not normally concern salaries but payment for performed services or other agreements. For example, in March 1758, former organist Christian Winter handed in a petition against his successor. Winter had relinquished his post in exchange for a sum from his successor’s salary.118 Similarly, in August 1803, notary Nording asked that the GAV oblige the city court to pay him the money ‘Nording had paid for his … office on condition of repayment upon discharge’.119 However, more commonly surveyors asked for their fees for enclosures from landowners.120

Petitioners also turned to the GAV regarding office appointments. The requests could come from someone who wanted another to be appointed, from people who applied for an office themselves, or from people who complained about decided appointments. One typical example of the first request was asking the GAV to assign a state representative (kronofullmäktig) in situations where the Crown had an interest.121 The second case type concerned appointments to be, for example, bookkeepers, sheriffs, grain storage stewards, and

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116 See, for example, ULA, LV, Lka I, B II:1, no. 77; ULA, LV, Lka I, B II:15, no. 268, 1241; ULA, LV, Lka I, B II:44, no. 57/362, 74/366, 161/384, 173/388, 179/388, 80/388.
117 Payments 36 cases, appointments 34 cases, and complaints 72 cases. The request in complaints cases could be that a particular enforcement was supposed to be reversed or that a neglected enforcement should take place.
118 1758 Case 233.
119 ULA, LV, Lka I, B II:15, no. 779: ‘hvilka Nording, för sin innehafde [kämnärsnotarie] Syssla, utgifvit, med hvilkor, at dem vid afskeds erhållande återfå’; see also 1758 Case 334 (a sheriff asking for remuneration for taking care of a rectory); 1838 Case 2688 (a sheriff demanding a soldier pay him for an investigation he had performed); 1880 Case 328 (a district judge asking for remuneration for his work on a bankruptcy estate (konkursbo)).
121 ULA, LV, Lka I, B II:1, 17580227 (Eric Kråka), 17580601 (Per Sadelin), no. 171; ULA, LV, Lka I, B II:15, no. 262 (Apr.), 757; ULA, LV, Lka I, B II:44, no. 199/392.
surveyor’s assignments. Here, the GAV was not always the final destination since petitioners also asked for credentials. 122 Third, complaints came from both people who were dissatisfied with their own and others’ assignments. 123

However, the commonest case type involving officeholders were complaints about actions they had undertaken within their office, and therefore they acted as respondents. Bo Westerhult has described how many of the local official’s tasks could create tensions with the surrounding community. Bailiffs and sheriffs performed coercing measures, such as tax collecting, enforcements, and prosecutions, which could bring about people’s dissatisfaction. 124 The negative image of civil servants also figured in popular culture. 125 Nevertheless, the possibility for inhabitants to complain about these actions has been described in ambiguous terms: they had legal venues to complain, but these were difficult to use in practice.

Westerhult argues that the peasantry’s limited knowledge and inability to write could affect the possibility to complain during a fair part of the nineteenth century. 126 Formally, several legal options to vent dissatisfaction with officials existed: petitions to superiors, gravamina, and courts suits. However, none of these, Frohnert argues, would have been especially good. Court cases were expensive and exposed the complainant for risks of prosecution if the accusations were found groundless. The general political nature of the gravamina made them unsuitable for problems with particular officials. Petitions cost money, exposed the complainant to possible repercussions, and complaining against superiors could be perceived as a threat to the social order. Instead, Frohnert studied the complaints peasants brought to the Chancellor of Justice during his eighteenth-century inspections. He concluded that misconducts were quite common, and the examinations sometimes led to the removal of officials. The chancellors did not tolerate abuse of power. However, the inspections were quite unique events, and under normal circumstances, the peasantry would probably have had trouble making the central authorities aware of maltreatments. 127 Similarly, Lennersand has found that the peasantry in the seventeenth and eighteenth centuries actively and in great numbers complained about civil servants to appointed commissions and how these led to many bailiffs and sheriffs being punished. 128

122 See, for example, ULA, LV, Lka I, B II:1, 17580119 (And. Westblad), no. 53, 87, 114; ULA, LV, Lka I, B II:15, no. 191 (Feb.), 222 (Feb.), 273 (Feb.), 879, 918; ULA, LV, Lka I, B II:44, no. 197/392, 45/437; ULA, LV, Lka II, B VI:2, no. 15/6, 16/6.
123 1838 Case 70; 1880 Case 543, 573; ULA, LV, Lka I, B II:1, 17580612 (Åtskilligas beswär); ULA, LV, Lka I, B II:44, no. 7/420.
124 Westerhult, Kronofogde, 72, 75.
125 Frohnert, Kronans skatter, 1.
126 Westerhult, Kronofogde, 294.
127 Frohnert, Kronans skatter, 243–4, 270–7. Peterson, ‘En god ämbetsman’, 310 points out that the high standard of proof demanded must have made it seem near enough hopeless to prosecute a bailiff or a sheriff.
In another study, Martin Linde found that peasants used petitions and courts to complain about military staff in the first decades of the eighteenth century. In these instances, the governor was willing to listen in his role as protector of the peasantry.\(^{129}\)

Although Frohnert and Linde have found numerous successful complaints, they are nevertheless careful not to be too optimistic about people’s possibilities to protest against civil servants’ misconducts. The cases at the GAV between 1758 and 1880 point to a slightly more positive view of people’s possibility to do so. Women and men from many backgrounds, including the peasantry and labouring people, appealed against perceived misconducts of civil servants. But these were rarely outright complaints over the official himself, but rather against concrete actions undertaken during a particular event.\(^{130}\) The GAV did not always heed the petitions but nevertheless handled them seriously (Chapter 8). Focusing on an event rather than general misconduct could have made arguing easier because these, for example enforcement measures, were regulated in detail. It could also have mitigated the danger of being seen as disrupting the social order since you complained about a specific action rather than against the officials themselves.

It is true – as Linde and Frohnert highlight – that petitioning was subject to restrictions. Nevertheless, these complaints had fewer limitations than petitions overall because they could be raised in several places and cost less. People were explicitly allowed to bring cases in both courts and at the GAs. The peasantry was exempt from paper fees when they complained about civil servants.\(^{131}\) This points to the central state encouraging complaints rather than restricting them. Admittedly, these cases were far from the commonest at the GAV, and petitions concerning outright abuse were rare. Still, they were common enough to argue that people’s possibilities to protest in specific situations were quite good (Chapter 8).

### 5.2.3.2 Petitions due to appointed assignments

The rights and duties of two temporary assignments caused petitions at the GAV: officially appointed auctioneers and guardians. Auctions were common during this period. The person who handled the auction was the appointed auctioneer.\(^{132}\) He received payments of the goods and decided who could be allowed credit. For his work, he received a portion of the sum raised at the auction. When a buyer defaulted, it was the auctioneer who requested

\(^{129}\) Linde, *Statsmakt*, 102–10; see also Karlsson, *Den jämlike undersåten*, 213. Skogen, ‘Allmugens kanal’, 21 finds that several petitions to *Herredagen* in the seventeenth century were complaints against officials.

\(^{130}\) Four cases originated in such general misconduct, such as embezzlement and violence, see 1758 Case 294; ULA, LV, Lka I, B II:15, no. 1071, 1220; ULA, LV, Lka II, B III a:2, no. 29/215.

\(^{131}\) RB1734, 10:27, in Carlén, *Sveriges Rikes Lag*, 247–8; SOT, KS1748, art. 23.


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enforcement. When the assignment ended, he wrote and handed the seller an account of all transactions, including his fee, and paid the money. An auctioneer thus had to possess knowledge of record-keeping and to be able to vouch for the money. It explains why several auctioneers who requested enforcement or were asked to account for the auction funds at the GAV were civil servants (sheriffs, bailiffs, local constables) or peasants with an official position in the community, such as lay judges.

Guardians turned up in cases when acting on behalf of their ward. These men were legally obliged to care for their wards’ property as if it were their own. For example, the Inheritance Act explicitly encouraged them to increase the ward’s cash through interest. The debt cases show that guardians actively managed the inheritance by handing out interest-bearing loans to others. When the debtor did not pay, the guardian sometimes asked for enforcement. When the guardianship reached its end, the guardian was obliged to ‘immediately’ account for and hand over the inheritance. When they did not, their former wards could request aid in getting their property.

While women did figure in these cases, being asked to pay for purchases on auctions or asking for their inheritance after marriage, they were never appointed as auctioneers or external guardians. Here, in a way similar to the reasoning about how women could have special reasons to petition or defend themselves when they became widows, we have a connection to a resource that explicitly gave men reason to petition and respond. Since men of a particular background were appointed for the positions that led to petitioning, making yourself heard became connected to socioeconomic status and gender.

5.2.3.3 Petitions due to privileges of positions in trades and crafts
Before 1880, primarily two kinds of petitioning cases related to the privileges of positions in trade and crafts came to the GAV’s attention: Craftsmen

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133 This may not have always been the case. Neither registers nor extant files always divulge the petitioner’s role. The cases considered here and categorised in this way are thus only the ones where I am certain it was the auctioneer who acted (either as a petitioner wanting payment or as a respondent being claimed for the auction sum) – a total of 44 cases, see Israelsson Dataset 1758, 1803, 1838, 1880, column Subcategory Resource.
134 Ulväng et al., Den glömda konsumtionen, 80–2.
135 For examples in 1803, see 1803 Case 145, 173, 212, 335, 506, 631, 742, 917, 966, 980, 1009.
136 Ighe, I faderns ställe, 69.
137 ÅB1734, 22:4, in Carlén, Sveriges Rikes Lag, 44.
138 See, for example, 1758 Case 314; 1803 Case 277, 288; 1838 Case 1065, 1924. For guardians as lenders, see Ighe, I faderns ställe, 203–204.
139 ÅB1734, 23:4, in Carlén, Sveriges Rikes Lag, 45: ‘genast’.
140 See, for example, 1803 Case 119; 1838 Case 1423. There were other circumstances in which a guardian could act as a respondent. For example, creditors could ask for payment from a deceased debtor’s children, who were represented by their guardians, see 1758 Case 63. Since it was not the guardianship itself that prompted the petition in such cases, I have not categorised them under working roles.
complaining about work infringements and men who requested permission to become parish artisans or innkeepers. However, the abolishment of the guild system in 1846 and the deregulation of trade in 1864 brought changes in case types and the gendered composition of petitioners in regards to these roles.

Before the mid nineteenth century, crafts and trade were subject to special privileges. To trade in these areas, the worker had to be connected to a city guild or have specific permission for countryside crafting. Research has highlighted that the guilds carefully guarded their privileges against potential intruders. When the guild privileges were repealed, petitions about infringements disappeared.

Until 1845, the GA had the final jurisdiction to appoint parish artisans. These cases started with an application to the parish council, which either granted or denied it. To receive his formal letter of appointment, the prospective artisan then needed a recommendation from the local court. Equipped with such a recommendation, he could turn to the GAV with the court record, which issued the actual permit with an annotation on the minutes.

The deregulation of trade opened up these work activities for others. As described in Chapter 2, some form of permit was still necessary for certain goods. If people wanted to sell alcohol for example, they needed to apply for permission, some of which ended up at the GAV. Applicants in these cases were of a mixed socioeconomic status, including many peasants, tradespeople, and labouring people. The gendered composition in these cases was also different compared to earlier. In the first three years, all but two petitioners due to working roles in trades and crafts were men. According to the Guild Act of 1720, women who had learnt a craft could apply with the city courts to have their own business, but it is unclear to what extent they did. Widows could continue their husbands’ positions as craftsmen and merchants, but they

141 There were a few other cases of a more unusual character, for example, ULA, LV, Lka I, B II:1, 17580617 (Handlande borgerskapet i Westerås applying for customs exemption); ULA, LV, Lka I, B II:15, n:o 143 (an inn-keeper applying to move the inn), and ULA, LV, Lka I, B II:44, n:o 129/378 (an inn-keeper asking for an increase in the coach duty).
142 There were legislated exceptions to this general rule, see Hinnemo, Inför högsta instans, 136–9.
144 SFS 1845:39. For these cases, see 1758 Case 202, 207; 1803 Case 755; ULA, LV, Lka I, B II:1, 17580928 (Anders Persson Sählgren).
145 This step was not always followed, see 1758 Case 202.
146 Of 107 applicants in the cases categorised as having to do with roles in trades and crafts, 55 were tradesmen and craftsmen, 22 were peasants, and 20 labouring people, see Israelsson Dataset, 1880, columns Subcategory resource, P (S), TC (S), LP (S).
147 It should be noted though, that these cases were rare overall and the total number of applicants in the first three years was 23, see 1758 Case 202, 207, 212; 1803 Case 299, 524, 560, 755; 1838 Case 33, 97, 1654; ULA, LV, Lka I, B II:1, 17580617 (Handlande Borgerskapet), 17580928 (Anders Pehrsson Sählgren), no. 124, 139 (2), 226, 228; ULA, LV, Lka I, B II:15, no. 99 (Jan.), 143 (Mar.); ULA, LV, Lka I, B II:44, no. 110/374, 129/378, 169/386, 174/388.
did not always do so.\footnote{Lindström, ‘Genusarbetsdelning’, 191; Lindström, ‘Privilegierade eller kringskurna?’, 219, 242–6.} Therefore, they did not lack a reason to petition in these matters, but still, only two women appeared in these three years: one merchant’s widow who appealed the city court’s decision to award her stall place to someone else and a soldier who applied for a trade permit for himself and his wife.\footnote{For the cases with women, see 1880 Case 443, 451, 458, 460, 464, 469–70, 490, 493, 500, 513, 521, 524, 527–8, 534, 559. ULA, LV, Lka II, B V a:2, no. 19/2, 12/4, 5/14. All of these cases concerned applications for trade permits.} In contrast, in 1880 the women’s share in cases relating to trades and crafts was higher, with 20 female applicants out of a total 107.\footnote{In 1880, their overrepresentation was also due to the cases about trade permits and seven cases when they complained about officials carrying out enforcements, see 1880 Case 180, 195, 224, 247, 283, 371, 402.} The deregulation of trade, that led to a broader range of people within these industries, also made other kinds of people apply in trade cases at the GAV.

Finally, except for the cases where craftsmen complained about others infringements, they did not normally contain a counterparty. People who applied for permits and permission did so not as a means to solve a conflict with someone else, but because the state imposed control over certain issues.

5.2.3.4 Petitions due to service and wage work

As we saw in Section 5.1.2, labouring people and servants made up a relatively low share of petitioners overall. However, one area where they were overrepresented was when cases concerned rights and obligations related to working roles, because the cases involved their service or wage work.\footnote{Meyer, “‘Humblewise’”, 274; Whittle, ‘Introduction’, 13.} The relationship between master and servant, and later between employer and wage worker also led them to be respondents.

Compared to other groups treated in this section – officials, guardians, and tradesmen and craftsmen – servants and workers were more vulnerable in terms of their working roles.\footnote{Borenberg, \textit{Tjänstefolk}, 13.} From 1664 and onwards, the legislation regulating rights and obligations between master and servant became increasingly extensive.\footnote{Johnsson, \textit{Vårt fredliga samhälle}, 97–8.} As Theresa Johnsson has pointed out, the relationship portrayed in these laws was inherently unequal. For example, the master could get his will by using physical force, while the servant could not.\footnote{Upenberg, \textit{I husbondens bröd}, 182.} However, as Carolina Upenberg has argued, the laws – limiting though they were – also codified the servants’ rights, which enabled them to take their masters to court for infringements.\footnote{Codifying rights and obligations could indeed give servants a firmer ground to stand on in court, but the same was true for the master. At the GAV, the}
servants were more often responding to a petitioning demand than the other way around (Chapter 8). In addition, unlike other groups, these claims often involved their bodies. Where other people received demands to give up plots of land or pay money and goods, servants and workers were forced to return to their service/work or to remove themselves from a domicile connected to their work. In contrast to most other people at the GAV, their bodies (entailing an ability to work) were treated as resources.

The cases involving the servant’s or worker’s roles primarily came in three different types: requests for wages, petitions to leave or be forcibly retrieved to service, and demands to remove workers from their work domiciles. The demands and requests could come from both men and women, although women, as usual, were fewer. For example, if we compare maids (piga) and male servants (dräng), four women and 24 men appeared as parties in the cases.

Eleven cases where petitioners asked for their wages in money or goods have been identified. Eight of these involved servants applying against current or previous masters. Compared to servants handing in demands for wages in court, this is a low number. Uppenberg has found that servants in the local court had quite good opportunities to win their wage complaints. Over 130 years, there were 69 wage demands. So there were more cases per year at the GAV than at court, but we must also take into account that at the GAV, petitions were handed in from the whole region instead of the much smaller geographical jurisdiction of Ås district court. If Uppenberg’s numbers are representative of other courts, it would mean that servants more often turned to the court than to the GAV for wages. However, similarly to Uppenberg,

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156 Among the more unusual cases were 1880 Case 340 (a peasant who asked his former worker to repay him for neglected work days); ULA, LV, Lka I, B II:1, no. 32 (a farmer who asked the governor to forbid his farmhand to enlist in the military); ULA, LV, Lka I, B II:1, no. 37 (a crofter who asked permission to keep a farmhand); ULA, LV, Lka I, B II:1, no. 133 (a man who asked for an apprentice to be exempt from military service); ULA, LV, Lka I, B II:15, no. 41 (Mar.) (two peasants who asked for sequestration on a crofter’s assets due to neglected corvée).

157 1758 Case 205, 220, 222, 231, 242–3, 255, 318; 1803 Case 688, 1015, 1022; 1838 Case 1163, 1958, 2021, 2511; 1880 Case 36, 293; ULA, LV, Lka I, B II:1, 17580325 (Dorottea Lillja), 17580413 (Alexander Ahlbeck), no. 32; ULA, LV, Lka I, B II:15, no. 208 (Mar.), 1004; ULA, LV, Lka I, B II:44, no. 1696/126, 72/366. Note that the numbers denote petitioners, not individuals. The same person could therefore appear more than once.

158 Not including demands for wages in the form of plots of land or soldier’s wages (Section 5.3.1). See 1758 Case 137, 194; 1803 Case 326; 1838 Case 12, 1163, 1710, 1958; 1880 Case 36, 293; ULA, LV, Lka I, B II:15, no. 951; ULA, LV, Lka I, B II:44, no. 1696/126. In addition, one maid asked for a letter of recommendation rather than her wages, see ULA, LV, Lka I, B II:15, no. 1004.

159 1758 Case 137, 194; 1838 Case 1163, 1710, 1958; 1880 Case 36, 293. ULA, LV, Lka I, B II:44, no. 1696/126.
maids were less active than male servants at the GAV, handing in only one of these eight requests.\textsuperscript{160}

Why could servants have more reason to turn to the court in these matters? One reason could be its function. As an executive agency, the GAV was only supposed to handle clear and undisputed debt cases (Chapter 6). The court had jurisdiction to decide upon the right to the wage itself, while the GAV decided the right to enforcement, ideally based on a written promissory note, a court order, or a contract. Since the servant’s contract did not often seem to have been written down, they did not always have a document upon which enforcement could be based.\textsuperscript{161} The lack of proper documentation could explain why these cases were rare. It also made the petitioner vulnerable to having the issue referred to court (Chapter 6).

Even rarer were cases involving a servant who petitioned the GAV for permission to leave their service before their time was up. Formally, the prescribed route was to ask the local sheriff or bailiff for a decision. Servants and masters did not have equal rights to leave or terminate their contracts early, although neither could do it without permission. Before 1805, it was a legal right awarded only to the master. After that, a corresponding right for the servant was codified, but only for not receiving necessary upkeep and lodgings and very severe beatings. Even though it was seen as an exception, a master could terminate the contract in a broader range of circumstances.\textsuperscript{162}

Despite the GAV formally being the wrong authority, four servants petitioned to be released from service, one in 1803 and three in 1838. Two were male servants and the third case involved a contract worker (\textit{statdräng}) and his wife.\textsuperscript{163} However, they were more often on the receiving side of these demands. While it was rare for masters to petition the GAV for early termination of service, they repeatedly petitioned for help to force servants into or back into service. These requests came in a few different guises. First, there was the situation where a servant had left service without permission, and the master wanted them back. Second, if a servant had taken service with someone else, the master could go to the GAV with a request to have them

\textsuperscript{160} Uppenberg, \textit{I husbondens bröd}, 171–2. In Uppenberg’s thesis, instances are not the same as cases, since one and the same case could contain several demands and involve more than one person.

\textsuperscript{161} Of the eight requests there are seven extant files, of which three were based on documents – a bill (1838 Case 1710) and two promissory notes (1880 Case 36, 293). Bills seem to have been common in court, see Uppenberg, \textit{I husbondens bröd}, 172.

\textsuperscript{162} Johnsson, \textit{Vårt fredliga samhälle}, 97–8; Uppenberg, \textit{I husbondens bröd}, 101. For a servant’s right to leave service following severe beatings, see SOT, Kongl. Maj:ts nådiga Lego-Stadga för husbönder och tjenstehjon (15 May 1805), art. II (5); SOT, Kongl. Maj:ts förnyade nådiga Lego-Stadga för husbönder och tjenstehjon (23 Nov. 1833), art. II (9).

\textsuperscript{163} ULA, LV, Lka I, B II:1, no. 208 (Mar.); 1838 Case 1163, 2511. A \textit{statdräng} or contract worker was a labourer contracted to work for wages in cash and kind for a prescribed amount of time. Unlike servants, they had their own domicile on their employer’s land and set up their own household, see Lundh & Olsson, ‘Statare och statarsystem’, 9–11.
back or to get compensation. Third, in a slightly different case type, officials could sometimes ask the GAV to draft a person into military service because they lacked prescribed work (försvarslösa).164

In the first case, the master – just as servants previously – did not need to go to the GAV. The law stipulated that if a servant had left without permission, the master could retrieve them with force without involving the administration.165 Despite this, at least seven masters petitioned the GAV to retrieve servants during the three first years of the investigation, involving 5 male servants, one apprentice and one maid. When they did, the servant was often served or called to a hearing and so, it does not seem as if the GAV just ordered them to be picked up without their say.166

In the second case type, where the person had taken service somewhere else (either with a new master or in the military), it was sometimes the servant who was made to answer, but sometimes the new master or rote. Most of these cases appeared in 1758, when there was much competition over male servants because they could serve in the military. In those cases, the former master could turn against either the recruiter or the rote to get them back or, if that was not possible, to get compensation. In some of these, the servant was not involved as a party, simply treated as the object of the petition and the question being who had the most right to him. Even in cases where the servants were called to respond, they usually let their masters or the rote speak.167

Ten requests for military service were found in 1758 and 1803.168 This number seems suspiciously low, given that the GA was the proper authority to handle them, being charged with military recruitments and keeping ‘vagrants’ or ‘idlers’ away. In addition, the country was at war in 1758 and needed soldiers. But, the low number can at least partially be explained by the GAV’s handling. Instead of registering them as petitions, they were sometimes entered into the letter register among other official correspondence.169 In 1824,


165 Förnyad Legohjons-stadga (21 Aug. 1739), art. 6:4, in Modée, Utdrag, ii. 1593. Uppenberg, I husbondens bröd, 101 describes how, under the Servant Act of 1805, the master had to employ the help of the local authorities (kronobetjänningen).

166 1758 Case 220, 222; 1803 Case 717, 1015, 1022; ULA, LV, Lka I, B II:1, 17580325 (Dorottea Lilija); ULA, LV, Lka I, B II:44 no., 72/366. In one case (72/366), there was no annotation about it being served, and in another, the case was sent to the GA of Örebro (1803 Case 717).

167 For examples when both the servant and the master, and the recruiter or rote was heard, see 1758 Case 145, 255; 1803 Case 688. For cases where the servant was not heard at all, see 1758 Case 144, 229. In others, only the servant was heard, see 1758 Case 205, 231.

168 1758 Case 240, 242–3, 318; 1803 Case 1015 (two cases), 1022; ULA, LV, Lka I, B II:1, no. 127, 138, 152.

169 For examples, see ULA, LV, Lka I, B I:6, 81 (Plaan); ULA, LV, Lka I, B II:20, 13 (Ridderstolpe), 18 (Hesse), 76 (Mosse).
the possibility of forcibly recruiting people who lacked service was rescinded, which explains why no such cases appeared in 1838 and 1880.170

In 1880, there were no longer any petitions to force people back into service or be allowed to leave, even though the regulation remained. Possibly, the firmer application of jurisdiction (Chapter 2) contributed to this. In other words, masters who wanted their servants retrieved perhaps went directly to the local authorities instead of to the GAV. Instead, we find male and female workers as respondents, when the petitioner demanded their evictions from a domicile they had due to their work.171 According to the new Enforcement law, the GA was the prescribed authority to handle such eviction cases. The article stipulated that if a lodger refused to move after being given notice, and he could not show probable cause for why he should be allowed to remain, the GA could order his eviction upon application.172

5.3 Concluding remarks

This chapter has examined why people participated at the GAV based on the resource use or resource transaction behind the petition and how they used the GAV. Furthermore, it has connected the underlying resources to the participants’ socioeconomic status and gender.

First, from the petitioner’s viewpoint the GAV was most often used to solve conflicts with another person or, more seldom, a small group. People handed in applications for debt enforcement due to loans, purchases of movable and immovable property and defaulted rents. They asked the GAV to help them with access to land and to evict others or they complained about the actions of civil servants. All of these claims were directed against someone else, who was asked, even required, to respond. In this way, the function of the GAV bore close similarities to a court, although it was primarily an executive agency. Importantly therefore making yourself heard through the petitioning process not only meant interaction and voice in relation to the state, but also to the respondent. At the regional level, petitioning was not about affecting policy: you made yourself heard in order to defend your resources, primarily your property and work.

Second, the pattern of petitioners generally confirms what we know from research on the eighteenth century. Peasants and labouring people were underrepresented, while other groups participated more than their share of the population would suggest. As the credit cases overtook petitioning activity in
the nineteenth century, so did merchants, but following the legal tightening of
the GA’s jurisdiction in 1877, they petitioned less.

However, among respondents, both peasants and labouring people were
present to a higher degree. Here, we see the growth in numbers of labouring
people in the population and also how they were vulnerable: having
difficulties to make ends meet, risking eviction, or being forced back into
service. To defend your rights was not only about neutral participation; one
person could be heard to another person’s disadvantage, both in the specific
case and more structurally. But, and this is important, the respondent (although
drawn into the process) also had voice. It was not the same as the petitioners’
who had decided to approach the GAV for aid, but while at the agency, both
parties were heard. I have seen little to indicate that the GAV’s employees did
not handle cases seriously, regardless of who applied or responded. Claims
directed towards another were almost invariably ordered to be served to the
respondent, and in the nineteenth century very few cases went unregistered.
The sheer volume of applications involving people from all walks of life
speaks of an extensive trust in the GAV. As Sølvi Sogner has argued for early
modern courts, ‘The rule of law worked.’

Third, when identifying the resource transactions behind each application,
it is apparent that petitioning was connected to access to resources and, by
extension, to socioeconomic status and gender. This might seem like an
obvious statement, but it is essential because it explains why people found
reason to make themselves heard. Some had greater reason in one context than
in others. Peasants petitioned more over land than other resources, while the
same was true for trade- and craftspeople in credit cases. Women participated
more in some land cases, such as those due to transfers or because of an
official benefit. A robust legal position in relation to land or a need to protect
their livelihoods on their husband’s deaths gave peasant women and widows
of officials and soldiers more reason to participate over land than over other
resources. On the other hand, the working roles identified were rarely those
held by women, which is why we do not find women petitioning as guardians,
auctioneers or officials. However, in the positions women had access to, such
as trade in 1880 or as masters or maids, they did. Thus, socioeconomic status,
gender, and resources were intertwined and had an impact on why people
petitioned.

In a broad sense, though, the resources in which the cases originated were
not unique to any one group, meaning that people of different socioeconomic
status applied and responded about the same issues. For example, being a
petitioner as a creditor or respondent as a debtor would have been a shared

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173 Sogner, ‘Conclusion’, 271. In a study of ‘vagrancy’ using sources from the GAV in the
1830s, Theresa Johnsson, Vårt fredliga samhälle, 152–4 gives examples of decisions that
contradicted the law or that were archived incorrectly, and an incomplete register of travel
passes. Nevertheless, considering the vast number of cases the GAV handled, they could very
well have been isolated incidents rather than systematic mismanagement.

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experience, regardless of socioeconomic status and gender. But some groups’ specific connections to a given resource, and particularly to land (as the owner/usufructuary or the holder of land as an official), created different rights and obligations, which affected their reasons to petition. As an officeholder with land returns as a salary, an official had cause to apply for unpaid taxes. In contrast, the landowning peasant could have grounds to petition over the form of payment. The connection to the resource explains why some people were petitioners and others were respondents and, as we shall see, how they argued for their claims (Chapter 7).

Fourth, why people turned to the GAV in specific issues also had to do with legal regulations and broader societal developments. The identified resources were such that were extensively regulated. The credit rules and processes had been detailed and formalised over the eighteenth century (Chapter 6). Equally, the identified working roles were guarded about by extensive regulations, such as the guardians’ obligations, the burghers’ privileges, and the relationship between master and servant. And not least, the taxation system. In other words, people seem to have been prone to make themselves heard over an issue where someone’s rights or duties were legally regulated. Therefore, when these rules changed, so did petitioning. When trade was deregulated, burghers no longer appeared protecting their privileges, but others petitioned over specific goods that required permission to sell. When someone without work could no longer be forced into military service, these cases disappeared.

Yet, legal changes cannot explain everything. Rules could sometimes remain even as the system they regulated waned. For example, the military allotment system remained in place until the early twentieth century, but society was cash-based long before that and officials no longer received farms as part of their wages. Such changes also caused certain case types to disappear, such as complaints about the form of tax payments or cases related to the official residence. Another example is that of how merchants came to dominate petitioning in 1838, which cannot be explained by legal changes, but more likely was because of changed consumption patterns.
6 The disappearance of legal pluralism: Arguments about rights and obligations tied to credit

In the previous chapters, I have investigated how petitioners and respondents managed to make themselves heard and what resource transactions caused them to need to do so. Equally crucial for understanding voice are the justifications petitioners and respondents made in their letters. An analysis of the principal arguments used shed light on the society in which these statements were made and, by extension, the foundations for voice. As found in Chapter 2, how petitioners and respondents addressed the authority revealed that the personal and reciprocal relationship between subject and ruler largely disappeared in favour of a more abstract, legally framed relationship between applicants and representatives of state authorities. This development, which was not linear or simultaneous for everyone, shows how society’s hierarchical foundations were in motion. As I will show in this and the coming chapters, other arguments also disappeared, pointing to the same development.

The following chapter relies on an analysis of numerous credit cases (Section 5.2.1). In total, over 2 000 files survive. However, for the most part, the petitions were very short and similar to one another, and when there were responses, these often admitted the case or acknowledged receipt of the petition. This made it possible to analyse the set of cases as a whole in a first step. The instances where the argumentation was more extensive, such as when there was a more detailed explanation from the respondent or when the petition itself was longer, were analysed separately in a second step. However, as was explained in Chapter 5, some credit cases did not specify what transaction had led to petitioning; they only stated that there was a debt. I excluded these from the analysis in the second step to have a realistic amount of cases to work with. It does not affect the results because having at least read through them, it is apparent that their principal arguments were similar, which, of course, has to do with the fact that the petitioners’ claims were the same: they wanted the GAV’s help to make a debtor pay their debts.

1 This selection yielded 57 cases where the supplication was longer or there was a more detailed response in 1758, 188 such cases in 1803, 171 cases in 1838, and 30 cases in 1880. For exact cases, see Israelsson Dataset, 1758, 1803, 1838, 1880, column Cases in argumentation analysis.
Moving on to the analysis itself, I identified what the petitioner or the respondent asked from the GAV (the claim, stated in the *petitio*) and the expressions, referred texts (such as laws and decisions) and actual documents used to justify why this claim ought to be granted (the arguments). These arguments were then put into different categories, of which three were particularly prominent: First, participants made legal arguments through direct references to laws, use of legal concepts and principles or by repeating contents of written law. Second, they made positional arguments based on the petitioner’s or respondent’s characteristics by descriptions connected to the party’s person or circumstances. Finally, I identified resource-related arguments related to the credit transaction itself, made through references to actions the parties had or had not undertaken specifically as creditors or debtors.²

However, to understand the argumentation, it is necessary to start with an analysis of the legislation that framed debt cases. The GAs were executive agencies responsible for debt enforcement. As Ågren has argued, debt legislation grew increasingly formalised and detailed from the eighteenth century onwards.³ This is an important starting point of the chapter because – as will be shown below – the general design of applications, the arguments and whether or not the respondent admitted to or denied the debt was shaped by the formal and detailed legal framework.

6.1 ‘That which is undisputed may not be delayed by the contentious’

In this section, I analyse four legal factors which informed arguments and voice:

1. There existed a formalised course of action, meaning that the creditor had *a right to be heard grounded in law* and, under the right circumstances, receive an enforcement decision,
2. The enforcement process ought ideally to make the creditor receive his rights *swiftly*,
3. Swiftness had to be weighed against the debtor’s *right to be heard*,
4. The creditors were supposed to base their claims on *written debts* that were *clear and undisputed*.

Three laws set the basic frame for debt enforcement between the seventeenth and nineteenth centuries. The Enforcement Ordinance of 1669 charged the

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² These categories were of course interconnected. For example, a person’s actions about a credit transaction – such as not paying – was a legal requirement to obtain enforcement. When petitioners highlighted a debtor’s payment, it was thus a direct consequence of the legislation.
GAs with helping creditors enforce their debt claims. In 1734, the Enforcement Act gave creditors detailed instructions on what to do if they wanted the GA’s help with their ‘clear and undisputed’ promissory notes. In 1877, the Enforcement law held that claims based on written debts were enforced by either the GAs or the city courts, depending on whether the debtor lived in the countryside or in town.

All three laws framed enforcement and, by extension, being heard in enforcement cases as the creditor’s right. However, their formulations indicate that this right was strengthened over time, particularly between the seventeenth and eighteenth centuries. There was a marked difference in how the legislator described the right in 1669 compared to 1734. The Ordinance of 1669 stated that if the creditor ‘for some reason cannot obtain his right [to payment], but must seek the aid’ of the GAs, the GAs were entitled to examine the case and decide between the parties what was ‘best and fair’ to the satisfaction of the creditor. In other words, the creditor had a right to enforcement, but the words themselves – seeking help and references to fairness made it a conditional right.

In contrast, the corresponding article in the ensuing Act of 1734 stated that if someone came to the GA with a clear and undisputed promissory note due for payment, ‘he is entitled to immediate distraint.’ The right to enforcement was unconditional as long as the debt was clear and uncontested. The Act’s first article also explicitly clarified that everyone should be heard. It held that the GAs were obliged to handle all enforcement cases ‘with diligence and care’ and keep ‘no one, rich or poor, from their rights or leave them without help.’ Putting this statement in the Act’s first article attests to how important the legislator considered it to be. The GAs were to hear and help all creditors regardless of who they were when they asked for enforcement. In other words, from the beginning of the period in question, there was already a strong element of civil citizenship in debt legislation. Creditors had an unconditional and equal right to payment for their extended credit and to be heard when this did not happen. Of course, with simultaneous rules limiting who could extend or receive credit and stand for themselves in court, it is debatable whether this

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4 SOT, Kongl. Maj:ts Stadga öfwer alla Executioner i gemeen (10 Jul. 1669), art. V. The GAs had been formally charged with enforcing certain court verdicts since their creation, see IU1635, art. 11, in Styffö, Samling af instructioner, 196–7.
5 UB1734, 1:1, 4:2, in Carlén, Sweriges Rikes Lag, 208, 215 at 215: ‘klart och ostridigt’.
6 UL1877, art. 1, 12, in Herslow, Utsökningssagen, 1, 9. The law came into force in 1879, see Kungl. Maj:ts nådiga förordning, om nya utsökningssagens införande (10 Aug. 1877), art. 1, in Herslow, Utsökningssagen, 131.
8 UB1734, 4:2, in Carlén, Sweriges Rikes Lag, 215: ‘tå äger han genast niuta utmätning.’
9 UB1734, 1:1, in Carlén, Sweriges Rikes Lag, 208: ‘flit och omsorg’; ‘ingen, rik eller fattig, i sin rätt uppehålla, eller hielplös lemma.’
statement truly was universal. However, the important observation is that enforcement was framed by an idea of equal, individual access the government authority, not by notions of hierarchy and reciprocal obligations based on position.

The law of 1877 was less explicit but just as matter of fact on the subject of the creditor’s right. It simply stated that for a claim based on a promissory note due for payment, ‘one may sue the debtor’ at the GA. If the GA was the proper authority to handle the case, it ‘will oblige the debtor to pay, on pain of distraint.’ It is unclear why the legislator removed the statement of equal rights to be heard in the new law. Its preparatory documents did not deal with the issue at all. However, its removal does not mean the law was not meant to encompass everyone. For instance, the use of the indefinite pronoun ‘one’ (man) indicated that it applied to anyone (at least those who had a formal right to speak for themselves). Likely, it was not explicitly stated or discussed because it was no longer deemed necessary since the principle of equality before the law, in the sense that a law that did not distinguish between different groups also should be applied equally, was uncontroversial at this point.

Creditors’ legal rights did not end with being heard; they were also entitled to swift help. This emphasis on speed permeated the legislation from the seventeenth and eighteenth centuries. Lawmakers repeatedly accused debtors of delays, told creditors to submit short letters, stipulated that enforcement be done immediately and limited the exchange of documents between the parties to what was necessary for the GA to decide on the matters. This emphasis on quick handling remained in the nineteenth century. One of the explicit reasons for the new law in 1877 was the lack of swiftness in dealing with enforcement

10 For example, formally, wives and children were not allowed to sell goods without their husband’s or master’s consent. Wives and unmarried women were not allowed to stand surety for others. Unmarried women and men under a certain age were not allowed to receive credit based on promissory notes, see HB1734, 1:8, 10:13, in Carlén, Sweriges Rikes Lag, 113, 124; Philipsson, Om Skuldebrev, 4–5.
11 UL1877, art. 12, in Herslow, Utsökningslagen, 9: ‘må man söka gäldenären’.
12  UL1877, art. 28, in Herslow, Utsökningslagen, 21: ‘ålägge öfverexekutor gäldenären betalningsskyldighet, vid äfventyr af utmätning.’
13 Already fifty years before, in the proposal for a new civil law, in the discussion on how certain people could be judged by separate courts, the committee had stated ‘All are equal before the law. One’s right is no more holy than anothers.’, Förslag till Allmän Civillag, Mottor, 255: ‘Alle äro likar inför lagen. Den enas rätt är ej heligare, än den andras.’ For the different meanings of equality before the law and stages of development, see Inger, Svensk rättshistoria, 231–2; Lernestedt, Likhet inför lagen, 15–24, 30–9. For the closely related concept of the ‘individual legal subject’ (rättssubjektet), see Peterson, ‘Från romerskrättsligt statustänkande’, 218–20.
14 See, for example, SOT, Kongl. Maj:ts påbud öfver några ährender, som alla Rätter och Domstolar till Executionernas främmande skole i acket taga (10 Jun. 1669), art. IV; KF1798, preamble; UB1734, 2:1, 4:2, in Carlén, Sweriges Rikes Lag, 210, 215; see also Ågren, Jord och gäld, 51.
cases. In the law itself, the GA was instructed to decide on claims ‘without any delay’. At the same time, speed had to be weighed against the debtor’s right to be heard. The Act of 1734 explicitly charged debtors to respond to the petition on pain of a fine, thereby even making it an obligation. The penalty was removed in 1823 and replaced with automatic approval of the creditor’s claim if the debtor did not reply. The right to be heard meant that, if the debtors wished, they could protest against the enforcement and argue for their viewpoint. Over time, however, the lengths to which such protests were allowed were limited in favour of speed. Whereas the Act of 1734 let the GA decide how many letters needed to be exchanged between the parties, the law of 1877 limited it to one response for the debtor and one additional letter for the applicant to speed up the process. Before the law’s promulgation, members of the Supreme Court criticised the limitation. Their words summarised the constant balancing act: the ‘beautiful principle that “one may not sacrifice the rule of law to win time” demands that the debtor is not divested of the right to a response, should he wish it.’

The GA could only legally grant enforcement based on written debts, at least from 1734. The law mentioned promissory notes (skuldsedlar), bills of exchange (invisningar) and settlements (förlikning) before the court. An ordinance in 1798 extended the enforcement right to some trade bills and added details on how promissory notes should be written. In 1877, the law removed any possibilities for enforcement through the GA except those based on promissory notes. The emphasis on speedy handling and written debts existed because the GAs were administrative authorities meant to help creditors with ‘clear and undisputed’ claims. All three regulations, in 1669, 1734 and 1877, expressed

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16 UL1877, art. 33, in Herslow, Utsökningslagen, 24. ‘ofördröjligen’.
17 Ågren, Jord och gäld, 46; see also SOT, KF1798, art. 6, where this balancing act was expressed in regards to the debtor’s obligation to answer claims.
19 SOT, Kongl. Maj:t:s Nådiga Förordning om ändring u ti 1. och 2 §§. af 2. Cap. Utsöknings-Balken (29 Nov. 1823), art. 2. It seems to have been practised occasionally before 1823 too, see, for example, 1803 Case 662.
20 UL1877, art. 20, in Herslow, Utsökningslagen, 18; Nya Lagberedningens förslag till utsökningslag, 73.
21 Kongl. Majts nådiga Proposition till Riksdagen, med förslag till Utsökningslag (30 Dec. 1876), app. 1, 6: ‘vackra grundsats, att “för skyndsamhetens vinnande må man ej uppofttra säkerheten”, synes derför fordra, att rättigheten till afgifvande af sådant svar icke må gäldenären, om han derpå anspråk gör, betagas.’
22 The Ordinance of 1669 is less clear on the matter. It does use terms that imply a written act such as skuldebrev (brev being a letter), förskrivning (skrivning being writing), avhandling (handling being a document); however, the latter two could also be used more generally.
24 SOT, KF1798, art. 1, 2.
the principle that ‘a clear and undisputed claim may not be delayed by the contentious’. This adhered to a more general view that the contentious lay within the purview of the courts, whereas the clear could be handled elsewhere. Thus, in theory, a sharp line existed between the courts and the GAs. In the Enforcement Act of 1734, the governor was explicitly forbidden to act as a judge, and conversely, judges were not to concern themselves with enforcement.

The legislative process seemed straightforward: clear and undisputed claims based on written promissory notes led to immediate enforcement after hearing the debtor. However, in practice, it was not, precisely because of the unspecified meaning of ‘clear and undisputed’. For example, in his introduction to civil procedure from 1751, Nehrman did not expand on what was clear and undisputed more than a statement that debts based on contracts, bills and inheritance documents rarely could be made so clear so that the debtor could not make acceptable objections to it, in which case it ought to be remitted to court. The difficult task of deciding whether or not a protest was valid so that the issue became contentious fell to the governor and his aides, without much guidance in law. As the legal scholar Per Nilsson-Stjernquist has concluded, this led to significant discrepancies in the eighteenth-century GAs’ propensities to refer cases to the courts and sometimes to them accepting complicated issues. However, the legal uncertainty also opened up considerable scope for the debtor to oppose enforcement because the debt was contentious. In 1877, the GAs’ room to make these calls was made considerably smaller. They still had to decide whether or not a claim was contentious, but this was made a lot easier by narrowing down on what documents enforcement followed and stipulating that some objections should lead to automatic referral, whereas before, the administration had to investigate their validity or truth. As we shall see, this caused enforcement cases to become more uniform and less disputed than before.

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26 Nilsson-Stjernquist, Om handräckningsutslag, 99–100.

27 UB1734, 1:2, in Carlén, Sveriges Rikes Lag, 208. The governor had judicial jurisdiction in certain administrative cases (politimål and oeconomimål), see Nilsson-Stjernquist, Om handräckningsutslag, 96–7; see also Section 2.2.1.

28 Nehrmann, Inledning til then Svenska Processum Civilem, 419–20.

29 Nilsson-Stjernquist, Om handräckningsutslag, 111–16.

30 UL1877, art. 24–5, in Herslow, Utsökningslagen, 20.
6.2 Short, written, and undisputed: Arguments in credit petitions

The formal and demarcated enforcement procedure and the legal considerations analysed in the previous section explain three of the most prominent characteristics of credit cases in all four years: the initial petitions were generally short, based on written documents, and respondents relatively rarely disputed them. In addition, petitioners who handed in longer petitions used the law actively by referencing specific articles and legal concepts, speaking to an extensive legal literacy. However, during 1758 and 1803, petitioners also based their right to enforcement on arguments grounded in religious principles, ideas about good and bad credit and the need for sustenance. In 1838 and 1880, these arguments had become much less common, indicating a less legally pluralistic society by the end of the nineteenth century. Arguments grounded in written law were increasingly given prominence compared to those coming from other sources, such as the conditions or position of the party.

From the beginning of the period in question, many creditors were content with simply stating that a debtor had an unpaid debt based on a document and that the petitioner wanted the GAV’s help getting paid. They could add that they had reminded the debtor to pay or had not received willing payment, but generally, people did not give more arguments than legally necessary. They or their scribe knew they did not need more than a document and an unpaid debt to retrieve enforcement and used that knowledge when turning to the GAV.

This matter-of-factness increased over time. In 1758, 36 per cent of all extant supplications due to credit had this brief character. It rose to 86 per cent in 1803 and 97 per cent in 1838 until finally, in 1880, creditors had access to preprinted applications they could use.31 Researchers have noted this simplification and shortening of applications in the nineteenth century in other contexts. Liljewall and Elin Hinnemo have argued that before the 1840s, applications for legal capacity (myndighet) were petitions for an exception, formulated as humble prayers. After 1840, they became short letters claiming a right (rättighetsanmälningar) without argumentation. Liljewall notes how the ‘well substantiated, gracious and subordinate prayers for approval started to be replaced by short applications.’ Hinnemo connects this change to legal developments: a formalisation of the application process and a stricter and more demarcated definition of legal capacity.32 In credit cases, which were

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31 28 of 77 instances in 1758, 392 of 457 in 1803, of 1 226 of 1 264 in 1838, see Israelsson Dataset 1758, 1803, 1838, column Short argumentation. In 1880, of 251 extant applications, 40 were preprinted and 209 of brief character.
32 Hinnemo, Inför högsta instans, 118, 150, 159; Liljewall, Mig själv och mitt gods förvalta, 122–3, 199 at 199: ‘De välvunderbyggda, nådiga och underdåniga bönerna om bifall började ersättas med korthuggna anhållanden.’
demarcated and formalised earlier, we find these short letters claiming a right from the start of the period, but they grew even more straightforward over time, as exemplified by the following.

In April 1758, Margareta Wahlström supplicated to the governor. She had completed several clothing items for a peasant couple who had only partially paid. For the remainder, she needed to enlist the governor’s help and wrote:

Since I cannot make farmer Lars Olofsson from Klintta willingly pay me the rest of the appended bill, [a sum], even though I have asked him in all politeness to do so, I am obliged to most humbly request Your Grace’s official enforcement [of the debt sum, interest and costs].

In March 1803, farmer Lars Jansson wanted payment for a loan he had handed out two years earlier. He explained that:

According to his issued promissory note, lay judge Anders Grandin in Tilbe in the parish of dingtuna owes me [a sum]. But I cannot make him willingly pay me despite having told him to several times. Therefore, I am obliged to most humbly supplicate to Your Excellence for enforcement [of the money, interest and costs].

By 1838, many of the petitions were even more concise. In July that year, Lovisa Leuftstedt from Sala wrote,

I humbly ask that widow Cajsa Jansdotter in Härsta, Norrby parish be obliged, on pain of distraintment, to immediately pay her promissory note of [a sum, interest, and costs].

And finally, in 1880, C. O. Lundin only filled in the blanks of a preprinted form.

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33 1758 Case 237: ‘Som Jag med goda icke kan förmå Bonden Lars Olofsson i Klintta att betala mig resten på med följande räckning som är [summa]. Ehuru Jag honom på alt höfligatt sätt ther till anmant, hwarföre Jag således finner mig för anlåten, aldra ödmjukeligen, anhålla om Eders Högna nådes hög gällande Embetes handräckning [av skuldsumman, ränta och kostnader].’ For a few similar examples that can be multiplied, see 1758 Case 33, 38, 226, 234, 387.

34 1803 Case 274: ‘Som nämde manen Anders Grandin uti Tilbe dingtuna Soken är skyldig till mig betala efter utgifwen för skrifwning stor [summa] men som förenämde man icke i godo kan förmås oaktat flere gånår jag honom till sakt alt så nödgas jag att uti djupasse ödmjukhet hos Eder Exelanse bönfala om hand räckning till [pengarna, ränta och rättegångskostnader].’ See also for example 1803 Case 49, 71, 114, 130, 238.

35 1838 Case 1496: ‘Att Enkan Cajsa Jans Dotter i Härsta Norrby Socken, måtte varda ålagd vid Utmätningstvång genast införla afskrifne dess förbindelse med [summa, ränta och lagsökningskostnader], derom anhåller ödmjukast.’ See also 1838 Case 1210–11, 1240, 1245, 1248.
As these examples illustrate, the standard petitions for enforcement in the first two years fairly often had a statement about how the creditor had reminded the debtor to pay or that the debtor did not pay willingly. In 1758, all but four of the 28 summary supplications contained such a statement, whereas, in 1803, roughly 40 per cent of the short applications in credit cases had such an annotation. In 1838, only 61 applications mentioned such an action and in 1880, only a handful.

Why did this argument become more unusual over time? I argue that it was partly because of a shift in what petitioners saw as necessary or viable arguments. To receive enforcement during this period, it was not strictly necessary to tell the GAV that the debtor did not pay willingly or that the creditor had reminded the debtor, it was enough to have an unpaid debt that was due. In other words, it was a legally superfluous statement regarding the right to enforcement itself. Instead, petitioners made these statements for other reasons.

First, it justified turning to the GAV for help, a step that sometimes seemed drastic. The creditor ought not and did not need to approach the GAV if willing payment was possible. In 1751, Nehrman explained in his introduction to the civil procedure that: ‘many people are so stubborn for so long that they do not

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36 See also for example 1880 Case 27, 47, 49, 76–7.
37 150 of 392 cases in 1803.
38 It could have legal relevance for other issues. The question of willing payment was mentioned as a condition in one ordinance from 1756, in conjunction with imprisonment for debt, see SOT, *Kongl. Maj:ts Nädige Förordning angående Gäldehållers bysättande, när the för owillkorlige Förskriftningar sökas* (19 May 1756). Moreover, debtors could object to pay the petitioning costs or asked to have more time because the petitioner had not requested they pay their debt before turning to the GAV, see, for example, 1758 Case 51; 1803 Case 164, 169, 354, 597; 1838 Case 851, 1276, 1289, 1620; 1880 Case 204, 246, 294.
willingly pay … what they are … obliged to. This must therefore be obtained through’ the GA.\textsuperscript{39} This was repeated in petitions, where creditors could describe how debtors could not be made to pay without enforcement.\textsuperscript{40} Through statements of reminders or the debtor’s unwilling payment, the creditor could consequently justify the petition. Sometimes, this was evident by how the petitioner phrased their \textit{petitio}. For example, in 1758, when castle servant Anders Orsten wanted his sister to pay for clothes she had purchased on credit, he described how he could not make her pay willingly despite several reminders, why he was ‘\textit{compelled} [my emphasis] to flee to Your Grace’. Similarly, when the tradesman J. G. Nordström asked the GAV for enforcement in 1803, he wrote that the debtor had not paid his bill despite several reminders, ‘why I am \textit{compelled} [my emphasis] to most humbly ask that Your Excellence’ oblige him to pay.\textsuperscript{41}

Second, the argument was connected to broader ideas about good and bad creditors and debtors. By emphasising reminders and willingness, the creditor showed they had fulfilled their obligations while the debtor had not. Debtors clarified in their explanations how it was expected of the good creditor to try to solve the situation before turning to the GAV. For example, in 1803, Carl Erik Wulff asked for repayment of money he had given to secretary Öhrman for hay, which the latter subsequently had failed to deliver. Wulff described how he could not obtain willing payment, while Öhrman replied how he had not expected ‘to be attacked with enforcement before a preceding demand to pay willingly.’\textsuperscript{42} Similarly, in 1758, bookkeeper Westbeck argued that he had taken great pains to remind admiralty official Paul Timme to pay his debt but to no avail. Timme responded that if Westbeck ‘had been honest enough to give me fair notice, it would have been paid without trouble’.\textsuperscript{43} Later, in 1838, when the peddler S. Knutsson asked for payment from the farmhand Per Hultberg, the latter explained how he would have immediately paid if he had met Knutsson. ‘But he has not given me any reminder of payment nor

\textsuperscript{39} Nehrman, \textit{Inledning til then Swenska Processum Civilem}, 414: ‘Ty mängens enwishet är så långwarig, at the ej i godo betala … thet, hwartil the … skyldige och förbundna äro. Thet måste therföre uttagas genom’.
\textsuperscript{40} 1803 Case 751, 767; 1838 Case 1753. For petitioners using the phrase ‘cannot be made to pay’, see also, for example, 1758 Case 38, 234; 1803 Case 114, 457; 1838 Case 1610, 1823; 1880 Case 135, 366.
\textsuperscript{41} 1758 Case 313: ‘nödsäckat, at fly till Eders Höga nåde’. 1803 Case 589: ‘hwarföre jag hos Eders Exelence alleroedmjukast nödgas anhålla.’ See also, for example, 1758 Case 133, 223; 1803 Case 49, 71; 1838 Case 844, 1221. Another term used with ‘having reminded’ or ‘not getting willing payment’ was \textit{föranlåtes}, meaning to indicate a reason for something (with an obligating element), see \textit{SAOB}, s.v. ‘föranlåta’ (definition 1a). See, for example, 1758 Case 33, 296; 1803 Case 189, 349; 1838 Case 673.
\textsuperscript{42} 1758 Case 313: ‘nödsäckat, at fly till Eders Höga nåde’. 1803 Case 589: ‘hwarföre jag hos Eders Exelence alleroedmjukast nödgas anhålla.’ See also, for example, 1758 Case 133, 223; 1803 Case 49, 71; 1838 Case 844, 1221. Another term used with ‘having reminded’ or ‘not getting willing payment’ was \textit{föranlåtes}, meaning to indicate a reason for something (with an obligating element), see \textit{SAOB}, s.v. ‘föranlåta’ (definition 1a). See, for example, 1758 Case 33, 296; 1803 Case 189, 349; 1838 Case 673.
\textsuperscript{43} 1758 Case 96: ‘haft för mig så mycken upriktighet och ärligen sagt mig förut till, så hade det utom hans stora möda kunnat blifwa betalt’.
information about where I could meet him’, so the late payment was not the debtor’s fault.44

Conversely, good debtors willingly accepted and paid their debts.45 When they did not, the petitioners could describe them disparagingly. For example, the ironworks owner Eric Wilhelm Swedenstierna said he had written to the debtor several times but without reply. Therefore, he was obliged to ask for enforcement ‘in response to the courtesy [the debtor] has shown me’.46 Similarly, Orsten, whom we met previously, described his sister in less than flattering terms, saying she had put him off with ‘useless promises and mere words’.47 In 1803, peasant Petter Schmidt asked the GAV to oblige Captain Alander to pay one of his claims. The debtor admitted the debt but denied responsibility for interest, prompting Schmidt’s reply that ‘Alander is honourable to admit the debt, but not when he denies the interest’.48

The notion that a good debtor acknowledged their debts was evident in how some respondents framed their replies. They sometimes highlighted how they were willing to pay or did not deny the obligation. In 1803, coppersmith Olof Hammarbeck admitted his debt and asked for more time to pay, stating, ‘As [the creditor] undoubtedly knows, I am willing and has never denied the sum he requests’.49 The same year, farmer Per Ersson replied that the ‘debt … is entirely undisputed, and I do not want to shirk from satisfactory payment’.50

Asking for payment before approaching the GAV and acknowledging and paying your debt willingly was part of what made good creditors and debtors. By claiming to have reminded the unwilling debtor to pay, petitioners highlighted themselves as good creditors and the respondents as bad debtors. When doing so, they based their right to enforcement on both written law (having a written claim due for payment) and cultural ideas (the good/bad creditor/debtor). Over the nineteenth century, the latter argument disappeared, and petitioners only emphasised that which was legally necessary.

The more elaborate credit petitions exhibit the same trend. In 1758 and 1803, we find a mix of legal and other arguments. Petitioners referred to ordinances, specific legal articles or repeated the requirement that their claims

44 1838 Case 851: ‘Men han har aldrig gifvit mig minsta påminnelse om betalning eller någon underrättelse hvar jag kunnat honom anträffa’. For similar expressions, see 1803 Case 597; 1838 Case 1305.
46 1758 Case 198: ‘till bemötande af then höfliglighet som [gäldenären] mig bewist’.
47 1758 Case 313: ‘slätta löften ok fagra ord’.
48 1803 Case 129: ‘Alander är hederlig i det, at han ärkänner Capitalet, men icke i det, at han nekar räntan’. See 1758 Case 278 where admitting the debt was connected to being ‘trustworthy and reliable’ (‘trygg och trofast’).
49 1803 Case 222: ‘Som [borgenären] utan tvifvel wet, jag är beredvillig och alldrig nekat den af honom fordrade Summa’.
50 1803 Case 341: ‘Skullden … är af mig aldeles odisputabel, och vil jag vist icke undandraga mig berörde skuld … nöjagtigt betala’. For similar examples, see 1758 Case 203; 1803 Case 339, 599; 1838 Case 584, 2021; 1880 Case 204.
were undisputed. But we also find statements about the good creditor or the bad debtor. For example, supplicants could name their debtors ‘tardy payers’. Other times, applicants accused debtors of deceit. In 1803, a group of men asked for the GAV’s sequestration of property belonging to the late innkeeper Anders Zetterström. According to them, Zetterström had ‘behaved in the most deceitful way’ when he had sold his property to his father-in-law just a few days before taking the loan for which the men had provided security. The men implied that Zetterström’s transaction with his father-in-law was a sham (presumably, without the property, the men had not wanted to act as guarantors).

Just as they emphasised the respondent’s flaws as debtors, petitioners pointed to their own good qualities as creditors, arguing that they had extended credit for charitable reasons or in good faith. Sometimes, their statements had religious connections. In Zetterström’s case, the petitioners described how they ‘As honest citizens and benefactors’ had provided Zetterström with security for a debt, expecting that Zetterström ‘as a grateful fellow Christian’ would behave honourably and repay his debt. That same year, Baron Gustaf Reuterholm asked that some land belonging to widow Margareta Andersdotter be transferred to him. The first thing Reuterholm did in his application was to point out how he had to describe the circumstances of the case in some detail so that he would not be judged for ‘troubling a widow with enforcement’. He recounted how, over several years, he had extended loans to Margareta’s husband to keep him from losing his farm. However, shortly before his death, the husband had sold immovable property without telling Reuterholm or making any provision to pay him. When the farmer died, his widow was set upon by creditors, and ‘to save her’ from losing the plot she had left, Reuterholm had lent her money again. However, she had made no steps to repay him. Towards the end of the application, Reuterholm stated that the widow could still work to provide for herself, but in a few years, it would be ‘less compassionate’ to take her plot of land (presumably because she would then be too old to work). Reuterholm did not explicitly refer to being a Christian, but the references to compassion, not disturbing and saving a widow in financial distress alluded to the religious idea that poor widows deserved help.

51 For examples, see 1758 Case 51–2, 137, 160, 178, 265; 1803 Case 197, 391, 441, 1013; 1838 Case 35–6.
52 1758 Case 155, 160; 1803 Case 856: ‘trög betalare/gäldenär’.
53 1803 Case 518: ‘på det svikfullaste sätt sig förhållit’; see also 1758 Case 122, 178, 307, 325; 1803 Case 387, 528, 992.
54 1803 Case 518: ‘Som redelige medborgare, och välgörare’; ‘som en Tacksam med Christen’. For lending or acting in good faith, see 1758 Case 51; 1803 Case 391.
55 1803 Case 110: ‘med lagsökning beswära en Enka’; ‘rädda’; ‘önmare’. For one creditor’s ‘compassion’ (medlidande), see 1803 Case 804.
56 See Worthen, ‘Supplicants and Guardians’, 535.
Petitioners also tried to invoke the governor’s compassion by referencing their need to provide for themselves. For example, when Erik Olsson wanted the governor to oblige the respondent to deliver grain according to a contract, his last argument before the *petitio* was that without the governor’s aid ‘I and my mining people and workers’ would through [the respondent’s] delay ‘lose our bread’. In the same vein, the peasant Per Andersson claimed that ‘me and mine will soon perish from hunger’ if the governor did not help him get paid for an ox and some hay that he had only had to sell ‘to get something to buy bread for my children’. These statements of need often turned up towards the end of the argumentation, right before or after the request itself. As such, they were a direct plea for the governor to show compassion, intending that an (often undeserving) need would incite the reader’s sympathy (Section 1.4.3.3).

In 1838 and 1880, arguments grounded in compassion, religious obligations or ideas of good and bad credit were almost gone in the petitions. In 1838, we find a few mentions of how the debtor did not want to pay willingly in the short applications and a few statements of how the debtor tried to avoid the debt in a bad manner or did not want to satisfy his fellow man. However, the vast majority of creditors kept to the short format described at the beginning of this section. In other words, the remaining arguments were those based on the law, and those based on other notions lost influence.

### 6.3 Arguments in responses and petitioners’ replies

When faced with a claim for enforcement due to credit transactions, most respondents did not object to payment, meaning that most debt cases were indeed of the undisputed kind that the GAV was supposed to handle. Instead, the debtor normally either acknowledged the debt with a short statement or chose not to reply at all. Among those who did object, we see arguments and developments mirroring those in petitions. Protests were often founded on law, but other grounds for the objections were also emphasised in the first two years. Over time, these grew more uncommon.

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57 1758 Case 45: ‘jag med mit Bergfålk och arbetare’; ‘i mistning af brödfödan stäld’.
58 1758 Case 121: ‘mig nu snart med de mine aldeles försmäkta af hunger’; ‘kunna derigenom få något i händerne at köpa bröd före til mina barn’. For ‘sustenance’ or ‘need’, see 1758 Case 278, 325, 329; 1803 Case 65, 394, 434, 527.
59 See 1838 Case 1569, 1619, 2006. A few more such statements could be found in the replies to the respondent’s explanations, see 1838 Case 695, 795, 1182, 1400.
60 For example, according to the debt claims register (*Allmänna skuldfordringsmål*) in 1838, of the 49 cases that were handed in between 1 and 5 March, 35 were not responded to, 13 were admitted, and 1 was responded to with a more elaborate explanation. Debt cases that ended in default were common in other countries, see, for example, Damiano, *To Her Credit*, 89.
6.3.1 Making the claim contentious. Legal strategies for objecting payment.

The respondents who denied the petitioner’s claim used the existing legal prescriptions to their advantage when they argued. There were many references to legal articles, previous decisions and verdicts, or witnesses and documents that could prove their story. For example, in 1758, when Lars Andersson was instructed to deliver grain according to a contract, he refused because he had already sent grain. However, the supplicant had broken the contract by using an unlawful measuring container ‘completely against law and royal ordinances’. Thus, Lars was not obliged to deliver more grain until he could sue his counterparty. Consequently, he asked the governor ‘who keeps everyone to laws and royal ordinances’ to declare the contract void or refer the case to court. There, Lars could call witnesses to prove that the supplicant should pay damages and fines.61 Similarly, but more specifically, in January 1880, Victor Carlbaum was asked to pay a sum of money, which he denied to do because the mare he had received for his note was not ‘of the quality he [the applicant] had said’, requesting that the case ‘be referred to court as contentious, according to the current Article 27 of the Enforcement Law.’62

These cases exemplify a common strategy the respondents deployed: trying to get the GAV to refer the case to court as contentious per the legal principle that the GAs should only deal with clear and undisputed matters.63 They justified such requests with statements of faulty trades, but also with monetary counterclaims, with assertions that the debt was completely or partially paid, or with protests against the document the creditor based their claim on.64

Respondents relied on these objections even when they did not ask for referrals to court. According to the Enforcement Act, and later the Enforcement law, the GA itself could decide to allow deduction if the

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61 1758 Case 45: ‘snörrätt emot lag och kongl. förordningar’; ‘handhafwar en hwar wid lag och kongl. förordningar’. There were many explicit references to legal prescriptions or proof, see, for example, 1758 Case 95–6, 107, 127, 435; 1803 Case 169, 259, 273, 287, 359; 1838 Case 978, 1088, 1221, 1307, 1697; 1880 Case 40, 246, 256, 324.

62 1880 Case 59: ‘icke var af sådan beskaffenhet han uppgaf den vara’; ‘i enlighet med 27 § i gällande utsökningslag, varder, såsom tvistigt till domstol förvisadt.’ The objection that there was something wrong with a traded good or that the buyer had been fooled was in itself a legal objection under the Trade Act of 1734, see HB1734, 1:1–4, in Carlén, *Sveriges Rikes Lag*, 112–13. For such cases, see 1758 Case 133, 183; 1803 Case 620; 1838 Case 1182, 1399.

63 1758 Case 45, 95, 122, 127, 133, 183, 226, 263, 435; 1803 Case 391, 394, 518, 620, 684, 694, 745, 952; 1838 Case 515, 666, 795, 842, 1219, 1260, 1289, 1332, 1399, 1482, 1549, 1566, 1694, 1706, 1718, 1774, 2576; 1839 Case 1, 102, 632, 953, 1981–2; 1880 Case 58–9, 125, 140, 171, 225, 275.

64 For counterclaims, see, for example, 1758 Case 226, 435; 1803 Case 391, 394; 1838 Case 1289, 1694; 1880 Case 140. For claimed part payment, see, for example, 1758 Case 95, 263; 1803 Case 694, 952; 1838 Case 1706, 2576; 1880 Case 125, 225. For document protests, see, for example, 1758 Case 122; 1838 Case 515, 842, 1482, 1566, 1718; 1839 Case 953; 1880 Case 275.
counterclaim was clear and due. For example, in 1758, Mats Rungberg partially admitted a debt claim based on documented and undocumented loans and outstanding salary. However, Rungberg argued that he had given the creditor clothes, grain, and money according to an appended inventory that he considered the GAV should deduct from the claim. Rungberg did not manage to get any deduction at the GAV. It decided that he was obliged to pay the written debts and the unwritten ones he had admitted to because they fulfilled the conditions for enforcement. However, the supplicant had not proven his right to a salary ‘with any justification for enforcement’ (in other words, with a clear, written claim), neither had Rungberg proven his counterclaim, prompting the governor to refer that part of the case to court.

Other times, respondents maintained that they had paid or partially paid the debt. In February 1758, the farmer Lars Ersson asked for the governor’s help with enforcement against a remarried widow for an unpaid loan. A month later, her husband explained that he had paid two-thirds of the debt and promised to pay the rest within three weeks. Similarly, in April 1838, tradesman Örström requested that a farmer be obliged to pay for herring he had purchased on credit. He denied the claim because his wife had paid for it, which she could prove with her oath.

When respondents tried to question documents, they pointed out how they were not witnessed, that copies differed from the original or that they wrongly stipulated interest. When claims were based on bills, respondents could use a rule in the ordinance of 1798, which stipulated that a bill could be enforced only when it had been accepted by the debtor beforehand. When farmer Olof Larsson requested that Baron Duvall be obliged to pay him for two promissory notes, Duvall responded that the claim was not only based on the promissory notes, but also on a bill that he had ‘not even received much less accepted or admitted’. Therefore, he denied payment and claimed the applicant had to sue him in court.

Like many other creditors, Olof answered that Duvall had not denied the sums on the notes that he had signed himself. His short reply shows the strong

66 1758 Case 137. ULA, LV, Lka I, A I b: 29, 520–2 at 521: ‘med något executivt skäl’. For arguments about counterclaims, see also, for example, 1758 Case 52, 203; 1803 Case 233, 614, 731; 1838 Case 878, 1307; 1880 Case 211.
67 1758 Case 38; 1838 Case 1135; see also for example 1758 Case 121, 418; 1803 Case 101, 311; 1838 Case 826, 1637; 1880 Case 211, 218.
68 For unwitnessed documents, see, for example, 1758 Case 122; 1803 Case 434; 1838 Case 1482; 1880 Case 275. For differences to originals, see, for example, 1758 Case 107; 1803 Case 197; 1839 Case 1; 1880 Case 218. For incorrect interest, see, for example, 1803 Case 129; 1838 Case 849; 1880 Case 204.
69 1838 Case 515: ‘ens en gång ej delfången mindre asepterad eller erkänd.’ For the rule, see SOT, KF1798, art. 2. For other examples when bills were questioned, see 1838 Case 666, 847, 1271.
legal position the creditors were in when they turned to the GAV for enforcement based on a written debt. As Ågren has concluded, the credit legislation became increasingly creditor friendly from the seventeenth century onwards, and the formal enforcement process was part of that.\textsuperscript{70} Since the petitioners’ written debts fulfilled the criteria for enforcement, the respondents’ objections made little difference from the creditor’s standpoint. They had a clear and undisputed debt that qualified for enforcement. In that vein, several petitioners argued that the respondent had admitted the debt or signed the note despite now having objections or how the undisputed should not be upheld for the contentious.\textsuperscript{71} In addition, they could also make their own references to laws or articles, point out how the respondent’s counterclaims were unproven or that the objections were designed to delay the payment.\textsuperscript{72}

6.3.2 Insults, ignorance and need. Arguments based on position and circumstances.

Petitioners and respondents deployed legal arguments regardless of their position. We find women and men from different walks of life referring to laws or their contents.\textsuperscript{73} However, in other arguments, position had some influence because there are patterns as to who enunciated arguments and who did not, which can be explained by factors such as gender, age and socioeconomic status. However, these influences should not be overemphasised. Overall, these other arguments were relatively rare in credit cases and similarities across positions, not differences, are what stand out.

This section will examine three identified arguments that involved the position of the party: insults, ignorance and need. The last two displayed the same pattern as previously mentioned in that they more or less disappeared over time. Neither were they replaced by other arguments, making the arguments grounded in legal prescriptions clearly predominant by the end of the nineteenth century.

Direct insults, such as calling someone derogatory names, were very uncommon. Still, petitioners and respondents described their counterparty’s actions or words as deceitful or false, implicitly naming them frauds or liars. Despite an explicit prohibition against rudeness or mocking language at the

\textsuperscript{70} Ågren, \textit{Jord och gäld}, 44–6, 50–2.
\textsuperscript{71} For statements of admittance, see, for example, 1758 Case 95; 1803 Case 259, 504; 1838 Case 910, 1255, 1271, 1620; 1880 Case 59, 125, 218. For ‘undisputed’ and ‘contentious’, see, for example, 1758 Case 34, 107, 435; 1803 Case 684; 1838 Case 1081.
\textsuperscript{72} For legal references, see, for example, 1758 Case 96, 133, 203; 1803 Case 169, 306, 359; 1838 Case 1748, 1804; 1839 Case 953; 1880 Case 59, 125. For statements about lack of proof, see for example, 1758 Case 95, 107, 435; 1803 Case 233, 731; 1838 Case 687, 867, 1217; 1880 Case 125, 225. For delays, see 1758 Case 203; 1803 Case 731; 1838 Case 842, 850, 1482.
\textsuperscript{73} For examples of female petitioners or respondents deploying legal arguments, see 1758 Case 418 (undisputed claim); 1803 Case 949 (statement of proof); 1838 Case 1221 (legal article), 1784 (statement of proof).
GA, these insults were sometimes elaborate and suited to the recipient’s social standing.74 For example, in June 1803, sergeant major Sohlberg described how he had lent a horse to curate (pastorsadjunkt) Waslien, who refused to return it. Waslien had kept the horse because Sohlberg owed him money, and now Sohlberg wanted the GAV to oblige his counterparty to return the horse. Waslien replied that the application was ‘against the rules of truth, fairness, justice and gratefulness’, citing a promissory note where Sohlberg had sold the horse for debt and left it in Waslien’s care. He was unwilling to let it go unless Sohlberg could provide other security and requested that the GAV fine Sohlberg for abuse of process (rättegångsmissbruk). In his reply to Waslien, Sohlberg held that Waslien had changed words on the note and therefore his explanation was ‘untruthful’ and an example of how ‘Satan disguises himself as an angel of light’.75

Sohlberg might very well have chosen to insult Waslien with the help of a Bible verse since the latter was a man of the cloth. Conversely, people once in a while used their social place to accuse their counterparty of bad behaviour. When the regimental official Hambn that same year demanded that the crofter Hans Olofsson repay a debt, the latter introduced his reply by saying that Hambn ‘must be entertained by litigating against wretches’ since he knew that Hans had already paid the debt and just wanted to get paid twice for the same debt. This statement caused Hambn to demand that the GAV fine Hans for writing such vulgar lies.76

These socially adapted descriptions were exceptions. More commonly, accusations of untruths or bad behaviour were unrelated to socioeconomic status, being said by and towards a variety of counterparties.77 Neither did gender influence the nature of the insults. Like men, women could be accused of untruths or deceitful behaviour. One example was in 1758 when the trinket-maker (nippermakerskan) Anna Maria Wakana did not pay some money to a couple of merchants in Stockholm. They had given her a gold pocket watch to sell for them, but she had been unable to. Now they wanted repayment, saying they mistrusted her to fulfil her obligation because of her ‘many untruths’. In

74 UB1734, 1:6, in Carlén, Sveriges Rikes Lag, 209.
75 1803 Case 496: ‘emot Sanningens, billighetens, rättvisans, redligetens och tacksamhetens reglor’; ‘sanninglöså’; ‘Satan förskapar sig i en ljuens ängel’. For another instance where insult against the petitioner, a tradesman from Västergötland, can be connected to his position see 1803 Case 620. The respondent protested against paying for a horse and made a point of arguing that ‘such wandering persons’ (‘slika kringwandrande Pärsoner’) continued to fool people into trading, but could then not be reached. This caused the petitioner to reply that he was ‘a traveler, not a runaway’ (‘resande och ingen rymmare’).
76 1803 Case 511: ‘måtte roa [Herr RegementsCommissarien Hambn] att Prosessa med Uslingarn’.
77 See, for example, 1758 Case 34, 95–6, 133, 203; 1803 Case 647, 684, 694; 1838 Case 867, 1182, 1273; 1880 Case 58, 218, 225.
addition, her deceitful conduct made them suspect she was trying to swindle them.78

In an Anglophone context, researchers have argued that while honesty was important for the credit of both women and men, for women, it was also connected to their sexual reputation. Consequently, insults of a sexual nature were objects of defamation suits, where plaintiffs sought to defend their credit and reputation.79 In credit cases at the GAV, slights used were not of a sexual kind at all.80 The only instance I have found that can even remotely be interpreted as an insult of a sexual nature was an implicit accusation that a person’s wife had a venereal disease. However, that libel was not connected to her credit because she was not the one who had lent money. Instead, the debtor used it to explain why he had a counterclaim on the applicant for fetching the doctor in a nearby town.81 When women were insulted in relation to credit, their gender did not seem to have played a major role; they were exposed to the same slander as the men.

In a few instances, primarily during the first two years, respondents tried to free themselves from responsibility by arguing that they had been enfaldiga. As Erik Bodensten has pointed out, enfald was a trait connected to broader Swedish political and religious discourse. It described the defenceless (värnlösa) subject, which, on the one hand, was ignorant, naïve, and easy to fool or seduce but, on the other, honest and incapable of deception. It was not necessarily negatively charged, but used paternally to describe a kind of positive, childish passivity that characterised simple folk. However, the upper layers of society were not allowed to be enfaldig.82

In line with its wider political scope, primarily, people from the peasantry and the landless ranks used the trait to argue. We find a soldier, a sailor and several peasants who referenced their enfald to describe how they had, for example, been fooled to accept goods of worse quality than agreed upon or

78 1758 Case 178: ‘mångfaldiga osanningar’; see also 1758 Case 313, where the woman was accused of disrespecting the governor (‘prof af sijdwördnad’). Women were also accused of lying in cases that did not originate in credit, see, for example, 1758 Case 189 (a witness statement claiming that all that the woman said was the ‘greatest untruth’); 1880 Case 348 (a woman accused of ‘falsehoods’ who claimed an auctioneer ought to give her the money he had received at the auction).
79 Muldrew, ‘”A Mutual Assent”’, 53. Damiano, To Her Credit, 5–6, 20–1, 36–9 mentions how credit and sexual behaviour was linked, but the slander related to credit she analyses was similar for men and women.
80 To an extent, these differences can surely be explained by the fact that they were applications that originated in credit transactions and were not about defamation per se.
81 1803 Case 614. Insults of a sexual nature were exceedingly rare. Of the hundreds of files where female parties figured at the GAV, I have only found two where a woman was accused of loose behaviour: one was called a ‘seductress’ (förförserska), the other lewd (liderlig), see 1838 Case 365, 1717. However, lewdness (liderlighet) could also be used to describe men, see 1803 Case 451, 882. The Swedish liderlig did not necessarily have sexual connotations, it could also mean frivolous, see SAOB, s.v. ‘liderlig’.
82 Bodensten, Politikens drivfäder, 72; see also Sennefelt, Den politiska sjukan, 107, 167.
made to sign documents that were to their disadvantage since they could not read.\(^8\) For example, in March 1802, the sailor Eric Löfberg and skipper Lars Ekman jointly signed a promissory note to pay chamberlain Liljestrom for two barrels of wheat. Six months later, the sailor paid half the sum, but the skipper did not. Liljestrom turned to the GAV, claiming payment from either debtor because of their joint responsibility. Löfberg replied, arguing that he ‘who do not know how to read, had been satisfied with having [the note] read to me’ and had just now learnt its actual contents. Löfberg thought himself ‘as enfaldig, to be free from all charges’. However, Liljestrom remained unmoved by the argument. He acknowledged that Ekman, who had replied that he accepted to pay the debt alone, ought to be obliged to, but ‘if assets are not to be found with Ekman, I retain the right to seek the rest with Löfgren’.\(^8\)

Although he did not explicitly say so himself, my conclusion is that Löfgren’s possibilities to use the notion of enfald to defend himself had to do with its connection to particular social groups and less with what he actually knew or not. This is partly because of the fact that people of a higher social status never used the notion, but also because peasants who had an in-depth knowledge of credit legislation nevertheless also found it worthwhile to use it. In 1758, the lay judge (nämndeman) Mårten Andersson in Løddersta asked that the company clerk (mönsterskrivare) Röding be obliged to return a promissory note Mårten had handed out for unpaid taxes.\(^8\) Mårten explained that out of enfaldighet, he had not known better than to sign the note made out to the bearer. Mårten had paid Röding, but now the person to whom Röding had transferred the note demanded payment.\(^8\)

Mårten Andersson was almost 60 years old, and sources indicate he had been a lay judge for at least 8 years, probably longer.\(^8\) During this time, he would have taken part in judging court cases about two or three times a year,

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\(^8\) 1758 Case 52, 133, 263; 1803 Case 101, 247, 306, 394; 1838 Case 2021. In one case (1803 Case 599), a farmhand was accused of having caused the respondent costs due to his ignorance (okunnighet), but otherwise people were usually not described as such by their counterparties. For examples of using ignorance, see 1758 Case 155; 1803 Case 616; 1838 Case 1081.

\(^8\) 1803 Case 101: ‘som okänd af alt hvad skrifvit är, mig åtnöjdt med föreläsning af [förskrivningen]’; ‘som enfaldig wara från alt åtal frikallad’; ‘förbehåller jag mig at i händelse tilgång hos Ekman skulle saknas få för bristen söka min årsättning af Löfberg.’

\(^8\) The mönerskrivare kept the company’s financial records and, at least in Röding’s case, was involved with collecting taxes (likely those that were reserved for military salaries), see SJOB, s.v. ‘mönterskrivare’.

\(^8\) 1758 Case 301. Simply put, if the note was made out to a named person and was transferred, any payments to the original creditor had to be taken into account. If it was made out to the bearer, payments that were not noted on the note could be disregarded, see Philipsson, Om Skuldebref, 5–6.

\(^8\) A Mårten Andersson in Løddersta served as lay judge in Håbo district court in 1750, see ULA, Håbo häradssätt, A I:12, sommarting 17500521. The exact annotation of his name is ‘Mårten Andersson i Bålsta i Løddersta.’ The referred Mårten Andersson in Bålsta served as a lay judge in the same court at least seven years before, in 1743, see AD, Svea Hovrätt Advokatfiskalens arkiv, E XI e:803, 207. See also AD, Kalmar församling, AI:1, 29; AI:2, 20.
many of which were about debt and credit. As such, the rules surrounding transfers of debt notes should not have escaped him; on the contrary, he was likely well aware of them. Nevertheless, he still found it worthwhile to argue that he was *enfaldig* to receive a favourable decision. This illustrates how he, as a peasant, could strategically deploy this argument to try to avoid responsibility. Similarly, in April 1802, the wealthy peasant Petter Schmidt acted as guarantor for the deputy curate Söderqvist. When the latter failed to pay the debt, Schmidt was instructed to pay it. Schmidt protested that the claim’s purpose was to get to him, which he, as an ‘*enfaldig* peasant’, had not understood. Schmidt directly connected the concept *enfaldig* to his status as a peasant by writing them together. However, he was far from ignorant. Petter Schmidt was a very active creditor who also helped others write petitions. At his death, he had 264 outstanding debt claims on other people and 64 debts, attesting to his extensive economic operations.\(^88\) Doubtlessly, he knew what he did when signing the note as a guarantor. Given his extensive activity as both petitioner and respondent in 1803, officials at the GAV must have known who he was and that he was neither ignorant, naïve, nor easy to fool.\(^89\) Yet, his socioeconomic status enabled him to claim *enfaldighet* in matters he most likely had intimate knowledge about.

Previous research has sometimes explained use of ignorance as a particularity due to gender. In a study of women’s petitions in revolutionary North America, Beatty argues that ‘Women often claimed ignorance in their petitions – ignorance of the law in particular – and thus took advantage of well-established assumptions about women’s intellectual capacity.’\(^90\) Admittedly, *enfald* and ignorance were not precisely the same concepts, but ignorance was vital to *enfald*. And as we saw in the Swedish case, men most certainly also claimed ignorance. For them, being peasants and labouring people, it was contingent on socioeconomic status. Still, given their large part of the Swedish population, this argument could plausibly have been open to most people. In Swedish regional petitions, ignorance was not an argument shaped only by gender.

That is not to say gender was meaningless. Women who used *enfald* to argue came from broader socioeconomic layers than men. For example, the buttonmaker’s widow Sara Bessekur did not belong to the peasantry or landless groups, but could describe herself as *enfaldig* when she had repaid

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\(^88\) 1803 Case 306: ‘*enfaldig Bonde*’. On his death two years later, Schmidt’s probate inventory estimated his net estate as over 8 000 riksdaler and he owned a number of properties. His farm was valued at 1 800 riksdaler, see ULA, Åkerbo häradstånd, FII:21, probate inventory for Petter Schmidt, 9 Apr. 1805.

\(^89\) For only a few examples of cases were Petter Schmidt figured as either a party or a scribe, see 1803 Case 433, 466, 468, 483, 684, 686.

\(^90\) Beatty, *In Dependence*, 22. Damiano, *To Her Credit*, 166–8 finds both men and women, albeit rarely, using their ignorance of the law as an argument in credit petitions to legislatures in Massachusetts and Rhode Island in the eighteenth century, and argues there were tentative links between masculinity and competence.
the current bearer of her note with some work.91 Gender and enfaldighet were connected, as evidenced when a man in 1757 described how his wife had been persuaded to sign a bill during her widowhood, as ‘an enfaldig womenfolk’.92 But both men’s and women’s use of ignorance was connected to more than gender. Socioeconomic status was just as crucial for the men. In addition, several women who used it were widows, pointing to a connection to marital status as well. In short, in Swedish regional petitions, the argument of ignorance resulted from the complex interweaving of different characteristics, of which gender was one.

These complexities are also visible in another argument, namely statements of need. Respondents could emphasise their need through references to poverty, suffering or risk of ruin. For example, in 1758, a barber-surgeon’s widow requested that the crofter Christoffer Jansson pay for his daughter’s medical care. Christoffer replied that this seemed too ‘harsh and merciless.’ In his ‘great poverty’, he had already paid 18 daler kopparmynt, which in his ‘wretched state’ was a large sum.93 Like the petitioners in the previous section, these enunciations often appeared directly connected to the petitio or towards the end of the letter, indicating their function to appeal to the recipients’ emotions (Section 1.4.3.3). They were also tightly connected to the respondent’s position in society and the expectations attached to this position.94 When the crofter Johan Hansson was instructed to pay his debts to his former master, bailiff Forsgren, he described how, during his ten years as his crofter, he had never neglected his obligation to provide Forsgren with days’ labour but instead had been diligent and loyal to him, hoping that he and his wife would be provided for in their old age. Instead, he had been persuaded to leave the croft and sell all his belongings to pay the debt. Johan had agreed to this against the promise that it completely settled his debt. Just before his plea to the governor ‘who protects justice and helps the wretched’, Johan added that ‘had not Christian people … showed mercy towards my old wife and me’ he would have had to ‘sleep under the sky’.95

91 1758 Case 52.
92 1758 Case 59: ‘et enfaldigt qvinfolk’. The other example in credit cases was a peasant woman, see 1803 Case 394. There was another case unrelated to credit, when a mayor’s widow described her actions in terms of enfaldighet, see 1758 Case 272.
93 1758 Case 226: ‘för hårt och obarmhärtigt’; ‘stora fattigdom’; ‘usla trångmål’. For other examples, see 1758 Case 127; 1803 Case 483, 504, 628; 1838 Case 1554.
94 See Israelsson, ‘“That Your Grace Would Help”’, 84–5. For an in-depth analysis of the language of poverty in regional petitions and their various combinations, see Israelsson, ‘In consideration’.
95 1758 Case 155: ‘som hägnar rättwisan och hielper den elände’; ‘hade icke Christmilt folk … sig öfwer mig och en gl. hustru förbarmat’; ‘fådt legat under bar himmel’. Hansson also deployed other arguments: he had bettered the croft on his own expense which ought to have been remunerated (Chapter 7); he had had to leave the croft without a preceding court judgement and without legal notice; and he could prove the promise with witnesses.
Johan’s arguments, including the statement of his previous need, were influenced by his social status as a subordinate crofter as evidenced by his enunciated relationship to his master as ‘his [the bailiff’s] crofter’, ‘my master’s useful servant’ and ‘his [master’s] faithful and affectionate crofter’. When said master had not fulfilled his duties and taken care of him and his wife, despite his loyalty and diligence, he could argue that he deserved the governor’s care and protection, according to the norms of household culture.\footnote{1758 Case 155: ‘dess torpare’; ‘min herres nyttige tienare’; ‘dess trogna och tilgifna torpare’.} Unsurprisingly, we find these statements of need posed primarily by labouring people and peasants whose social position was suited to such pleas.\footnote{For labouring people, see 1803 Case 101, 694, 699; for peasants, see, for example, 1803 Case 226, 483, 504, 854.} However, as with enfald, the deployment of this argument was connected to many characteristics, and it would be an oversimplification to explain it solely by socioeconomic status. Instead, the choice to use statements of need could be prompted by combinations of gender, marital status, age, and health. For example, in November 1758, a representative of Axel Gabriel Oxenstierna’s estate wanted the governor’s decision to sell property belonging to Colonel von Hirschkeit and his wife to pay their debts to the estate. When she answered, the wife, Sophia Helena von Rosen, pointed to her recent widowhood by referring to her late husband and calling herself a highly distraught widow. She admitted the debt and said that it was up to the creditors’ discretion if they would claim it or leave her some more time. However, in the former case, she ‘would see myself with no roof over my head in my old age’\footnote{1758 Case 249: ‘se mig skild wid hus öfwer hufwudet på min ålderdom.’}.\footnote{Prytz, Familjen i kronans tjänst, 172–5.}

In her thesis, Prytz points out how seventeenth-century women of noble birth argued differently from men of the same social status. The women she identifies used the word poverty much more than noblemen, who were more prone to talk about economic losses.\footnote{For examples in the literature on widows in the early modern period who engaged with poverty as an argument, see Shepard, ‘Poverty, Labour’, 75–6; Stretton, ‘Widows at law’, 206.} When von Rosen used the same argument as a male crofter, it can therefore partially be explained by her gender. However, von Rosen was not only a woman; she was an older woman of a particular marital status.\footnote{Prytz, Familjen i kronans tjänst, 174 who finds only a few men who talked about poverty in the same way as women, for example a nobleman whose sight was impaired.} In other words, several combinations of characteristics could explain why she argued the way she did. Gender was one part of it, but not the whole part. Men of higher social status could also deploy arguments based on their difficult circumstances and the governor’s protection, for example, when they were old and in declining health.\footnote{In 1803, a 69-year-old ironworks owner (brukspatron) called Casper Nettelblad was instructed to pay a debt. In his first reply, Nettelblad’s writer said he could not admit the debt, because ‘as completely blind … and almost without...
memory’ he did not know if it was correct. The GAV decided to hold a hearing, but Nettelblad argued it was impossible because of his sick state. The trip of twenty km would ‘surely bring my pains to new heights, if not separate the weak thread of life that still maintain my weak body’. In his ‘helpless state, when both my body and mind abandon me, I am obliged to take refuge with Your Excellency’s justice’.102

As for enfald, arguments of need were connected to many factors, such as a subordinate position, socioeconomic status, gender, age, health, or marital status. Sometimes one aspect seemed more important than others, depending on who you were. Widows could argue in this way regardless of their socioeconomic status, and similarly, if you were old and frail, gender was less important. Therefore, who could raise which arguments was a complex business, with gender and socioeconomic status as only one part of the equation.

In credit cases, arguments about ignorance and need more or less disappeared by 1838.103 As a result, arguments grounded in law became more prominent. Why was this? We are given a hint in one case from 1880. In 1875, J. E. Andersson received a loan for which two men, August Lundström and Nils Nilsson, provided security as guarantors. Five years later, Lundström alone was requested to pay the sum. He answered that it was peculiar that the applicant did not approach the now-deceased Nilsson’s estate as well. Lundström added that ‘even though it may be legally correct, it is at least morally incorrect’ to turn to him alone.104 He made a sharp distinction between morality and law but was aware that the latter would not free him from paying because he only asked for more time to pay it. Over the nineteenth century, views about the nature of the law changed. Not only did the grounds for rights increasingly become based in written state law, but the century also saw the growing dominance of legal positivism, posing (among other things) that there was no necessary link between the legal and the moral.105 As we saw in Section 6.1, enforcement was formal and heavily regulated and formal from the eighteenth century and grew even more so towards the end of the nineteenth century. This, in combination with the disappearance of legal pluralism and growing legal positivism, made the room for other arguments than ones based on written law much smaller. This development in a legal context happened

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102 1803 Case 434: ‘såsom stenblind … och nästan Minneslös’; ‘skulle säkerligen bringa mina plågor til sin största höjd, om icke aldeles afskära den svaga lifstråd, som ännu uppehåller min bräckliga kroppshydda’; ‘hjelplösa tilstånd, då alla mina både själ och kropps krafter öfvergifva mig, nödgas jag fly til Eders Excellens rättvisa’. For Nettelblad’s age, see AD, Hallstahammar församling, F:1, 113, no. 15.
103 There were some references to financial difficulties to explain why a debt could not be paid, see 1838 Case 584, 959, 1554.
104 1880 Case 179: ‘äfven om det skulle wara juridiskt rätt, så är det åtminstone moraliskt orätt’.
105 Hart, ‘Positivism’, 593–600. Exactly what the separation between law and morality (separation theory) meant or should mean is debated among legal theorists today, see Spaak & Mindus, ‘Introduction’, 1, 9–11.
simultaneously with the hierarchical but reciprocal obligations of household culture losing influence. As a consequence, arguments connected to a person’s position: gender, socioeconomic position, age and health would likely have had less impact on the outcome of the case, and eventually disappeared.

6.4 Concluding remarks

This chapter has examined how petitioners and respondents justified their claims in credit cases. What principal arguments did they deploy, and what rights and obligations were highlighted? Three main conclusions can be drawn. First, the credit legislation affected their arguments from the start. The legal framework surrounding the enforcement of credit relations was formalised comparatively early, and in 1758 it was hedged about with written procedures that put creditors in a strong position. This had an impact on how applicants designed their letters, which were primarily short statements of the right to payment rather than extensive argumentative texts. Most respondents did not deny the claim, effectively demonstrating the strength of the creditor’s position in petitionary practice and legal theory.

In more complex cases, where respondents denied the debt, it was common to argue from a legal point of view, which saw respondents try to have the issue referred to court, question the validity of documents, or deploy legal articles or concepts. Again, the applicants’ answers were often short, focusing on how they had a written note or a clear claim and that the debtors’ protests did not matter. And they were right. If the applicant had a written promissory note, it was hard for debtors to make the GAV decide in their favour.

Second, the arguments deployed and the fact most applicants did not raise more arguments than necessary, showcases that they and their opposing parties obviously knew the regulatory framework of credit or had access to people who did. When we examine the contents of the letters, the conclusion reached about the process itself is confirmed: people who interacted at the GAV were legally literate, whether it was knowledge they had learned themselves or knowledge they accessed by other means. They and the people they engaged to help them skilfully navigated the complicated field of credit legislation and the art of questioning counterparties’ arguments. Not only did they know how to access help (Chapter 3), but they were also able to frame their claims according to the legal prescriptions.

But, their legal literacy was not limited to arguing according to the law. In the first two years of the investigation, arguments based on a person’s position (as a creditor, debtor, woman, peasant) were not unusual. Petitioners knew how to deploy these strategically as well and clearly had a sense of what statements were suitable for the occasion. In the short formal applications, creditors noted how they had reminded the debtor to pay (essentially fulfilling their duties as a good creditor) but that such payment did not come willingly
(as could be expected of a good debtor). Other arguments, such as bringing up one’s need or ignorance, were primarily enunciated by parties from the peasantry or labouring people, pointing to how these arguments were connected to socioeconomic status. Gender also played a part because women from a broader socioeconomic range could bring up such issues, but directly gendered statements about femininity were vanishingly rare. Thus, even in the highly regulated area of credit based on contracts, described by Annette Fay Jacobsen as the area essential for the emergence of an idea of equal civil and individual rights, we find how arguments based on hierarchical position, subordination, and reciprocal duties were deemed useful in the early nineteenth century.  

However, thirdly, over time, these arguments based on position did not last. The already short applications grew even shorter when statements of payment reminders disappeared because, I argue, they were not legally necessary. This shortening of applications has been observed by researchers in other contexts and connected to a more formal emphasis on legal rights. In the longer letters, arguments based on position, such as enfald and need for sustenance, grew less common, which had the effect of allowing the legal arguments to take over completely. As Hinnemo has argued for women’s petitions to the Swedish Supreme Court, there was a more limited scope for what arguments were valid in a legal context towards the mid nineteenth century.  

On a more abstract level, we see the emergence of a less legally pluralistic society, where codified legislation and its interpretations became the primary source of enforceable rights. In credit cases at the GAV, household culture’s reciprocal obligations were no longer legally valid arguments.

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7 Connected to the soil: Arguments about rights and obligations tied to land

In this chapter, I investigate how petitioners and respondents justified their claims in cases that came about because of land. What arguments were used to gain the GAV’s positive response to the claim, in terms of documents and what was said? What rights and duties did the petitioners highlight concerning land? What other rights and responsibilities were emphasised? The purpose of the chapter is to understand how the resource, position, and the law shaped argumentation and, by extension, how the parties made themselves heard.

We have seen how people’s connections to land could lead them to petition the GAV (Chapter 5). However, their connections were not the same. Some participated as owners with specific duties, some because of the benefits of their offices, and others the usufruct of certain land. Different connections created different rights and obligations that the justifications of the petitioners’ and respondents’ claims revolved around. This way, the arguments used were connected to the resource at stake and to the individual’s connection to the said resource; something that in turn could depend on position. As we shall see, other arguments were used regardless of what resource the case was related to. And, just as in Chapter 6, arguments changed over time.

Since the connection to the land affected who participated, what they asked for and how they argued, these will be dealt with in turn: claims due to transfers of land, claims on land or land rights due to official benefits and estate privilege, claims on land or land rights due to tenancy and claims due to taxation of land.

7.1 Contracts, care, and the need for sustenance: Claims due to transfers of land rights

When petitions occurred because of a transfer of land rights, the claims at the GAV were primarily of four types: (1) being allowed access to a share of a homestead or its returns; (2) getting a decision about how the land could or should be utilised; (3) being paid for the land itself; and (4) protesting against
the sales contracts. The executive nature of many cases made documents, such as contracts, as bases for claims common (for the legal rules on enforcement, see Chapter 6). Consequently, a common respondent strategy was to question this document, for example, by stating wrongdoings during a purchase. Law was an integral feature of the parties’ argumentation, intertwined with arguments about efforts on and care for the land and emphasising its importance for the party’s sustenance.

A land transfer to a new owner or user could cause friction, especially since land and its returns were essential resources for sustenance for many people. The transfers that led to petitioning could be a sale of the land itself, but also transmissions of usufructuary rights or a rearrangement of plots of land by enclosure (skiften). Transfers created reciprocal rights and obligations between the parties, and the failure to fulfil these caused petitioning. For example, the seller was obliged to leave the land in exchange for the buyer’s payment, whereas the receiver gained access to the land after paying for it. The transfer could also create obligations for other people, such as a current usufructuary who was not involved in the exchange but had to leave following the transaction. Therefore, claims could involve the transferring parties, but also one of these and a third party against whom the petitioner had difficulties acquiring their rights.

Understanding argument strategies at the GAV begin by repeating its difference to a court. It was not the GAV’s job to determine the right to the land or its returns but to determine the right to enforcement (to a plot of land, payment, or specific use of the land). The jurisdiction to determine the right to the land fell to the courts, and if an enforcement case was not deemed clear and undisputed, the GAV ought to send it away.

Thus, the petitioner typically wanted the GAV to oblige someone else to do something based on a contract they appended to their petition. The importance of documents is illustrated by applicants who introduced their

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1 For access, see 1758 Case 123, 150, 168, 171, 186, 189, 279; 1803 Case 557, 679; 1838 Case 45, 511, 1316, 1591, 1618, 1633; ULA, LV, Lka I, B II:1, 17580316 (Olof Jansson), 17580505 (Anders Andersson), no. 64, 73 (Jan Olsson), 78, 222; ULA, LV, Lka I, B II:15, no. 190 (Feb.); ULA, LV, Lka I, B II:44, no. 989/75, 189/390. For details of case 17580505 (Anders Andersson), see ULA, LV, Lka I, A I b:29, 394. For land use, see 1758 Case 163, 241, 268–9, 319–20, 362; 1803 Case 152, 305, 1017; 1838 Case 1053; ULA, LV, Lka I, B II:1, 17580126 (Lars Ersson); ULA, LV, Lka II, B III a:2, no. 12/214. For payment, see 1758 Case 92, 191, 235; 1803 Case 79, 109, 211, 228, 289, 437, 463, 526, 583, 627, 632, 639, 649, 666, 754, 888; 1838 Case 19, 1133, 1187, 1400, 1445, 1812, 1834, 1898, 2505; 1839 Case 501; 1880 Case 72, 207; ULA, LV, Lka I, B II:15, no. 18 (Jan.); ULA, LV, Lka I, B II:44, no. 2073/153. For protests, see 1838 Case 98; 1839 Case 474; ULA, LV, Lka I, B II:15, no. 103 (Jan.), 110 (Jan.), 140 (Feb.), 305, 366, 684, 1180–81, 1294; ULA, LV, Lka I, B II:44, no. 87/370.
2 Selling land was more complicated and involved registering the purchase with the local court (uppbud). For land transfer procedures, see Rosén, Himlajord, 38–45.
3 Until 1828 the GA had the jurisdiction to judge disputes over Crown land, see SOT, Kongl. Maj.:ts Nådiga Förordning angående upphörande af Styrelse-Werkens Domsrätt i wisse mål (17 Apr. 1828), art. 4.
cases with a direct reference to a contract or agreement. For example, in 1758, bookkeeper Eric Österberg started his petition: ‘Through purchase from Per Andersson and Mrs Ingeborg Olofsdotter in Öster Säby in the parish of Torpa, I have become the occupant of two-thirds of this year’s grain and use of a share of the homestead … which can be seen by the sales contract’.4

Conversely, several respondents aimed to question the validity of the documents that petitioners based their claim on. One argument was that the dispute itself was not ready for enforcement. When inspector Gumelius asked the GAV to oblige his neighbours to give him access to a meadow after a partition, the latter argued that it was not finished. The surveyor’s decisions had been appealed, and the court had decided that a new enclosure would be performed. Until then, the GAV ought to let them retain their old plots. In other words, the document upon which Gumelius based his claims (the surveyor’s decision) was not the final word in the dispute.5

The respondent could also argue that an invoked contract had not been concluded in the prescribed fashion. When the carpenter Johan Hedman requested the GAV to oblige the miner Johan Matsson to pay for a purchased homestead, the latter claimed that his wife had concluded the purchase without his consent and therefore ought not to be granted according to law.6 Other times, the respondent argued that the petitioner had not fulfilled the contract. For example, when replying to Eric Österberg’s petition for access to a share of Säby homestead, the current tenant argued that Österberg had not yet paid the sellers and therefore – ‘through his own neglect overturned the contract’.7 Similarly, in response to a demand for payment for a property, the stove maker Daniel Axling claimed that the seller had not fulfilled his promise to repair a wall and give Axling access to other buildings. Thus, Axling did not consider himself bound by the contract. However, this part of the agreement was not entered into the written contract. Therefore, the seller could simply answer that he had an unconditional contract and Axling had not protested against it within the legally stipulated time.8

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4 1758 Case 168: ‘Genom köp, af Pär Andersson och hustru Ingeborg Olofsdotter i Östersäby Torpa S:n, har jag blifwit Innehafware af 2/3:die delar uti innewarande års gröda och bruk uti 1/3die dels Skattehemman … som nådigt sees af köpeafhandlingen’; see also, among many examples, 1758 Case 235, 320; 1803 Case 79, 583; 1838 Case 511, 1618; 1880 Case 72.
5 1838 Case 1633; see also 1758 Case 171 (a petitioner who wanted to remain on the property claimed the judgement on which the respondent had based his right to the property was not the final say); 1838 Case 1187 (the respondent claimed that the distribution of the estate (arvskifte) was so insufficient it had to be done again to determine who owed what).
6 1758 Case 191; see also 1803 Case 649.
7 1758 Case 168: ‘genom egen försommelse sielf kullrifwit des förskrifning’.
8 1758 Case 92. For contracts not fulfilled or incorrect trade, see also 1758 Case 235 (the petitioner’s description of the property did not accord with the agreement); 1803 Case 666 (the petitioner had not shown the property was not mortgaged and therefore the respondent wanted a new contract); 1838 Case 1834 (the petitioner’s description of the property did not accord with the agreement).
Axling’s and Hedman’s cases show how the law was integral to how the parties framed their arguments. Both petitioners and respondents were used to or had access to people used to applying legislation to get what they wanted. As in Chapter 6, this experience was visible through explicit references to legislation, using the phrase ‘according to law’ or highlighting legal constructs such as the right to legal notice (*laga fardag*). Respondents made formal objections to the claim, which were inherently legal in the sense that they were regulated by procedural law. They claimed that the case ought to be referred to court, that the petition had not been correctly served, or that the scribe’s signature was missing. The goal of these objections was to prevent the GAV from deciding upon the matter at hand, instead declaring it outside its jurisdiction or to gain more time by claiming that some necessary formality had not been fulfilled.

7.1.1 Asking for access to the land or its returns

The first request based on land transfers originated in someone’s failure to leave access to the land itself or its returns, with a corresponding demand that the GAV order the current occupant to move or hand out the returns. These cases could be fairly simple and based on a contract. For example, when Matts Mattsson bought a homestead from Anders Andersson and his wife Sara Ersdotter in Öhrbäckssvedet in January 1837, the latter obliged themselves in the contract to leave the property on March 14 the following year. When they did not, Matts turned to the GAV to receive the land based on the agreement.

Other times, the circumstances were more complicated and involved argumentation beyond an enforceable contract. When Ingeborg Larsdotter bequeathed half each of the usufruct of Bänbeck homestead to her two unmarried sons in exchange for ‘care and sustenance’ (*fördel*), it eventually led her to the GAV in September 1758. The transfer had by then been the subject of a legal procedure. The local court had decided that the fiscal usufructuary – the older son Per – could have the current year’s grain, but he had to give his younger brother Lars access to his farm share. Their shares ought also to be enclosed. At the enclosure meeting, Per protested, claiming a right to legal notice.

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9 See, for example, 1758 Case 168, 269; 1803 Case 666, 1017; 1838 Case 1834; 1839 Case 474; 1880 Case 207. Österberg, ‘Folklig mentalitet’, 90 highlights that peasants were used to applying the law in seventeenth-century courts.
10 For example, 1758 Case 92, 235 (wrong authority); 1838 Case 1618 (incorrectly served); 1758 Case 268 (scribal signature).
11 1838 Case 45; see also 1838 Case 511.
12 1758 Case 189. The precise ownership structures were rarely revealed in these cases.
13 By fiscal usufructuary, I mean the person who was registered in the fiscal registers as having its use.
At this time, Ingeborg handed in her supplication, on behalf of herself and Lars, requesting that Per be obliged to give Lars immediate access to his share. She partially based Lars’ claim upon the court verdict, which only gave Per the right to the years’ grain, not to legal notice. Furthermore, she argued that Lars ought to have the right to his share based on his efforts and care laid down upon the land itself. First, she highlighted how Lars and Per had jointly used the homestead and how Lars had tended the fields at his own expense. The rationale behind this statement – which was enunciated by many different people treated in this chapter – was that someone’s efforts on the soil deserved remuneration. Second, Ingeborg stated, if both brothers received their share, the land would prosper since they could then diligently expand the property by clearing new land to double its current size. Thus, her arguments related to tending the land were of two different kinds. On the one hand, a person who had worked the soil deserved compensation. On the other hand, proper care for the land could lead to greater yields (and, although she did not say so, greater taxes).

Ingeborg’s second argument shows how petitioners not only knew how to apply the law; they also deployed arguments relevant to contemporary ideas, which related their personal issues to those of a more general character. At this time, the clearing of new land was highly praised and sought after, not least by the Governor himself. In his report to the Diet in 1755, governor Friesendorff exclaimed:

> If the people of Västmanland are worthy of any praise for their agricultural work, it is their tending of the fields. In later years, this has increased, especially regarding new cultivations, so that the peasant soon will have more fields than he has time to care for and sow.

The respondent also emphasised that his work deserved compensation. Per described his brother as someone who undeservingly wanted to take the fruits of Per’s work on the land without contributing to it himself. Lars, who had been his farmhand, had barely worked for him at all. He had gone off to work for others during the busiest time of the year, through which he earned coin, food, and grain. And still, ‘he wants … to take over the land I have, through

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14 Prytz, *Familjen i kronans tjänst*, 142, 182; Ågren, *Jord och gäld*, 231. For working the land conferring a right to it, see also 1758 Case 150 (the petitioners wanted to harvest a field they had inherited that had been sown by the testatrix), 171 (the petitioner claimed he had cared for and ploughed the fields), 279 (the respondent argued his forefathers had farmed the disputed meadow).

15 RA, FU, KEKdH, R 3091, Landshövdingen i Västmanlands läns riksdagsrelation 1755, 41–2 (microfiche S4810 1-2/30): ‘Om någonting i Landtushållningen kan räknas Wässmanländningen til beröm, så är thet onekligen åkerskötslen, hvilken i senare tider stigit til then högd, särdeles hvad myckenheten af upodlingar angär, at bonden börjar snart få mera åker, än han wärda och besäda hinner.’ See also RA, FU, KEKdH, R 3212, Landshövdingen i Västmanlands läns riksdagsrelation 1760, 470 (microfiche S4817 14-15/36) for the same positive statements.
my work, cultivated and sown’. On the other hand, Per had cultivated the homestead as its usufructuary (åbo), he had paid taxes, taken care of his mother and siblings, fed the cattle and diligently worked in fields and meadows. To prove his statements, Per appended a witness statement from his neighbours, the four other fiscal usufructuaries (åbor) in his village, testifying that he had indeed had sole care of the household and taken up new land, while Lars had worked for others and not cared for the farm.\footnote{16
1758 Case 189: ‘likafult will ... tillträda then jord som jag med mitt arbete upbrukat och Sätt’. RA, Mantalslängder 1642–1820 Västmanlands län, vol. 116, 300–301 (West. Benbek).}

Diligently taking care of and tending your farm and properties was the duty of a good head of the household and it was inscribed in law, as the Building Act prescribed that peasants were required to care for their fields.\footnote{17 BB1734, 6:1, in Carlén, Sveriges Rikes Lag, 74; Prytz, Familjen i kronans tjänst, 148–9; Runefelt, Hushållningens dygder, 99–100, 112–13. For the head of the household’s responsibilities for household finances, see Marklund, I hans hus, 102–104.} Emphasising his efforts on the farm, Per alluded to the view that his work and care for the land meant it could not simply be taken from him and how he had fulfilled the duties of a head of the household. His arguments and emphasis on being the farm’s fiscal usufructuary also served to prove his right to legal notice according to the Land Act, a request that ended his response.\footnote{18 JB1734, 16:5, in Carlén, Sveriges Rikes Lag, 63–4.} He disputed any joint land use and claimed he had managed the farm alone. He had paid the taxes, cared for the homestead and his family, while Lars was his farmhand (something his mother had not mentioned at all), and a bad one at that. By his statements, he wanted to show how he alone – and not together with his brother – had been the farm’s official occupant and head of the household, fulfilling the obligations that came with this. Thus, there had been no joint use of the land; Per had been its primary carer and with that came the right to legal notice.\footnote{19 For legal notice being mentioned, see also 1758 Case 171 (the petitioner claimed that the respondent wanted to oust him without legal notice); 1803 Case 679 (the petitioner claimed the respondent did not have any right to legal notice).}

Ingeborg not only petitioned for her younger son; she also had her own claim on Per, for grain included in her transfer of the land rights. Here, she emphasised her need for the land returns for sustenance, for nourishment and upkeep. In another case where the petitioner wanted land returns, we see similar arguments: use of documents and need for sustenance.\footnote{20 For petitioners arguing they needed the land for their sustenance, see also 1758 Case 279 (the petitioners claimed they needed the meadow because their village had the least hay in the parish), 1838 Case 1633 (the respondents asked to at least keep the meadow a while so they would not lack hay).} In 1743, Matts Jansson bequeathed his second wife, Kierstin Ersdotter, the right to receive lodging and sustenance on his homestead for the rest of her life. When he died, his daughter from his previous marriage – Brita Matsdotter – disputed the will
in court. The court confirmed the will, and in 1748, the women agreed that Brita hand Kierstin a yearly barrel of rye.

Brita upheld the agreement until 1757, when her son Anders took over the farm upon his mother’s moving due to remarriage. When Kierstin did not receive her grain, she sued her stepdaughter. The court decided that Kierstin had to make her claim against Anders instead, who was now responsible for the farm. Kierstin then handed in a supplication to the governor, where she simply asked that Brita or Anders hand her the rye, based on the earlier settlement and court verdict from 1748. Brita and Anders disputed it on formal grounds. First, Brita had nothing more to do with the farm. Second, the latest court verdict from 1757 said that Kierstin had to sue Anders in court to determine the right to her rye. In other words, Kierstin had turned against the wrong person, and the GAV did not have jurisdiction. Upon the response, Kierstin pointed out that Anders now ‘use and keep it [the land] with the same right as my stepdaughter had’ (and one might conclude the same responsibilities). Now, however, Kierstin also chose to highlight her need for sustenance, adding how she – due to her ‘distressed circumstances’ – had repeatedly reminded Anders of the grain. She implored the GA to oblige her because ‘this small amount of grain is vital for me to sustain myself in these difficult times’.

It is difficult to know why Kierstin chose to emphasise her need for sustenance at this point in the petitioning process. She had not mentioned it in her original petition, so reasonably, it was a reaction to her respondents’ reply. Here, the rules of rhetoric used to build and frame petitions (Section 1.4.3.3) can help. Kierstin’s reference to sustenance – like Ingeborg’s in the previous case – came by the end of the letter, in the same sentence as her plea to the governor. According to rhetorician Johannes Vossius, arguments designed to stir the listener’s emotions would come at the end of a speech. Directly after this statement, Kierstin emphasised her position as a poor widow. The enunciation of poverty in petitions could sometimes be tied to efforts to invoke Christian charity and to remind the Governor of his religious duty to help the poor and lowly, of which widows were one. Coming at the letter’s end, when posing the plea to the governor and combined with the ‘poor widow’, the references to sustenance were likely an attempt to stir emotions and religious obligation to care for the welfare of his subordinates.

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21 1758 Case 123. She also alluded to the governor’s protection by framing her *petitio* as ‘fleeing to’ him.
22 1758 Case 123: ‘brukar och med samma rätt innehafwer som bem:t min Stiufdotter thet innehaft’.
23 1758 Case 123: ‘beträngda tillstånd; ‘thenna lilla Spannmål till min lifs förmödenhet i thenna dyra tiden är mig höst onungängelig’. For cases about land returns where the petition was based solely on the contract, see 1838 Case 511, 1618.
24 Vossius, *Elementa rhetorica*, 6;
Thus when wanting access to land itself or its returns, petitioners and respondents used documents, legal prescriptions, their care for the land and the need for sustenance as a way to argue for their cause. Sometimes, care for, and efforts upon the land were intertwined with the laws, conferring, for example, the right to legal notice.

7.1.2 Prohibitions upon the land and its returns

The second claim concerned prohibitions on the land or its returns caused by unlawful behaviour or unauthorised handling of the property. The petitioner often wanted the land to be put under prohibition, but sometimes, they asked to have an existing ban lifted. These were supposed to prevent someone else from using the property, for example before or during court processes that could drag on for many sessions. Therefore, the petitioner did not highlight their own efforts and care as they did when arguing for access to the land, but instead focused on how the counterparty’s misuse of the property infringed upon the petitioners’ rights and caused damage.26

For example, in August 1755, the miller’s widow Catharina Lundberg sold her mill to a notary called Abraham Gother. Until then, her son and a tenant, Daniel Brosell, had run it, and its sale caused severe discord between not only Gother and Brosell but also Brosell and his brother. It resulted in several cases at the GAV, one of which Gother initiated, demanding sequestration upon hay and grain at the mill. Gother, as many did, first established his right to the property by reference to his sales contract. Despite his purchase, Brosell had not only denied ‘my people to sow [the field] in the spring’, but also, ‘this summer … harvested the [the mill’s] meadow, field and planted rye’. Fearing that Brosell ‘will destroy the hay and grain that is rightfully mine to receive’ before the court could decide on the issue of ownership, Gother asked the governor for sequestration.27

In Gother’s case, Brosell’s possible destruction of the hay and grain was framed as unauthorised handling, that would cause him personal loss. But just as in claims over access to land, petitioners could refer to issues of more general concern and ideas connected to mishandling the land. In February 1758, the Skinnskatteberg district court awarded Lars Larsson a share of Glöfåhn homestead because of his wife’s inheritance and connected

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26 Such requests were also made in courts, see Ågren, Jord och gåld, 171–4. Since rural courts only convened a few times a year, it was sometimes necessary to use the GAs instead, if speed was important.

27 1758 Case 186: ‘förwägrat mit folk i wäras beså [äkern]’; ‘i sommar … Bergat [kvarnens] tillhörige äng och wret, samt rogssädet’; ‘at han förstör höet och säden som likwähl mig rätten gör bör tillkomma’. For misuse of land, see also 1758 Case 163 (mismanagement that might lead to abandonment of the farm, or ödesmål), 241 (the respondent had allowed the farm, including its fields, to be mismanaged), 269 (the respondent ought to return grain before he could squander it).
redeeming of land.28 The matter was ongoing since the current tenant, Lars’
brother-in-law Johan Johansson, had appealed this decision. But Lars feared
possible damage since Johan ‘has almost ruined the forest through
woodcutting and the establishment of charcoal pits’.29 Lars now wanted the
governor to forbid his brother-in-law from using the forest on pain of a fine
until the court process was resolved. The GAV approved his request, but this
did not deter Johan. A few months later, Lars re-iterated his claim and
recounted that the forest was destroyed, causing Lars irreversible damage.30

Johan’s failure to properly care for the forest had caused Lars personal
damage, which he wanted to minimise by the GAV’s interim measure. He
certainly had an interest in keeping the forest free from intrusion. He also
pointed out how such a mishandling would lead to the Crown’s tithe iron being
unpaid (and thus lead to public losses). The mismanagement of the forest
concerned both Lars and the state.

This argument tapped into broader concerns over the country’s forests that
were widespread among the ruling group in the early modern period. Forests
were necessary for producing iron, an important export that also provided the
military with weapons.31 If depleted, it would hamper this production. The
worry over forest depletion was apparent in Governor Friesendorff’s reports
to the Diet. He was perhaps less sceptical about the supposedly bad conditions
of the forests than many of his peers since he noted how this worry was old,
but the lack had never materialised. However, he did express concern about
overusing the forests more than they could replenish themselves. In Västman-
land, Friesendorff noted, this risk existed because the ironworks’ need for coal
gave the peasantry incitements to sell more coal than the forests could
withstand.32 By highlighting the risk of his forest becoming ruined by the over-
indulgent production of charcoal, Lars appealed to this general worry.

The need for sustenance also turned up here. Lars stated that Johan’s
treatment of the forest led to one not being ‘able to feed oneself or keep one’s
business on the property’. Towards the end of the supplication he pleaded that
the Governor would grant the prohibition, so that he who ‘has suffered quite
extensively from his [Johan’s] careless and destructive oeconomy, will not

28 To redeem land (lösa) meant to acquire inherited land from a relative by paying for it, see
Ågren, Domestic Secrets, 220.
29 1758 Case 320: ‘skogen, med kohlmihlors och Timbers huggande, så anseenligen tilgripit
och snart sagt förderfwat samt utödt’. For forests, which frequently featured in these requests,
see also 1758 Case 362; ULA, LV, Lka I, B II:1, 17580126 (Lars Ersson); ULA, LV, Lka II, B
III a:2, no. 12/214. The same was true of grain and hay, see 1758 Case 268–9; 1803 Case 152.
30 1758 Case 319.
31 For iron exports, see Hallén, Järnets tid, 173.
32 RA, FU, KEKdH, R 3091, Landshövdingen i Västmanlands läns riksdagsrelation 1755, 23–
6 (microfiche S4810 1-2/30).
completely lose my daily bread.’ The statement’s place and religious connotations point to Lars – like Kerstin in the previous section – highlighting his need for sustenance to incite Christian charity and care with the governor.33

Just as efforts on the land could be intertwined with legal prescriptions, petitioners could sometimes have reason to highlight their problems to provide for themselves due to the law. In March 1803, Sara Hansdotter and her husband Lars Larsson petitioned the governor. Other documents in the case reveal how they had transferred the usufruct of their homestead upon their son-in-law. Now, he and his wife – the couple’s daughter Greta – had been sentenced to pay a fine for illegal iron trade, resulting in a sequestration on the homestead’s movable property. Fearing that both movables and real estate would be taken in payment for the fines, Lars and Sara sent in their application to have the sequestration repealed. They pointed out how they – two elderly people – and their other daughter, who was blind, ‘will be put in greatest poverty and misery’ if all property was taken.34

This time, the difficulties to provide came at the beginning of the argumentatio, not by the end of the petition. It was also directly tied to legal stipulations that the couple referenced later. According to the Penalty Act of 1734, property could not be taken for fines if this would cause the homestead to be ruined or cause its inhabitants to go without food or sustenance. Instead, corporeal punishment ought to be handed out.35 Referencing the law, the GAV decided that the case should be taken to court to have the fines transformed to such punishment.

From this and the previous section, we can conclude that there were argumentation similarities in cases that pertained to access to or use of the land or its returns. The GAV’s function as an enforcement agency made it necessary for the petitioners to rely upon documents establishing their right to the property or its returns. Sometimes, this was all that the petitioner deemed necessary; other times, the parties highlighted the efforts made and care taken on the land and their explicit need for the resource for sustenance. There could be several rationales for using arguments of effort and care. First, the notion that the individual’s efforts on the soil should be compensated, for example, by using a share of the land. Second, proper care for the land could be a way to prove how the responsibilities of a householder regarding the land had been fulfilled, thus giving the right to legal notice. Third, care for the land was also a general concern as it could increase the farm’s yields, and conversely, mismanagement could cause economic damage for individuals and state alike.

33 1758 Case 320: ‘ej eller sine födo och näring wid ägendomen hafwa’; ‘på det iag, som af hans flere åhrs wårdzlösa och förderfwerliga huushåldning ganska mycket lidit, icke aldeles måtte blifwa till min timmeliga wälfärd i grun förlorad.’; see also 1758 Case 241 (the respondent ended his response by highlighting his risk of ‘ruin’ and ‘exhaustion’, or ‘förderf och undergång’ and ‘utmattad’).
34 1803 Case 1017: ‘skulle komma i högsta fattigdom och usellhet’.
35 SB1734, 5:8, in Carlén, Sweriges Rikes Lag, 206.
Likewise, the reasons for pointing to the need for sustenance could be multiple, sometimes to incite the governor’s care and other times because of legal stipulations.

7.1.3 Paying for and protesting against purchases

The next two forms of requests were both directly connected to the transfer itself. The first originated in a *failure to pay* and a corresponding claim that the GAV oblige the buyer to do so. The second came from one of the parties’ *fraudulent or threatening behaviour* during the purchase, resulting in a protest against the document detailing the purchase. In these petitions, arguments of effort, care and sustenance were less used.

When requesting payment, the petitioners based their claims on the contract in a way similar to the credit cases analysed in Chapter 6, initially presenting a short sales statement according to an attached agreement, which the respondent had not fulfilled. As was mentioned earlier, respondents who refused payment focused on putting doubts on the purchase conditions or the sum itself. While both claims for monetary compensation and claims on the land relied on documents and legal prescriptions, the difference between them was that other arguments were more rare in the former. This difference is illustrated by a case between two brothers, the goldsmith Mathias Dicksell and the farmer Pehr Mattsson. In October 1802, their parents had transferred their homestead to their sons in exchange for life-long care on the condition that Mathias sold his share to his brother. Pehr was to pay half directly and the rest after their father’s death. When Pehr did not pay, Mathias asked the governor to oblige Pehr to do so. If Pehr was unable to, Mathias requested access to the homestead. Since his petition contained both a claim for payment and access to land, we can compare arguments relating to the two different claims.

Pehr responded, not denying his responsibility to pay, but maintained that the time for payment had not yet expired since his brother had given him more time to pay. His arguments relating to payment were only concerned with the conditions of the brothers’ agreement and based on legal tenets, ending with a plea that the case be referred to court if Mathias denied giving him more time and how he ought to be punished according to law for approaching the

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36 See, for example, 1758 Case 92, 235; 1803 Case 79, 109; 1838 Case 1133, 1187; 1880 Case 72, 207. These at times had a statement of having reminded the debtor or not being able to receive willing payment (Section 6.2).

37 When a respondent refused payment, the petitioner of course could comment on the response. The arguments deployed were primarily based on law or questions of proof. For example, the respondent had not complained over the purchase in the regulated time (1758 Case 92, 191; 1803 Case 666), the respondent’s counterclaim ought not not be deducted (1803 Case 463, 888), the respondent’s claim that the contract was misspelt was wrong and unproven (1803 Case 583), the respondents or their scribe ought to be punished according to law (1803 Case 754; 1838 Case 1834) or the petitioner had a clear, undisputed claim and the respondent’s protests were therefore irrelevant to the case (1880 Case 207).
governor before the money was due. However, when disputing Mathias’ claim on the land itself, Pehr immediately turned to care for the land and its importance for sustenance. He stated that his parents would never allow Mathias access unless he were put under guardianship. An enclosed letter from said parents illuminates this cryptic statement. They declared that Mathias – involved in goldsmithing – was unfit to care for the farm and his housekeeping methods were so suspect that if he were allowed to do so, their sustenance would not be secured without a guardian.38

This case was one of few regarding payment when care for land or the need for sustenance were used as arguments.39 Instead, respondents focused on disputing the circumstances of the purchase itself. For example, when lay judge Anders Ersson sold his homestead to Per Ersson and his wife in April 1802, Per failed to pay, prompting Anders to request payment based on their contract. Per countered by claiming that Anders had acted fraudulently because Per had asked him to sign a new contract where he obliged himself to prove that the property was not mortgaged, but Anders refused to do so. The seller’s response was that it was an illegal protest and that Per had not complained about the sales contract within the legally stipulated time of six weeks.40

The law Anders referred to was the Enforcement Act of 1734, which stated that complaints on promissory notes made due to threats, fraud or persuasion had to be made to the court or the GA within six weeks.41 This law caused the fourth and last type of request at the GAV due to transfers of land, namely protests against purchases. Unfortunately, most files in these cases have not been located.42 In the one that have or where we have more information in the registers, the petitioners followed the expression of the law. They maintained that they had been fooled or threatened to the agreement, or that the sellers had taken back their approval to the sale.43

Petitions for payments and protests were not only different from the previous claims in their argumentation; there was also a difference in their

38 1803 Case 627.
39 In one case, the petitioner asked for the governor’s help extracting the money because of his ‘pressing’ (‘tryckande’) circumstances, see 1803 Case 526. In two others, the petitioner mentioned they needed the money, but not for what, see 1803 Case 437, 463. In one case, the respondent refused to pay because he claimed the seller had given faulty information about the land’s yields during the purchase, and the petitioner commented by claiming the respondent’s management of the land had led to the smaller yields, see 1838 Case 1834.
40 1803 Case 666. For the circumstances of the purchase or the information given at the time being questioned, see also 1758 Case 92, 191, 235; 1803 Case 228, 649; 1838 Case 1834; 1839 Case 501.
41 UB1734, 4:3, in Carlén, Sveriges Rikes Lag, 215.
42 According to the registers, the protests were entered into the GAV’s minutes. It is therefore possible the petitions themselves were thrown away after that.
43 1838 Case 98. ULA, LV, Lka I, B II:15, no. 110 (Jan.), 305, 366, 1181. For a similar case, but where the petitioner asked that the contract be void because it contravened an ordinance (as opposed the protest being based on the rule in the Enforcement Act), see 1839 Case 474.
temporal distribution. It is no coincidence that most examples cited in the earlier sections were from 1758. More than half of petitions for access or prohibitions on land were handed in that year (21 of 37). This pattern was reversed for requests for payments and protests; less than ten per cent came from 1758 (3 of 45). Consequently, over time petitions relating to disputes over the actual land or its returns became less common and disputes over monetary compensation more common.

7.2 Contributions of the office: Claims upon the land due to official benefits and estate privilege

Transfers of property created rights and obligations whose failed fulfilments could lead to petitioning, particularly amongst the peasantry (Chapter 5). For other groups, rights and duties to land were created by having a specific office or belonging to a particular estate. Since land-related rights and obligations emerged from different sources (ownership, usufruct, office, estate), it had consequences for why different people participated in the petitioning process. In some situations, these various connections also impacted what arguments people used. In the petitions and responses analysed in this section, the parties, just as before, highlighted effort, care and need for sustenance. However, since their connection to the land was their office or estate, they also added how this position had contributed to the common good.

7.2.1 Burghers quarrelling over city plots

Land was not only essential in the countryside; it also led to disputes in town. Town land was allotted to its burghers by the city court (magistrat), whose decisions could be appealed to the GAV. In these cases, the GAV acted as a court, determining whether or not the lower court had made a correct allocation. In terms of argumentation, this meant that the parties argued against the backdrop of the city court’s decision, highlighting what they thought was wrong with this decision rather than trying to show what was wrong with the previous use of the resource.

I have found only two burghers with complaints, one in 1758 and one in 1803. However, their contents show how the argumentation in these letters was shaped by the parties’ connections to the land and, thus, how we can understand why certain things were highlighted in some cases but not in

44 For the case references, see p. 266 n. 1.
45 This was how such cases ended up at the GA of Västmanland, but there were regional variations. In Uppsala, the distribution was handled by the burgher elders, which was confirmed by the city court and GA jointly, see Björklund, *Historical Urban Agriculture*, 177.
46 1758 Case 132; 1803 Case 200. Technically, the one in 1803 was handed in in 1802.
others. As in the previous sections, legal prescriptions, care for the land, and the need for sustenance were integral parts of the argument. This means that the nature of the resource (being land) was essential for what petitioners and respondents highlighted. However, since burghership created the right to the land, the person’s position was also integral to the application.

Both cases involved disputes over ‘donated land’ (herråker) in the town of Arboga. The Crown had given the plots to the town, and later these were reserved for burghers.\textsuperscript{47} According to a decision in 1737, if the burgher died, his widow could keep it if she continued the business.\textsuperscript{48} Otherwise, it was supposed to return to the city, and the city court handed it to another burgher upon application. Björklund has noted for Uppsala that considerations over burghership length and individual need for the plot were important.\textsuperscript{49}

Before going into the cases’ justifications, I will briefly describe their circumstances. In 1758, the burgher Nils Lindman appealed the city court’s decision to award a plot of land that he used to another burgher, the skipper Anders Åberg. The court had not awarded Lindman this plot; he had a tenancy contract with the plot’s designated usufructuary, a glassmaker’s widow called Maria Ersdotter Ahlberg. Their contract held that Lindman would become the designated usufructuary after she died. The city court’s involvement commenced when Ahlberg asked them to hand over the plot to Lindman, at which point Lindman (according to his own letters) said he had been informed that Åberg had applied for permission to become the designated usufructuary. The court granted Åberg’s application since the 86-year-old Ahlberg had moved away and no longer kept a business. Since Ahlberg had contracted with Lindman without the court’s knowledge and Lindman already had another plot, her contract with him could not be approved.\textsuperscript{50}

The second case appeared after the death of a tanner in December 1801.\textsuperscript{51} He had bequeathed his house and business to his grandson Johan Eric Silfverling. Upon his death, his plot of donated land reverted to the town for new distribution. Since all applicants – including the grandson Silfverling – were burghers, the court had to decide who of them was most entitled to it. They based their subsequent decision on the burghership length (and, by extension, contributed taxes to the town), but the order among these was shifted due to what previous plots they retained (in other words, their need) and the size of their taxes. When Silfverling did not receive this plot, he appealed the decision to the GAV.

What were Lindman’s and Silfverling’s arguments for keeping these plots? First, both of them pointed to the legalities, highlighting laws and previous court decisions grounded in their burgherly position and contributions. In

\textsuperscript{47} Bergström, \textit{Arboga krōnika}, 38.
\textsuperscript{48} 1803 Case 200.
\textsuperscript{49} Björklund, \textit{Historical Urban Agriculture}, 177.
\textsuperscript{50} 1758 Case 132.
\textsuperscript{51} AD, Arboga stadsförsamling, A I a:5, 263.
Lindman’s case, he highlighted his contributions and position to prove that the court had committed a formal error and to show how long he had been a burgher making fiscal payments. First, he argued that his trade with the widow Ahlberg was legally binding (lagligen tillhandlad). But the court had nevertheless determined the case without hearing him. By not letting him – ‘a subject of the realm and a burgher in Arboga’s community’ – be heard over this matter, which concerned his welfare, the court had acted against legal stipulations in the Procedural Act of 1734. Lindman further argued that he had a stronger entitlement to the land because he had been a burgher for longer than Åberg, a principle that followed from previous decisions made by former governors. The issue of length was tied to how long the individual burgher had contributed to the town. In this respect, Lindman highlighted how he had paid heavy taxes, fulfilled the heavy duty of a transporter (åkare, ‘considered the heaviest of all the burgherly duties’) and been a metre for some time.52

Forty-five years later, the burgherly contribution due to the length of service also figured in the argumentation, this time by Silfverling’s respondent. Silfverling was far from the oldest applying burgher, having had burghership for about four years. The respondent pointed out that by a decision of the King in Council, these plots were for the support of ‘the deserving and longest taxpaying burghers.’ Silfverling’s contributions could not be compared to the opposing party’s 14 years.53

In his application, Silfverling had acknowledged that he was not the oldest serving burgher but maintained that his application followed legal practice based on a previous court decision from 1737. It stipulated that a burgher’s widow or heirs could keep the plot as long as they did not split the property among the heirs, held the same business as the deceased, and paid the same taxes. Silfverling argued that he maintained the same business as his grandfather and had the same workshop, and the taxes he paid could not be compared to the other applicants.

At this moment in his application, Silfverling – according to his own words – turned to justifications outside the law, saying that ‘if other motives than those in stipulated ordinances are necessary in front of such an enlightened court, I could also use arguments to arouse compassion’.54 Silfverling explained how the grandfather’s estate was debt-ridden and, above all, he had two young sisters to support. Here, we again see how arguments about sustenance came towards the end and how their placement can help us

52 1758 Case 132: ‘undersåte i Riket och en Borgare i Arboga samhäldet’; ‘som ibland Borgerskapet, hållas … för then största tunga’.
53 1803 Case 200: ‘till förtjente och de äldst skattdragande Borgarnas understöd.’
54 1803 Case 200: ‘om det behövves inför en så uplyst domstohl andra bewekelsegrunder, än förordningarnas föreskrift skulle jag äfven kunna åberopa dem för at wäcka medömkan’. This was actually the petition Silfverling had handed in to the city court, but in his petition to the GAV he explicitly referred to the grounds given in the city court’s minutes (where his petition to the court was repeated word for word).
understand why – it was to play on the heartstrings. Lindman also highlighted sustenance, saying that the little he earned did not suffice to support himself, his wife and many small children in these hard times, and so if the plot were taken from him life would be difficult. His counterparty, Åberg, on the other hand, had a profitable shipping business, no children and was in a better financial situation.

Silfverling’s arguments were limited to his legal position as his grandfather’s heir, his fiscal contributions, and his need for the plot to sustain himself and the siblings. Lindman, on the other hand, entered into a detailed comparison between him and Åberg regarding his use of the property and their respective ability to care for the land as well as highlighting his own efforts. He stated that he had invested time and money in the plot, and to lose it before getting any returns would cause him damage. His previous experience with agriculture also made him the best suited to care for the field. He was used to farming from his youth and could do it himself, unlike Åberg, who would have to use other people for the job. In addition, Åberg had proved himself a less than suitable manager of the fields because his improper care had ruined one of the fields. Such land management was, according to Lindman, to the detriment of ‘both individual people and the common good’.55

As these burgher disputes show, arguments in the petitioning process were shaped by the nature of the resource, but also by the petitioner’s and respondent’s connection to it – and, by extension, to their position. Land was a precious asset, important for sustenance and therefore had to be cared for. These were justifications both in petitions preceded by a transfer and by a plot becoming available in the towns (which was also a form of transfer). However, in the first case – the petitioner’s connection to the land was created through ownership and usufruct, whereas in the latter, the petitioner’s position formed the connection. Therefore, the burghers used arguments of care and sustenance and how they had contributed to the common welfare of the town through their specific position. And as we saw in Lindman’s case, a burgher could also frame his personal problem as something of general concern.

7.2.2 Widows and officials petitioning following office transitions

Land rights could come from having an allotted residence as part of the salary (Chapter 5). In disputes over the land itself, we see similar build-ups as in the burgher’s appeals. Arguments relating to the resource – in the form of efforts, care, and sustenance – were given, as were its connection to the office.56

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55 1758 Case 132: ‘det enskylta som allmänna’. In Uppsala, mismanagement of land could jeopardise the right to the land, see Björklund, Historical Urban Agriculture, 180–1.
56 For surviving disputes about the land itself, see 1758 Case 62 (between a rector and a chaplain), 272 (between a mayor’s widow and the city court), 401 (between a bailiff’s widow
When the civil servant died, their widows would inevitably lose the right to the farm. However, some fought to retain this right for a time. Since the land had been awarded to the deceased husbands as salaries, it was essential that they had received the full benefit of their office. Here, the question of infringement on someone else’s benefit was paramount, because the widow’s request clashed with the successor’s right to it. Therefore, the argumentation in terms of land connected to office concentrated on showing how the widow had not fully enjoyed the benefit during the husband’s lifetime and that further use would not infringe upon the successors’ right.

For example, in 1758, Helena Bergström, the widow of a bailiff, asked to retain their residence. At the beginning of her petition, she made sure to highlight how she and her children would become homeless and put in dire straits without the residence, appealing to the governor’s ‘known tenderness towards widows and the fatherless’. She further argued that her husband had spent money and effort converting it into proper living quarters befitting persons of rank and making the arable land useable again. The nature of her husband’s activities varied. He had had considerable costs for enclosures, buying and bringing manure from town, constructing new ditches, clearing the meadow, and going to trial for the access to roads and forests. These costs had led the couple to sustain considerable losses, which their relatively short time at the farm had not made up for. In support of her weak circumstances and in exchange for continued tax payments, Bergström asked to be allowed to stay until she was compensated for her husband’s ‘sweat, efforts and expenses upon the farm’.

Taking pains to show how her retention would not infringe upon the rights of her husband’s successor, Bergström added that he could have the returns from a farm she and her husband had had before moving to the new one. Unsurprisingly, the new bailiff, one Schvan, disagreed. He had offered the widow monetary compensation for the improvements, which she thought was too small. Schvan argued why the widow should be denied her request by highlighting his own connection to the land as an official of the Crown and his official contributions. He was confident that the Governor ‘who has always strived to keep his servants to the rights and benefits their offices endow them’ would listen to his cause. If Bergström was allowed to stay on the farm for longer than her legal notice, he might have to live in a rented house and move from place to place ‘which might cause disarray among the bailiff’s office’s

and his successor); 1839 Case 868 (between a city councillor’s widow and his successor); 1880 Case 385 (between a parish and a schoolteacher’s widow). In all cases but the one in 1880, for which only a short note about how the case was dropped survives, the petitioner’s or the respondent’s right to the land because of their office was underlined.

57 1758 Case 401: ‘widt bekante önhiertanhet emot änkor och faderlösa’; ‘swett, möda och kostnad’. For sustenance, see also 1758 Case 62 (a chaplain who wanted to keep the right to pasture on the rector’s land exclaimed ‘How will I otherwise sustain myself?’, ‘Huru skal jag bärga mig eljest!’).
papers and documents.’ The loss of the farm would also mean that he lacked a substantial part of his office’s benefits, and it would cause him to be unable to fulfil some of his official duties, something he absolutely wanted to do. Finally, Schvan highlighted the widow’s inability to care for the property. He argued that he would be caused double damage because Bergström ‘as a woman of rank does not have the knowledge and experience required to manage a farm’. She would destroy it, and he would have to spend a lot of money to repair the damage. As in credit cases, these direct references to women’s abilities or other gendered aspects were rare.

The GAV was sensitive to the fact that both widow and successor were connected to the land through the office, and they ought both to have their entitled benefits. In a letter to district judge von Wallwik, with a request for an inspection upon the farm to determine the level of improvements, the governor stated that justice required the widow be reimbursed for the buildings and improvements. Before the successor had compensated her, he could not be awarded the residence. But on the other hand, it was fair for the office’s successor to receive his benefit within a certain time. Therefore, the transition of an office could cause two people, usually the widow and the successor, to have claims upon the same land. Given that their right was based on the same connection to the land, it became essential that both parties received their rightful share of the benefit.

The question of fairness was intertwined with arguments of sustenance and care for the land. Like many widows, Bergström stressed she was financially vulnerable. Still, her main argument was that by caring for the farm, her husband had improved its value, entitling her to compensation. But this would take away benefits from Schvan, who would have a more difficult time performing his office, and ultimately it would cause him economic damage because Bergström allegedly did not know how to care for the farm properly.

Receiving a rightful share of official land was the question in a case handled by the GAV in 1838, when Gustafva Sophia Bergmark, the widow of a city councillor (rådman), wanted to keep the plots her husband had retained as salary for his office. Bergmark appealed the city court’s decision about the

58 1758 Case 401: ‘uppsåt altid warit, at bibehålla sine underhafwande Betiente wid the rättigheter och förmoner them wid Sysslorne tillkomma’; ‘hwarigenom torde hånda att Papper och documenter, häradsfogde Contoiret tillhörige, kunde komma uti största oreda och oordning.’; ‘säsom ett fruentimmer icke kan äga så tillräckelig kundskap och erfarenhet, som till ett hemmans skötsel erfordras’. For lack of care for the land, see also 1758 Case 62 (a dispute between a rector and a chaplain, where the chaplain had kept a plot on the rectory’s land for pasture and now the rector wanted to enclose it to use it in a way that ‘improves the residence’, ‘länder till Boställets förbättrande’), 272 (a mayor’s widow appealed the city court’s decision not to let her harvest a plot her husband had retained, and after the city court had expressed a concern that she would not use the manure to improve the plot, she answered that she would be responsible for it in a way that no one suffered).

59 Echoing the concept of meliorations, which means improvements made to property that raises its value, see SAOB, s.v. ‘melioration’.
time she was allowed to keep it. Her husband’s successor, city councillor Hjulström, was sent the appeal for response. Her appeal was not found in the file, but from subsequent letters, it is clear that her main argument was that her husband had become a city councillor in 1825 but had not received access to the plots until several years later, making him lose his benefit for six years. Therefore, Bergmark wanted to keep the land to compensate for lost time. Hjulström disputed this because he disagreed with Bergmark’s time calculations and the proof she presented to back it up. According to him, Bergmark’s husband could only have lost two years of land usage, and as she had already retained those two years, the city court’s decision ought to stand.60 In this case, it was again the question of getting your rightful benefit because of the office. However, Bergmark did not highlight any contributions of the office or her need for sustenance. In fact, by 1838, as will be shown in the next sections, arguments of sustenance in land cases were primarily made by labouring people.

Cases about access to the official residences or plots of land due to offices were mostly initiated by or made against the widows. Disputes between the male predecessor and his successor did occur, but they involved monetary remuneration. Regulations required the predecessor to leave the farm in the same state as he had received it – again pointing to the importance of receiving equal benefits. For this purpose, an inspection was held upon transition to determine the value of the possible remuneration. When the obliged party did not pay, petitions were handed in to the GAV to compel him to do so. These petitions for payment were similar to the requests for other payments. They were based on documents (the inspection minutes).61 The respondent’s argumentation focused on putting the inspection itself into question, or if someone other than the official had kept the property, on the circumstances of the contract.62

Therefore, there was a gendered difference between why men and women among civil servants and military officials had recourse to turn to the GAV. The men were primarily involved in requests for monetary remuneration due to improvement (or lack thereof), while women were involved in requests to retain the land itself as well as in monetary cases. However, gender did not play a crucial part in how they argued. Most of these cases were from the two first years of the period, where widows of officials (like other widows) could highlight their vulnerable situations, but they also used the same arguments of

60 1839 Case 868.
61 1758 Case 103; 1803 Case 1020; see also 1803 Case 647 (a case about the same thing but handed in by a newly appointed rector). In one case concerning a chaplain, the petitioner referred to the inspection but did not append its minutes, see 1803 Case 414.
62 For the inspection, see 1803 Case 1020; for the contract, see 1758 Case 103. In this case, the petitioner also stressed the money was needed for essentials for the residence. In one other case, made against a predecessor’s widow, she admitted the debt but said that she could not pay it due to her meagre circumstances, see 1803 Case 414.
sustenance, effort, and care as others who wanted access to land. However, in the one case found from 1838, the widow did not highlight a vulnerable situation or make any references to need for sustenance. Although it is only one case, it is in line with my findings regarding credit cases (Chapter 6), where certain arguments vanished or were less used as the nineteenth century progressed.

7.2.3 Soldiers and their spouses protecting their long-term sustenance

As we have seen, among civil servants petitioning over land connected to their office, women turned up when they were widowed, to protect their rights to the official residence. Among soldiers, we find both widows and wives who acted to protect their right to the soldier’s croft or were subjected to requests from others. It is reasonable that this difference had to do with the different conditions of the offices. Civil servants in the eighteenth century could not be separated from their office except due to committed crimes, and thus they could keep their office their whole life. Soldiers, on the other hand, had to be fit for battle. Thus, their discharge more often happened while they were still alive. For civil servants, such an office transition would have occurred either upon promotion or death. Therefore, they – as opposed to soldiers – would not have had any reason to petition to remain on their residence, but the officials’ widows surely had.

Upon recruitment, the soldier was typically paid a salary (including a croft) by the rote (the group of farm owners or usufructuaries who recruited him). Therefore, any claims to the plots of land were made against the rote rather than against the predecessor. The lengths these soldiers and their spouses went to for their crofts, despite petitioning being costly, shows that it was a crucial resource for their sustenance. These were labouring men and women with small margins to make ends meet, and when one source of income disappeared, it would likely threaten their ability to sustain themselves severely. The petitions handed in from the rote or croft owners with requests to make them leave also testify how they stayed on the croft without the owners’ permission.

In 1758 and 1803, the requests put to the GAV were for permissions to remain on the croft for some time. We find familiar arguments: legislation, needing the land for sustenance, remuneration for efforts on the land, and

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63 For widows, see 1758 Case 250, 300; 1839 Case 378. For wives, see 1838 Case 40, 94. There was a similar case where a forester turned servant in the military supply contingent (‘trossdräng’) and his wife asked for permission for the wife to stay on the croft while he was away on campaign, see 1758 Case 308.

64 For the crimes, see Cavallin, I kungens och folkets tjänst, 119–24.

65 1803 Case 647; 1838 Case 94; 1880 Case 422; ULA, LV, Lka I, B II:1, 17580511 (Rote no. 83), no. 227.
office contributions. However, in terms of efforts, there was a difference between this group on the one hand and the officials (and, to an extent, the peasantry) on the other. While the latter pointed out monetary efforts and farm management, soldiers and their widows were more prone to highlight their work in the fields. This difference is likely due to socioeconomic status since they would have worked on the plots themselves, while other groups would have had help from servants.

As I found in the cases originating in transfers, the effort put on the land was also an argument intertwined with legislation when it came to soldiers. According to a royal ordinance from 1748, a discharged soldier or a soldier’s widow had a right to stay on the croft for a limited time related to planting periods. If the soldier was discharged or died after Annunciation Day (Wårfrudagen) they could stay on the croft until Michaelmas (Michelsmässotiden) ‘and receive that year’s grain’. If the discharge/death happened after Michaelmas, they could stay until the middle of Easter Lent (Midfasta), but the successor had to compensate them for autumn seeds (utsäde) and its related work. Thus, the law directly connected the right to the croft with the work put into the land. If the soldier died or were discharged after starting the year’s spring work upon the fields, he or his widow would also be allowed to reap its returns. In the other situation, they were to be compensated for work done in the autumn.

Some petitioners therefore pointed out their agricultural contributions. For example, after her husband’s death in December 1757, Margta Andersdotter petitioned in April 1758. Her husband’s demise after Michaelmas entitled her to keep the croft until the middle of Lent, which had already passed. Margta recounted how the members of her rote immediately wanted to drive her from the croft without any remuneration for the seeds she had sown last autumn and her work on the fields. Therefore, she, ‘poor and defenceless soldier’s woman’, asked to be retained on the croft until Michaelmas. She did not mention the legislation, but her reference to autumn seeds and work aligned with its contents. Her statements can thus be interpreted as saying that since she was not given the legally stipulated remuneration for her seeds and work, she asked for reimbursement by staying on the croft.

Another widow, Anna Larsdotter, also highlighted sowing and seeds but referenced other legal constructions. When her husband died in 1757, Anna petitioned in January 1758 to stay on the croft. She recounted how her husband’s position had been reappointed, and his successor wanted to drive her from the croft on March 14 and take away the grain that her husband ‘had

66 Resolution på Allmogens Beswär (21 Jan. 1748), art. 69, in Modée, Utdrag, iv. 2565: ‘och til godo niuta det årets gröda’.
67 Easter Sunday was 26 March in 1758 (https://www.slaktingar.se/historisk-kalender/1758).
68 1758 Case 300: ‘fattiga och wärnlösa Soldate qwinna’; see also 1758 Case 109, when the petitioning soldier cited the article in the 1748 ordinance as a reason why he should have access to the croft.
sown himself that autumn’. Anna maintained that this date was before she had assumed it would happen, leaving her without time to find new housing for herself and her small child. She therefore asked the governor to let her enjoy ‘the same benefit as all keepers of official residences to reap my autumn crops and legal notice’. According to the rules on legal notice – which again were not explicitly mentioned – a person who was given notice before St Thomas Day (Tomasmässo, in December) had the right to remain on the farm for more than a year, until 14 March on the second year. For keepers of official residences, the person was considered to have been given notice on the day he died. Anna made sure to point out how her husband had died before St Thomas Mass 1757. According to the legislation, this would therefore entitle her to stay until 14 March 1759.

Previous research has highlighted how the peasantry made frequent use of legislation when arguing for their cause. These cases show that labouring people also did, sometimes implicitly other times explicitly. We cannot know who came up with what arguments, but Margta’s petition was written by sheriff Eric Garman, who likely had relatively extensive practical knowledge of the law. The handwriting suggests that Anna’s petition also had a scribe. These soldiers and their widows thus had access to people who knew how to formulate letters with advanced and varied legal argumentation.

But these petitioner also used other arguments, based on their position and circumstances. They pointed out how they were soldiers, soldier’s widows, or, like Margta, soldier’s women. This might seem like remarks in passing, but I would argue it was a way to highlight their contribution to the state. Since the cases concerned retention of or access to a soldier’s croft, showing their connection to it was essential. Margta and Anna did not stop there; they also mentioned how long their husbands had served. By pointing out their service, they reminded the governor how their husbands had contributed to the Crown. For soldiers and civil servants alike, their contribution through their office served as a justification to keep their benefits.

Just as peasants, burghers and civil servants, the soldiers and their spouses enunciated arguments of sustenance. For these labouring people, retaining the

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69 1758 Case 250: ‘som min man sielf sådde förleden höstas’; ‘samma förmån, som andra Bostälstinnehafware, att få niuta mitt höstsaed och fardag’. In rural areas, 14 March was the traditional day on which usufructuary contracts began and ended (lagafardag).
70 JB1734, 16:5, in Carlén, Sveriges Rikes Lag, 63–4; Kongl. Maj:ts förmväde husesyns och Boställs-Ordning för de indefel Regementerne til häst och fot, section II, art. 25, in Modée, Utdrag, v. 3349. It is not certain the ordinance would have been applicable, since it concerned farms and official residences, not soldiers’ crofts.
72 For example, sheriffs often acted as prosecutors in court, see Frohnert, Kronans skatter, 159. Garman might also have been a deputy bailiff, see 1758 Case 104; ULA, LV, Lka I, B II:1, 17580316 (Isak Ekman); AD, Björskog församling, AI:5, 229.
73 For specific mentions of time in service, see 1758 Case 250, 300.
croft was a question of having a roof over one’s head. For example, Anna Larsdotter argued how she would become homeless and ended her petition by saying that if the GAV decided in her favour, she ‘who, in my poverty do not yet know where to shelter with my small child, can ask around for lodgings.’

Similarly, the newly appointed trooper Anders Norman who wanted access to the croft he had a right to, concluded by stating that it was needed, ‘so that if I am ordered to march, my wife and children have house and home.’ A servant in the military supply contingent (trossdräng) pointed out the same, stating that ‘As I will soon leave on campaign, my wife and four small children lack a roof over their heads for the winter.’ Again, these statements came towards the end of the petition or in connection to the petitio, indicating how they ought to incite emotions and remind the governor of his obligation to care for his subordinate inhabitants.

Over time, how soldiers secured their official land benefits during their ongoing service changed character. The single extant file in 1838 indicate that the cases were short, handed in by the soldier’s superior, and simply referred to the his right to benefits according to the soldier contract. The simple, short reference to the contractual relationship was not unique for cases regarding soldiers’ right to land. We found them in debt cases (Chapter 6) and in monetary requests for purchases of land (Section 7.1). Therefore, this development was part of the changes in the petitioning process described in Chapter 2 and connected to the development in legal procedure. As concluded in previous research, legal processes became less dependent on a person’s position and more on documented evidence between the seventeenth and nineteenth centuries. Therefore, it was enough to emphasise the contract to receive enforcement; the applicant did not have to justify why they had turned

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74 1758 Case 250: ‘som än intet wet hwarest jag i min fattigdom med mitt lilla barn skal lända, får höra mig om efter husrum.’

75 1758 Case 109: ‘på det iag i fall någon utcommendering för mig skier måtte hafwa hus och hemwist för hustru och barn.’

76 1758 Case 308: ‘Och som iag nu snart kommer at bortmarschiera, min hustru och 4 små barn eij hafwer någorstädes till winteren sina hufwuden at underluta.’ The petitioner asked that his wife and children be allowed to stay on the croft he had had as a forester, so it was not technically a petition to remain on a soldier croft. However, apart from the sustenance argument, having sown crops on the croft was also mentioned. In addition, the petitioner mentioned he had been driven away from the croft and not given notice.

77 1838 Case 329. See also a note in the official correspondence register from 1803, ‘Lieut. Wirgin, that the peasants of rote no. 102 be obliged to hand over the planted land that their soldier, Klinga, is entitled to after his predecessor, according to his contract’, ULA, LV, Lka I, B I:20, 59: ‘Lieut Wirgin, at rotebönderne för Roten no. 102 måtte åläggas at till sin soldat Klinga, öfwerlemna de enligt contract honom efter dess företrädare tillfallne uppodlingsvretar’. Another case, 1838 Case 1628, about a soldier’s salary was similarly brief.

to the GAV or position themselves in relation to the governor’s patriarchal responsibilities.

Several petitions originating in land connected to an office after 1803 came from discharged soldiers and their widows wanting to stay on the croft or the land of the rote and conversely, requests for their eviction.\(^{79}\) However, these also differed from earlier ones because the petitioner wanted to stay for much longer. The arguments were similar because petitioners still highlighted their efforts upon the land, their previous service, and their need for sustenance. However, arguments of service and sustenance were questioned through two counterarguments: the owner’s right to decide over his own property and the division of responsibility for people who could not provide for themselves.

A case from 1838 can illustrate. The wife of a discharged soldier, Brita Stina Sist, applied to be allowed to stay on the land of her husband’s former rote for an additional year. She based her claim on three familiar arguments. First, the landowner had told her to leave the land, despite having sown rye upon it last fall, thereby highlighting the efforts made upon the land. She also emphasised contributions of the office, indicating how she had lived on Dräggesta outfields as a soldier’s wife for 37 years. She continued by pointing out her precarious situation connected to being without a home, relating how she was old and frail, and when her husband had been condemned to prison for theft last year, all their hard-earned buildings had been sold. Finally, if she was allowed to stay, at least for the year, she could avoid falling on the parish.\(^{80}\)

No one disputed that Brita Stina’s efforts on the land deserved remuneration. The landowner, Olof Pehrsson, wanted the right to harvest the rye, but he would give her back the planted seeds in kind and reimburse her for the work. His guardians, who answered the petition later, went even further, saying that they had no claims on the rye.\(^{81}\) However, none of them accepted that sowing entitled her to keep the land over the year. The guardians stated that the parish ought to take her in, or give her maintenance if she was allowed to stay in her cottage. Olof’s first counterargument was precisely that Brita Stina had nothing on which to base her claim since the couple had been told to leave long ago. In addition, he received no remuneration for her stay since her husband could no longer perform any days’ labour.

While Brita Stina’s arguments were based on her work on the soil, her long residence and service and her inability to provide for herself, Olof’s were grounded in his right to decide over the land (that he owned). For example, he wanted the GAV to give him the right to harvest the rye because she had

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\(^{79}\) 1838 Case 40, 94; 1839 Case 378, 1244; 1880 Case 422; ULA, LV, Lka I, B II:44, no. 126/378. For two further cases from foresters who wanted to remain on their crofts, see 1838 Case 825; ULA, LV, Lka I, B II:44, no. 190/390.

\(^{80}\) 1838 Case 40.

\(^{81}\) It is not revealed why Olof had guardians, since he was of age, see AD, Tortuna församling, AI:10, 18.
planted it without his permission and to his detriment since he had intended to plant other seeds there. He acknowledged her difficult situation by stating that he had been caring (ömmande) and helped her sufficiently by letting her use the potato patch, but she had no rightful claim to that either. Neither could his fair help bring responsibility for her sustenance, as this ought to fall on the parish. At this time, the question of who ought to care for the poor who could not provide for themselves was a hotly debated subject in the Diet, again demonstrating how petitioners and respondents connected their arguments to current political issues.  

Now, the GAV asked for the parish’s opinion, who denied taking Brita Stina in. They argued that the parish council had decided in 1837 that each rote was responsible for their own people, which they claimed also followed the Royal Ordinance of 1788 about landowners’ responsibilities for inhabitants on their land. They also maintained, although any such letter is not to be found in the file, that the rote had previously acknowledged that Brita Stina, who since her youth and during two marriages had spent her time and energy in its service and work, would keep the small land and her cottage.

Brita Stina’s claim, based on her work, contributions, and dire situation, as well as the parish’s viewpoint that landowners and rotar ought to be responsible for those who served them, thus went against Olof’s right to do what he wished with his property and his argument that she ought to be cared for by the parish. Almost exactly the same arguments were used in another case this year, putting long service and need for sustenance against the landowner’s ownership rights. In October 1838, Lars Gertz argued he had served the Crown as a soldier for 21 years but was discharged due to illness. This made it fair for him to ask to stay at his soldier’s cottage during his lifetime. Later, in his comments on the landowner’s response, Gertz acknowledged that this was not an unconditional obligation for the owner, but he thought it was fair because of his long service. Just as Brita Stina, Gertz highlighted how he was in dire strait with a sick wife and how he would have to turn to the parish for maintenance when he no longer had the strength to work if the case were not decided in his favour.

The landowner, Earl and General Carl Ridderstolpe, sent back a harshly worded reply that contained similar objections to the previous case. He remarked that he was astonished to be subject to such an unjust demand since the discharged soldier had no contract that gave him any claim to housing on Ridderstolpe’s property. It was insolence; such a request could not be considered by any authority ‘as long as law and ownership rights exist in the country’. Ridderstolpe continued that Gertz had not fulfilled his duties as a

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82 For the debates, see Salomonsson & Spross, Försörjningens förändrade former, 66–76.
83 It is possible the letter the parish referred to was from Olof’s guardians, since that arrived together with the parish’s response; however, if so, they took freedoms in their interpretation. The guardians allowed for the possibility that Brita might stay in her cottage, in which case the parish ought to maintain her; they did not explicitly say they agreed she could have the land.
soldier and had without permission let the cottage to an old woman who managed an illegal tavern and exposed it to fire hazard. This neglect had made Gertz unworthy of any help. Ridderstolpe ‘being a soldier myself, otherwise with heartfelt satisfaction exercise towards worthy comrades of all ranks’.84

Like Olof Pehrsson, Ridderstolpe’s arguments showed his view that his ownership of the land ought to give him the right to decide who was to live there. They both acknowledged that soldiers and soldier’s widows might be deserving of help, but they had no legal right to stay. As Aronsson has concluded, there seems to have been a view among the labouring people that they could, after long service, customarily demand to stay on the land, but this clashed against the legal rights of the owners.85 What we see here, is how notions of individual ownership rights, from the point of view of the landowners, took precedence over the paternal responsibilities of the master in return for long service.

The argumentation was different when the soldier or widow had a contract to base their claims for a longer stay on. From the petitioner’s perspective, the right stipulated in the contract was now brought forward as the first argument, and consequently, the respondents focused on disputing its validity. For example, when Stina Larsdotter, widow of the soldier Anders Holm, asked to retain the soldier’s cottage and plots of land, she started by referencing her contract. In their responses, members of the rote all questioned the contract. First, the current usufructuaries of the farms on which land the cottage lay claimed that the agreement was not valid because it had not been signed by the landowner. Second, they maintained that as Holm’s second wife she was not encompassed by the agreement as the land was, according to the contract, only promised to Holm himself. Another respondent added that the contract had been made in Holm’s first marriage, for him and his then wife; it did not stretch to the second wife’s lifetime.

Only when the contract was disputed did Stina and her scribe point to other arguments. Towards the end of her second letter, after leaving her comments in regards to the contract, she noted that it was up to the GAV to decide whether she, as a widow with an unsupported child, ought to be encompassed by the contract. It seemed harsh to take away her land, which would cause her to depend on organised charity (allmänna välgörenheten). Apparently, Stina and her scribe still thought that such an argumentation might be helpful, but it did not carry the same weight as the contract. The GAV did not take any note

84 1839 Case 1244: ‘så länge Lag och ägande Rätt i landet finnas’; ‘sielf soldat – eljest med innerlig tillfriställelse utöfvar emot värdige Camrater i alla Grader’.
85 Aronsson, Bönder gör politik, 295 has multiple examples of occasions when such demands failed; see also Johnsson, Vårt fredliga samhälle, 220. In the Servant Act of 1833, there was one such stipulation of how a master was responsible for the sustenance of servants who had served them continuously since their thirtieth year until they could no longer work, see SOT, Kongl. Maj:ts Förnyade Nådiga Lego-Stadga för husbönder och Tjenstehjon (23 Nov. 1833), art II (7).
of her call for help due to difficulties to provide for herself. It simply decided that the contract was valid although the landowner had not signed, because it had not been protested against and there was no other agreement. However, the GAV concluded, it could not be interpreted as encompassing Stina, and therefore her application was denied.86

Similarly, in June 1880, Johan Petter Broström’s rote asked for his eviction after his discharge since he had lived in his croft for more than a year without permission. The members of the rote simply stated that it was a soldier’s croft, and they needed it for the new soldier. Broström contested it, referencing a contract that said that if he served for more than nine years, he and his wife would be allowed to stay on for the duration of their lives. According to an appended certificate, he had served 15 years. He seems to have anticipated that it would be disputed because he acknowledged that all the rote’s members had not signed it. Nevertheless, he maintained it had been contracted for the whole rote whose members had all benefited from his long service. The respondents did indeed hold that the contract could not be valid for precisely that reason. In addition, the croft was placed upon lands that belonged to a member that had not signed the agreement. Therefore, it could not be the basis for any right to remain there.87

In the soldiers’ petitions and responses, we find arguments that efforts on the land were supposed to be reimbursed, which again was intertwined with stipulations in the legislation. Soldiers maintained the land’s importance for their support and pointed to their contributions through their office. However, some changes over time are visible. While arguments of sustenance and contribution continued to be made, they became contested and seemed to lose their weight. In the one decision available in the files, the GAV did not mention it at all. Opposing parties claimed that they – as owners – had a right to manage their property as they chose and that their responsibility for a person’s sustenance did not stretch beyond the service. Instead, this responsibility ought to fall on the parish. While work on the soil did give the right to remuneration, it did not confer a right to the land itself. In addition, whenever there was a contract available, it formed the backbone of the bases for the claims for both applicant, respondent and, from what we can tell, the GAV.

In summary, burghers, officials, and soldiers all had claims upon land because of their positions. Here, the military allotment system and the way that towns distributed land played an essential role. The state’s decision to pay officials and soldiers in kind by providing them with land also led these same people to protect and claim these rights. When doing so, they all used similar arguments: work or investments on the land, having served the Crown or community and needing it for their sustenance. Such arguments therefore

86 1839 Case 378.
87 1880 Case 422.
spanned over socioeconomic status, even though there were differences in exact details. Over time, arguments based on sustenance and contributions continued to be made, but almost exclusively by soldiers. However, such arguments also seems to have lost their impact and even their validity.

7.3 Fulfilling the obligation of the contract: Land claims due to usufructuary relationships

Usufructuary connections to the soil led to petitioning when the owner wanted help with rents or evictions and when the tenant/crofter wanted to remain on the property. These relationships were often set down in contracts, making the argumentation centre on the document. However, as in previous sections, arguments tied to the resource itself were also prominent. These cases involved leaseholders (arrendador) on official residences, tenants on farms and on smaller units, such as crofts and cottages. In other words, they involved a broad palette of people who had different obligations to the owner of the land. Crofters and cottagers could be required to perform days’ labour and they were in a subordinate relationship to the landowner or user in a way the leaseholder or tenant on a farm (with the exception of peasants on nobility land, frälsebonde) was not. However, as we shall see, although there were differences in how they argued, there were also similarities in that both deployed legal arguments and based their rights on contracts.

7.3.1 Asking for rents and other obligations

These requests were normally based on documents (contracts, promissory notes, and bills), stipulating the tenant’s obligations. In line with the development in other debt cases (Chapter 6), the applications were short and grew

88 I have categorised 122 cases as arising in usufructuary relationships, of which 76 concerned rents or other similar obligations, 33 evictions, and 10 applications for the tenant to remain at the property (9 made by the tenant and 1 by the owner). The remaining 3 were a request to hold an inspection, a request to receive an inspection document, and a debt case regarding a fee, see 1803 Case 393, 623. ULA, LV, Lka I, B II:1, no. 92.

89 By tenants I mean people who had some form of usufructuary relationship with the farm or the smaller unit. While it was normally clear whether the case involved crofters or tenants on farms, I rarely know from the case itself if a peasant tenant was on Crown land (kronobonde) or on the nobility’s land (frälsebonde) – though it is my impression a large number of usufructuaries in the cases actually rented land from freehold peasants (skattebönader) or from civil servants.

90 Lagerqvist, ‘När torp slutade vara torp’, 193–4. As Lagerqvist notes, however, the variations in this tenancy form were great and the level of subordination could vary too.

91 For example, see 1758 Case 42, 86, 266; 1803 Case 500, 753, 916; 1838 Case 694, 782; 1839 Case 827; 1880 Case 93, 107, 196.
shorter with time. When they were disputed, the respondents focused on arguing for breaches of contract, similar to cases about payment for transfers. For example, when cavalry captain Eric Wilhelm Swedenstierna, through his proxy, asked that captain’s widow Christina Johanna Wangel pay her rents for Brunna that Swedenstierna had sublet to Wangel, she responded to his claim. Wangel did not dispute the tenancy contract existed, but his claim for rent was not of the clear and undisputed character that the GAV could determine it. Shortly after Wangel had taken up residence at Brunna, it – as an official residence (boställe) – had been transferred to another officer. Upon entering the agreement, Swedenstierna had assured her that she would still keep her contract for two more years in the event of such a transfer. Despite his promise, Wangel had been given notice and was forced to leave the property ahead of time. Reacting to this, she sued Swedenstierna for damages caused by the early departure. When the case reached the GAV, she claimed that the rents were no longer undisputed due to her counterclaim, and she denied to pay until the court had decided upon the matter.

Just as remuneration for work on the soil could be intertwined with legislation, it could also be connected to the tenancy contracts. Therefore, we sometimes find such arguments in these cases as well. In 1757, quartermaster Olof Croning had to make quick preparations for his departure for Pomerania. He rented out his residence to Johan Söderström. A year later, it was to pass to Croning’s successor, and Söderström was to leave. Croning held that Söderström owed him money for lack of repairs and other contractual obligations. To secure his money, he asked the governor to sequester the yearly grain until Söderström paid. The respondent asked that the sequestration be relaxed. He agreed that he owed Croning a smaller sum, but Croning had refused to accept the money. Söderström emphasised that he had fulfilled his contractual obligations and had cared for the farm to the best of his abilities. If Croning received the fodder and grain he wanted, Söderström’s work on the farm would go unremunerated, which the contract did not support. In other words, Söderström opposed a solution that would mean his work upon the property went unpaid because no such right for Croning was stipulated in their contract.

Sometimes, such remuneration was set down in the contract itself. When lord Mörner petitioned the GAV in April 1838, demanding that his leaseholder, lieutenant Tersmeden, be obliged to pay his rents, Tersmeden denied payment. As usual, he started by pointing to a breach of contract. According to Tersmeden, the owner had permitted several people to live upon

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92 For example, 1758 Case 19, 86; 1803 Case 159, 466; 1838 Case 755, 2345; 1880 Case 217, 295.
93 1803 Case 636. For respondents asking that the case be determined by the court, see also 1839 Case 827 (due to a counterclaim); 1880 Case 93 (due to breach of contract). Some respondents argued the rent had been paid, see 1838 Case 1888, 2348; 1880 Case 271.
94 1758 Case 266.
the farm’s land without giving Tersmeden any rent reduction or other compensation. This action absolved Tersmeden from paying rent until he was compensated. Furthermore, he had improved the farm, for which he had the right to be paid according to the contract. Consequently, Tersmeden denied payment until an inspection of the improvements was held.\textsuperscript{95}

7.3.2 Forcing evictions

Petitioners demanded evictions either concerning a contracted tenant or when someone settled upon the property without permission. In the latter cases, the petition was short, simply stating that the respondent had moved in or stayed without permission.\textsuperscript{96} Occasionally, other reasons were added, showing how arguments were connected to broader and current societal topics. For example, in March 1838, leaseholder Westberg asked the GAV for Pehr Pehrsson’s and his wife’s eviction from a croft on the outfields of his leased farm.\textsuperscript{97} After recounting how the respondents squatted, he added that his request was justified because the couple had moved from another parish without permission. In nineteenth-century Sweden, people were not free to move between parishes as they wished. Moving required authorisation and was tightly tied to both the state’s demand that everyone who did not have a trade or business were required to enter into legal service with a master (\textit{tjänstetvånget, laga försvar}) and concerns about who was responsible for poor and masterless people. The parish could according to law, in certain circumstances, refuse a person permission to move there.\textsuperscript{98} Therefore, Westberg’s remark resonated with the state’s desired prevention of people moving about unchecked.

All purported squatters during all four years studied were labouring people, and they responded in various ways. Pehr Pehrsson admitted that he had no right to stay on the property. Still, he asked to be allowed to postpone his move until autumn, ‘since I at present, being miserably poor, lack opportunity to get any other place to live than in my present domicile, with my son, day labourer Carl Pehrsson.’\textsuperscript{99} His description of his dire straits was probably correct since he was exempt from stamp fees due to poverty. Westberg did not accept this, again connecting to the issue of legal service and prohibition to move, arguing

\textsuperscript{95}1838 Case 904.
\textsuperscript{96}For example, 1838 Case 49; 1880 Case 389, 396.
\textsuperscript{97}1838 Case 505.
\textsuperscript{99}1838 Case 505: ‘emedan jag för närvarande såsom utfattig saknar tillfälle att anskaffa mig annan Bostad än den jag nu innehar hos min son Dagmar Carl Persson.’
that Persson and his wife was not registered for tax in the parish and how his poverty did not entitle him to stay with his son, who could not be his master.100

Other respondents instead maintained that they were not squatters; they had a right to stay on the property based on an oral agreement and wanted the case remitted to court.101 When Maja Greta Barkman was faced with an eviction claim by the steward of Gisslarbo ironworks, she said that her current dwelling was repayment for the cottage the ironworks had torn down. Here she and her adult son ‘have lived since, believing us to be entitled to stay since the owners tore down and destroyed my own cottage’. Barkman asked for the case to be referred to the court, so she could call on witnesses to offer evidence.102

When the parties had a written tenancy contract, it – as so often – became the primary focus of the argumentation. For example, in May 1758, Hans Larsson Hägerlind, as the new owner of the usufruct, wanted the previous leaseholder, notary Abraham Gother to be obliged to leave. Hägerlind’s parents had contracted with Gother about last year’s harvest on the homestead. Gother had been given legal notice from his contract but not complied.103

Other times, it was not non-compliance with the notice but a broken tenancy contract that led to petitioning for evictions. For example, when secretary Wretström handed in a petition in 1838 to evict two crofters, he argued they had not paid their rent. Unless they could present security for the rent, Wretström wanted them evicted. One of the crofters answered, with a response that also revolved around the contract. He maintained that he had fulfilled the contract and had paid his dues all other years. This year’s bad harvest had prevented him from doing so, and therefore, he was not to blame for breach of contract.104

From the petitioner’s perspective, eviction claims were justified by the tenant’s breach of contract or failure to heed a legal notice. The requests for eviction obviously caused the respondents distress because they were often contested.105 The strategies upon which the respondents based their protests included contesting the notice and trying to get the case referred to court, as well as maintaining that the contract had been fulfilled, using legal regulations, and arguing that efforts ought to be compensated. For example, in March 1838, J. E. Hörstadius asked the GAV to oblige the crofter Olof Ersson and the widow Christina Ersdotter to move from their crofts Asphällen

100 In law, the parish where the poor had last been registered for tax was where they were supposed to live, see Johnsson, Vårt fredliga samhälle, 109–10.
101 1880 Case 381, 396, 435.
102 1880 Case 405: ‘hvarest jag och min son sedan dess bott, troende oss vara i vår goda rätt att qvarbo, då Bruksegarne nedrifvit och förstört min egen stuga’.
103 1758 Case 162. Sometimes the petitioners’ first argument was that the contract only stipulated a lease for a specific time, see 1758 Case 315; 1838 Case 1215; 1880 Case 421. In other cases the contract’s interpretation became an issue, see, for example, 1758 Case 56.
104 1838 Case 1535; see also 1803 Case 748; 1838 Case 487, 1946.
105 See, for example, 1758 Case 162, 315; 1803 Case 361, 748; 1838 Case 753, 1888; 1880 Case 382, 387.
on March 14. Hörstadius based his claim on three documents: the crofters’ contract, a previous decision from the GAV obliging them to move and a notice certificate. Despite their notice, the crofters continued to harvest grain, which they had been expressly forbidden to do.

The respondents answered with an initial contestation of the notice itself. They admitted that Hörstadius had prohibited them from sowing on Asphäll. Still, sometime later, when they asked him if they ‘could sow, harvest and use Asphäll according to contract and commonality, he answered “yes, you can sow”’. Therefore, no legal notice had been given. They then moved on to describe what they likely perceived as factors that entitled them to stay at Asphäll, namely their own and their ancestor’s long and arduous work upon the property. They described how their forefathers had kept Asphäll for years and years, putting down much work and costs – for example, clearing land and removing many loads of rocks – to be kept on the property in the future. Olof, his wife, and Christina’s late husband had been born there and had spent all their youth and energy on it, just like their ancestors. Therefore, it was not right of Hörstadius to evict them from a place they and their ancestors had improved, kept, and managed, and put all their effort into. After arguing that these contributions ought to be rewarded by allowing them to stay, Olof and Christina emphasised they had done what was expected of them as contracted tenants. They maintained that they had honestly and fairly fulfilled the contents of the contract, even more than they were obliged to. Therefore, it was better if the case was referred to the court, and in any event, they expected to be allowed to reap the grain they had sown.

In terms of usufructuary relationships, the contract often became essential for the petitioners’ and the respondents’ arguments. In these cases, as in several others, we also find people who argued in a way that resonated with wider issues in society. And finally, respondents kept highlighting that the work they put down ought to confer a right to stay on the property or at least to receive remuneration for it.

7.3.3 Being allowed to stay on the property

In nine cases, the tenant handed in a petition requesting to remain on their leased property or plots. Like other land claims, contracts and other agreements were prominent arguments, as were legal constructions, efforts, and

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106 1838 Case 592: ‘om vi framgent skulle få efter Contractet och vanligheten så och fortfarande skörda och begagna Asphälls lägenheter, hvarpå han svarade “ja så ni”’. For responses with legal arguments, see 1758 Case 56; 1880 Case 382. For efforts that ought to be remunerated, see 1838 Case 753. For references to custom and care that ought to confer a right to stay, see 1803 Case 361. For emphasis on having fulfilled the contract, see 1838 Case 487. For referrals to court, see 1803 Case 748; 1838 Case 487; 1880 Case 382.

107 1758 Case 140, 299; 1838 Case 1498, 2022; 1839 Case 124; 1880 Case 387; ULA, LV, Lka I, B II:1, 17580309 (Anna Margareta Strandberg); ULA, LV, Lka I, B II:44, no. 96/372; ULA,
contribution. However, these cases are also good examples of how specific justifications lost their usefulness over time. In August 1758, Nils Jansson supplicated the governor, saying he had contracted with the bookkeeper Hertell and his sister, the maid Catharina Hertell, for the usufruct of the farm Österby. Following the contract, Nils assumed responsibility for the farm as the owner of its usufruct, expecting to receive the agreement in writing. After his initial statement, Nils highlighted how he had seen to the harvest on the farm and fulfilled all duties to the Crown. In other words, Nils emphasised how he had performed his responsibilities as a homesteader by seeing to the farm’s proper care and by paying his taxes. Despite this, Catharina Hertell’s new husband, Olof Arell, had refused him his whole share of the rye and had threatened not to let him sow on the farm this autumn, ‘despite not giving me notice within the legally stipulated time’. With the contract, his contributions, and the law as his arguments, Nils asked the governor to ‘protect my use of … the farm until I receive and enjoy legal notice’, thereby also appealing to the governor’s role as the patriarchal ruler with an obligation to protect (Chapter 2).108

Arell responded, contesting Nils fulfilment of the contract and contributions. Nils had indeed received the agreement in writing, but he had given it back to not have to comply with it. His non-compliance consisted of not giving the trooper’s horse (ryttarhåst) its’ stipulated hay, taking some grain belonging to the owner, and selling hay without permission. Neither had he contributed as he claimed because he had not performed all his days’ labour or fulfilled his coach duty (hållskjuts). Just as the tenant argued that he had fulfilled the contract or contributed by honouring his responsibilities towards the farm and the Crown, the owner maintained his non-compliance.109

While the cases in 1758 primarily dealt with farms and involved petitioners and respondents from the peasantry as well as officials, in 1838 and 1880, labouring people were petitioners in four of six cases.110 Some of these were remarkably similar in their argumentation, with both group-specific and more general arguments. Like many other people, labouring people emphasised written contracts or agreements, laws, and their efforts on the land. However, approaching the mid nineteenth century, other argument strategies – pleading for the governor’s protection, emphasising your official contribution and the need for sustenance – seems to have become specific for this group. In the

LV, Lka II, B V a:2, no. 19/37. In the last case, it is unclear whether the applicant lived on the property.

108 1758 Case 299: ‘änskiönt jag icke i laga tid från hemmansbruket blifvit upsagd’; ‘hugna och beskydda mig wid bruket och nyttiandet … af hemmanet så länge, till dess jag lagl. derifrån warder upsagd och således niuta laga fardag till godo’.

109 See also 1758 Case 140.

110 1838 Case 1498, 2022; 1839 Case 124; ULA, LV, Lka II, B V a:2, no. 19/37.
following text, I will analyse two of these cases together – going through all of these argumentative strategies in turn.\footnote{For similar arguments made in a different case, see 1839 Case 124.}

In June 1838, Brita Johanna Jansdotter, who we have met before, asked the GAV to expel the owner of Östanbro upon whose land she lived from a plot that she used.\footnote{In her first application, she asked the GA to expel the owner. However, he responded by claiming she should be evicted, and so, in her comments, Brita Johanna asked to be allowed to remain on the property.}

To properly understand her application and the arguments she – and her scribe – chose to use, it is important to contextualise who she and her helper were. Brita Johanna, who was 56, had been widowed twice and had a 14-year-old son living at home. She had resided upon Östanbro outfields for a long time.\footnote{1838 Case 1498; AD, Björksta församling, AI:9, 186; AI:11, 198.} Her socioeconomic status and being a widow responsible for an underage child explain why her letter did not start by referencing contracts (although some form of agreement seems to have existed) but by emphasising her position. Her application began:

Since I, an old, feeble, poor, and crippled widow, whose first husband for many years served the Crown as a grenadier and the second as local constable, already for 23 years have been in undisturbed possession of my small cottage and plot upon Östanbro’s outfields in the parish of Björksta…\footnote{1838 Case 1498: ‘Sedan jag, som är en gammal orklös fattig och ofärdig Enka, hvilkens första man uti många år tjenat Kongl Maj:t och Kronan som Grenadier och den sednare såsom Fjerdingsman, redan öfver 23 år setat i oquald besittning af min lilla Backstufvu koja och Täppa på Östanbro bys ägor uti Björksta socken’.
\footnote{1838 Case 1498: ‘en fattig värnlös Enka’.}

This first paragraph of her petition combined three arguments. First, it was an appeal to the medieval and early modern notion of the governor’s paternal role as the father of his people with a Christian responsibility to care for and protect them. Towards the end of her petition this was repeated when she claimed that the owner had treated her, ‘a poor, defenceless widow’ both cruelly and mercilessly.\footnote{1838 Case 1498: ‘en fattig värnlös Enka’.} Second, she highlighted her husbands’ official contributions to the Crown by their long service. Third, she raised a legal argument connected to the fact that she had resided a long time on the property without anyone protesting against it (to which I will return later).

The second applicant, the soldier Pehr Ek, made similar references in his petition from August 1838, written by an unknown person by the name of Carl Ericsson. He commenced by referencing his long stay on the plot that he now wanted to protect. He stated that in 1812, he had fenced a small plot on Näsby outfields and possessed it for 26 years until the landowner had taken it from him this spring. In Ek’s plea by the end of the petition, he used the same rhetorical elements of protection:

\footnote{1838 Case 1498; AD, Björksta församling, AI:9, 186; AI:11, 198.}
in my need, I therefore in the most profound humility, have to turn to the Baron and Governor for protection so that Pehr Ersson [the owner] is not allowed any more than seeds from the plot…116

Like Brita Johanna, Ek also made sure to maintain how he had served as a soldier. In his plea, Ek went on asking to be permitted to:

harvest its [the plot’s] grain since I have put so much cost into it and keep it during the rest of my and my wife’s lives without remuneration since I have honestly and faithfully served His Majesty and the Crown for this village during thirty-one years and still serves No. 39 Västerås Company.117

The argument of official contributions, which I have only found among labouring people at this time, did not hold sway with the respondents, as they maintained it did not confer any right to stay or use the land.118 In Brita Johanna’s case, the landowner contrasted this purported contribution with his ownership and subsequent right to decide over the property, stating that her husband’s previous offices did not entitle her to live one his property. If she were, he would not be able to use it and others with the same office would not hesitate to make use the same rights. He continued:

I cannot imagine that I – upon my legally owned freehold land can be obliged to accept widows and children of such persons, who have not served the farm, I pay taxes for it and am therefore entitled to decide myself who can live there and what they ought to pay for it.119

Similarly, Ek’s counterparty lifted his ownership, maintaining that the potato patch Ek wanted had always belonged to the farm he now owned. Ek’s right to stay had only been a favour of the previous owner. His service as a soldier had no bearing on the issue since he had not been a soldier for the farm.

These two cases illustrate how both Brita Johanna and Ek requested the governor’s protection, and, in a similar way to the soldier’s in Section 7.2.3.,

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116 1838 Case 2022: ‘jag är Därföre föranlåten uti min nöd vända mig till Högvälbdne Herr Baron och Landshöfdingen uti aldra Djupaste ödmjukhet om skydd att nämde Pehr Ersson icke berättigas till mera än utsäde af nämde Täppa’.
118 For others who highlighted their contributions of their office in land cases, see 1758 Case 132 (a burgher), 401 (a bailiff); 1803 Case 200 (a burgher). In 1838, there was at least one case where a petitioner and a respondent from another socioeconomic background (a city councillor and a widow) could have highlighted such contributions since the right to the land directly pertained to the office, but they did not, see 1839 Case 868.
119 1758 Case 1498: ‘Jag kan icke föreställa mig det jag – på min lagligen ägande Skattejord skall kunna tillförbindas emottagna Enkor och barn efter sådane personer, som icke enskildt för hemmanet tjenat, jag skatta för densamma och äger således rättighet att sjelf bestämma hvilka personer som der få bo och avgiften derföre.’
argued that their long service brought with it an expectation to be cared for. As we saw in Chapter 2, by 1838 appeals to the governor’s protection and care were made almost exclusively by labouring people. As far as the extant cases allow us to determine, in land cases from 1838, the same seems to have happened with emphasising your contributions through an official position. These ‘older’ strategies – older in the sense that they were more widely used in previous years – thus remained the longest with labouring people. This was not connected to having less qualified help (who perhaps did not know the best arguments), since Brita Johanna was aided by a neighbouring bailiff who would have been well versed in law, petition crafting and known viable arguments. Despite an increased focus on argumentation pertaining to the contract and documents, these strategies still seemed relevant for some socio-economic groups.\(^ {120}\)

Brita Johanna and Ek also emphasised their need for the plots to provide for themselves, again an argument used mainly by labouring people at this time.\(^ {121}\) Their respondents did not seem to think it important because they did not respond to it at all. Ek expressed how he had thought that he could now, in old age, reap the fruits from his previous efforts by getting to keep the land. Similarly, Brita Johanna said that from her plot, she had ‘hoped that I, during the rest of my life, would find a scant and necessary provision for myself and my underage son.’\(^ {122}\)

However, Brita Johanna’s and Ek’s arguments were not limited to protection, long service, and sustenance. They also used arguments more commonly deployed and acknowledged by other groups – remuneration for efforts on the land and legal stipulations. With the permission of a previous landowner, Brita Johanna and her husbands had cleared some small potato patches and field plots in a previously barren, stony hill and had planted some broadleaf trees. For the plots and patches, she had performed eight yearly days’ labour to the current owner. Now, he had intruded on the place, where she and her husbands had put much effort, by letting his cattle graze there, without even offering any remuneration for her costs and work.

Ek expressed himself almost identically, saying how the plot had been taken from him when he was to plant in the spring, despite him having ditched new ditches and performed other activities and put much cost into it. The other villagers, Ek said, also agreed that he and his wife could keep using it during

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120 Premo, *Enlightenment on Trial*, 119–20 highlights how, in eighteenth-century South America, tenants used arguments of equity against their landlords, but lost out to the other parties’ references to legal precedent based on property rights.

121 For labouring people referring to their sustenance in land cases in 1838, see 1838 Case 40–1, 505, 1498, 1535, 2022; 1839 Case 124. For people from other groups doing so, see 1838 Case 47, 1633 (both peasants).

122 1838 Case 1498: ‘hvarifrån jag hoppades att under min återstående lifstid för mig och en underårig son finna en knapp och nödtorftig lifsnäring.’
their lifetime since he had fenced it and removed a lot of stone. In addition, the local constable, a lay judge, and a farmer in his Ek’s rote had inspected how much cost he had put down to fence the plot, and two other farmers had certified how he had cared for the land. These circumstances showed why he ought not to have to leave since his diligence and efforts had almost doubled the plot’s size. In other words, Ek’s efforts ought to be remunerated by letting him stay.

The respondents did not refute the principle that efforts deserved reimbursement, but they disagreed that it conferred a right to stay. In Brita Johanna’s case, the owner argued that her costs had been readily compensated by allowing her to live there for 23 years, receiving firewood, in exchange for eight days’ labour performed ‘by an old woman’. Ek’s respondent disputed his efforts altogether. Ek retained several plots upon which he had indeed had costs for fencing, but the field in question now had already been fenced when Ek received it.

These petitioners and respondents alike used explicit and implicit references to law. Ek invoked an ordinance from 1780, which was refuted by the respondent, who appealed to other legislation. As the first paragraph of Brita Johanna’s petition illustrated, she, by emphasising how she had kept the plot undisturbed, implicitly referenced the legal concept of urminnes hävd, whereby someone who had retained unquestioned (okvald) possession of land had the right to it.

For Brita Johanna’s opponent, legal rules and concepts were the backbone of the whole argumentation. First, he made a formal objection, asking that the scribe be held accountable according to the Procedural Act of 1734 for a petition that contained many irrelevant statements. The owner also maintained that Brita Johanna had been given legal notice in the presence of two witnesses, and therefore, he had only taken possession of his legally acquired property. Brita Johanna responded to the respondent’s answer with her own legal arguments. She claimed that the current owner’s father-in-law had leased the plot to her and her husband for their lifetime. Now Lindström had taken it from her ‘against my will and made it useless to me.’ The expression ‘made it useless to me’ directly repeated a legal stipulation in the Land Act of 1734, which Brita Johanna also explicitly claimed ought to justify the owner’s

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123 There was some question whether Pehr Ersson really owned the land himself or whether it was a joint piece of land owned by the village.
124 1838 Case 1498: ‘en gammal qvinna’.
125 1838 Case 2022.
126 The principle was set down in the Land Act of 1734, worded so the presumptive possessor should have had unquestioned possession for such a long time that no one remembered how his forefathers had come into said possession, see JB1734, 15:1, in Carlén, Sweriges Rikes Lag, 62. Therefore, it is unlikely Brita Johanna’s possession was encompassed by the article.
127 RB1734, 14:5, in Carlén, Sweriges Rikes Lag, 255.
punishment for his violent intrusion. In addition, she said, the legal notice did not undo Lindström’s illegal actions because upon her non-compliance, he had not gone through the correct eviction channels.

In summary, this section has analysed what principal arguments were used when tenants and owners were on opposite sides in relation to the land. Similarly to previous cases, some arguments – use of legislation, the importance of contracts and efforts on the land – were the same, thereby being used by a variety of people. For example, it was used by soldiers who wanted to remain on their crofts, burghers who quarrelled over land in the city, and people asking for access to land due to a transfer. Over the period, the legal regulations and constructions took a prominent place, as did contractual documents or agreements and the parties’ compliance with their duties either in said contracts or legal stipulations. In relation to land as a resource, the argument that efforts on the land ought to be reimbursed turn up again and again. The fact that it was never refuted, although it did not confer a right to stay or get access to the land itself, shows how deeply this principle permeated society at this time.

However, some strategies seem to have lost their validity over time. By 1838, we mainly find petitioners and respondents who were labouring people pointing to their need for the land for sustenance and who highlighted their long service in office. Yet, it did not really seem to be valid as a reason to get access to it because it was not something that legally awarded any right to the land. Instead, there are scattered evidence of an increased emphasis on private ownership and the right of the owner to keep whomever he wanted on his land. If the person could not provide for themselves, it was the responsibility of the parish, not the owner.

7.4 Fairness and willingness to contribute: Claims due to land taxation

The last cases to be analysed in this chapter are petitions due to land taxation. As was concluded in Chapter 5, although taxes embody a relationship to the state, they often resulted in cases between individuals at the GAV until the last year of the investigation. The principal arguments were somewhat different from previous sections since the claims no longer pertained to access to land or their returns but to an obligation tied to land ownership or use. Some did

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128 1838 Case 1498: ‘emot min villja densamma mig fråntagit och för mig onyttig gort.’ JB1734, 18:1, in Carlén, Sveriges Rikes Lag, 68. In addition, Brita Johanna’s petition also contained a statement that by his actions the landowner had interfered in the exercise of GAV’s authority (‘gripit Konungens Befallningshavande i ämbetet’), a direct quote from the Enforcement Act, see UB1734, 1:4, in Carlén, Sveriges Rikes Lag, 209.

129 Aronsson, Bönder gör politik, 295; Johnsson, Vårt fredliga samhälle, 220.
remain the same, and we will find them in the coming chapter as well. Using legislation and formal procedural protests was part of all case types at the GAV, therefore not connected to a particular resource. In relation to land taxes, people continued to highlight their contributions or willingness to contribute by fulfilling their obligations as taxpayers. However, one new argument was the importance of a fair allocation of contributions. Taxpayers and tax receivers had disputes over tax forms, *rotar* competed over soldiers, and landowners over the distribution of duties. Here, it was essential that one group not be burdened more than another.

7.4.1 The military allotment and tenure establishment and the impact of war

During the earlier years, many petitions over taxes related to the military allotment and tenure establishment (MATE). There were primarily three types of requests: (1) regarding the payment of salaries to officers, civil servants and soldiers; (2) concerning the recruitment or distribution of soldiers; and (3) about payment of ‘augment’ tax (*augmentsränta*). Most of these claims were directed against an individual tax payer or tax receiver (or a small group of them).

Created in the 1680s, the MATE was the Swedish solution to keep a standing army and it became a crucial part of the system of taxation. It was kept for over 200 years as a recruitment system, gradually being dismantled in the final decades of the nineteenth century. As was related in Chapter 5, it meant that civil servants and officers were paid with an official residence. In addition, their salary consisted of tax revenues coming directly from certain (allotted) farms, whose collection was largely ‘a matter between the individual peasant and the allotted recipient’. In the second half of the nineteenth century, salaries were no longer allotted. Soldiers and troopers also received


131 The following description is based on Thisner, ‘Manning the Armed Forces’, 164–6.
132 Frohnert, *Kronans skatter*, 98; Thisner, ‘Manning the Armed Forces’, 165 notes how this solution shifted the problem of turning grain and other articles into cash to the officers themselves.
their salaries through taxation. Groups of taxed farms (or their owners and users who were most often peasants) called *rotar* were obliged to provide the cavalry and infantry with men. As Fredrik Thisner describes it, peasants ‘had become recruiters’. The soldiers were to be salaried by the peasants who comprised the *rote*, providing them with a croft and upkeep.

In 1758, 1803, and 1838, officers and civil servants petitioned when they did not receive their salary from the taxpaying peasants. Conversely, although more seldom and primarily in 1758, the taxpayers petitioned when they were not satisfied over the form of or calculation of the payment. Typically, the requests from the tax receivers were short statements that the tax was unpaid. Usually, no more was needed because the duty to pay had already been determined in the fiscal registers (*jordeböcker*). By 1803 there was even a presumption for enforcement measures in these cases. It meant that the petition was not directly served to the respondent, but the GAV sent it to the local bailiff for enforcement unless the salary was shown to be paid. The taxpayer could protest against the petition by handing in a response if they denied the claim, but they were not required to do so. Compared to other debt cases, the petitioner did not have to serve the request to the respondent, and it therefore required less actions. When respondents questioned these claims, they did not dispute their duty as such but maintained that they had paid or wanted to pay in another form.

Soldiers also complained about unpaid remunerations, but these were treated as normal debt cases, putting the soldier in a comparatively disadvantaged position. Despite this, the extant files indicate that they were also relatively short statements that the *rote* did not pay. For example, in September 1758, a reservist trooper (*vargeringsryttare*) asked the recruiting peasants to pay him the sum of money they had agreed in writing he would receive until he became their permanent trooper. In 1803 and onwards, some soldiers instead seem to have turned to their officers to get help claiming their salaries, who then asked for enforcement on their behalf. This likely made it easier for the soldier, who did not have to take care of petitioning himself.

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134 Thisner, ‘Manning the Armed Forces’, 166.
135 1758 Case 208, 271, 304.
136 See, for example, 1803 Case 541, 558.
137 See 1803 Case 467. ULA, LV, Lka I, B II:15, no. 426, 706. The principle was not always applied, see 1803 Case 541, 558. By 1838, it was applied more generally, when all cases but one were registered under the heading ‘conditional resolutions’ (*villkorliga resolutioner*), meaning the simplified process just described, see ULA, LV, Lka I, B II:44, no. 1449/110, 329/280, 633/299, 634/299, 995/323.
138 See, for example, 1758 Case 264, 303; 1803 Case 467.
140 1758 Case 184; for a short application, see also 1838 Case 1964.
141 These were therefore sometimes registered in the official correspondence and not in the petitions register, see, for example, ULA, LV, Lka I, B I:20, 71 (Lieut. Virgin); ULA, LV, Lka I, B I:48, no. 4/84, 5/84, 6/84, 10/84. For an example where the officer acted for the soldiers,
In contrast to petitions for salaries, where the petitioner’s right to payment was stipulated either by a contract or from the tax registers, petitions over the form of tax payment were more complicated. Here we find parties who referenced legislation, their contributions, and the need to provide for oneself. In the early part of this period, the main rule was that the tax should be delivered in kind. Transports were cumbersome, and during the eighteenth century, the peasant estate raised the question of exchanging taxes in kind for cash in the Diet on several occasions. The problem was exacerbated in years of bad harvests, when the tax payer had more need for the products. As governor de la Gardie said in 1792, ‘When bad harvests occur, when the peasant suffers, when he most often lacks sufficient sustenance for himself and his own, at that time, the tax receiver has the most advantage of his allotment.’

In October 1758, the company clerk (mönsterskrivare) Samuel Rödingh complained how he had asked his allotted peasants to pay his salary hay in kind, but they had not obliged him. He added that he could not let the farmers exchange the hay for cash because he could not buy hay or be without a horse ‘considering my job, which always requires me to travel’. Highlighting that he needed the hay to perform his duties, Rödingh alluded to the fact that without it, he could not make his contributions to the Crown as a government official. According to the governor’s report, Västmanland had had a bad harvest in 1758, so Rödingh’s trouble to buy hay likely had merit. But this caused his allotted peasants problems as well. They explained how the year’s widely known lack of hay was the only reason they asked to pay the salary in cash, thereby making sure not to question their duties as such. They further emphasised their willingness to contribute by stating how they wanted and ought to pay in kind, but it was impossible without the greatest harm since the lack of hay would cause significant problems to feed the cattle. In other words, the farmers needed the hay to keep their farms going; if not, they would be unable to support themselves.

However, arguments of contribution and sustenance were not always deemed necessary. The widow Brita Olsdotter in Himmelsberga, complained in May 1758 how she had announced ‘within the stipulated time’ to regimental

but the application was registered in the petition register, see ULA, LV, Lka I, B II:44, 94/370. That the officer was in the same company as the soldiers can be seen from the military rolls, AD, Generalmönsterrullor – Västmanlands regemente, vol. 82, 435.

142 Frohnert, Kronans skatter, 96–7.
143 RA, Kollegiers m fl, landshövdingars, hovrätters och konsistoriers skrivelser till Kungl Maj:t, Skrivelser från landshövdingar, B22, Relation för Västerås län 1792, 36: ‘Då missväxt inträffar, då Jordbrukaren lider, då han oftast måste sakna sin och de sinas tillhöriga bergning, då, just då har räntetagaren högsta fördel af sin Indelning.’
144 1758 Case 303: ‘i anseende till min Syssla, som fordrar jämt att resa’. For another case where the need for hay for sustenance was highlighted, see 1758 Case 304.
scribe Dahlbeck – as the commissioner for the regiment’s barber-surgeon – that she wanted to pay the latter’s salary in cash. Nevertheless, Dahlbeck had had the tax collected in kind. Brita shortly stated that ‘I poor widow ought to benefit from the rights in His Majesty’s gracious ordinances’ whereby Dahlbeck should be obliged to receive the tax in cash and the executive measures rescinded. Apparently, when taxpayers wanted to pay in another form, there were several strategies available. They could simply refer to the legal rules, or they could argue from the point of view of contributions and sustenance.146

In the second type of identified case, relating to the recruitment of soldiers, similar arguments were used. As Thisner describes it, a rote was often two farms or more, assigned to recruit one regular soldier. In addition, from the 1740s, it was responsible for having one reservist for every second regular soldier.147 All petitions due to recruitment were made in 1758 since the ongoing war led to an increased rotation of soldiers. When a soldier died, it fell upon the rote to replace him. The need for replacements reveals a practice of lending and borrowing reservists among the peasants. When reservists were not returned, the rote petitioned the governor with requests to get them (or an equivalent) back. In essence, these cases were like debt cases, only the object of the promissory notes were people, not money or goods.

The requests followed the same pattern as other enforcement cases, with simple statements directed at the other rote with an argument of an unfulfilled duty. The wish or will of the soldier in question rarely came up, and they were seldom asked to respond.148 For example, in June 1758, the four peasants comprising Frisk’s rote described to the governor how their soldier had died, and they had been ordered to replace him. In 1743, Hane’s rote had borrowed Frisk’s reservist and obliged themselves to return an able-bodied man to Frisk’s. Despite reminders to comply, they had failed to do so, why the petitioner wanted the governor to oblige them to based on an attached promissory note.149

The war put heavy pressure on the members of a rote to replace fallen soldiers. The fierce competition between them is apparent, as they used all possible means – including turning to the GAV – to fulfil their duties. Petitioners and respondents alike emphasised their contributions and will to pay their dues. For example, in 1758, Springfelt’s rote turned to the governor, requesting that Baron and Colonel Cronstedt be obliged to return a soldier, as per his appended written obligation. The rote’s representative made sure to

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148 Only in 5 of 31 identified cases was the presumptive soldier communicated with or directly addressed by the members of the rote, see 1758 Case 117, 219, 259; ULA, LV, Lka II, B II:1, 17580320 (Roteintressenter no. 146), no. 36.
149 1758 Case 366; see also 1758 Case 80, 105, 257, 434.
add how they would fulfil their duties by saying that when Cronstedt had given them a soldier, ‘we will, as soon as is possible, also recruit a necessary reservist’. Cronstedt replied, explaining how he – with the other members of the rote – had made sure that their reservist would be registered with Springfelt’s. As such, Cronstedt maintained, ‘All possible means have been taken, and no efforts have been spared’ in procuring the soldier.150

Members of the rote also used legal arguments to get their soldiers back, which is visible when the soldier had taken service somewhere else or had been lured (tubbad) to do so by another rote. For example, when Lars Nilsson petitioned the governor, he recounted how his reservist trooper had let himself be registered with a rote without his permission. Lars requested that either the trooper or the rote, ‘which without permission and against His Majesty’s gracious orders, that these soldiers belong to those who legally recruit them’ be obliged to give him an equivalent soldier.151

This competing situation could also engender petitioning cases between members of rotar and heads of household. Unlike ordinary soldiers, reservists were required to take yearly service and in the cases, several served as farmhands.152 When called to replace regulars, difficult situations could arise. A few of these cases again demonstrate how petitioners and respondents connected their personal issues to more general societal concerns. When Olof Mårtensson’s trooper was discharged, he had to replace him quickly with his reservist – who had taken yearly service. According to Olof, the reservist’s master Johan Wessing had refused to let him go until Olof replaced him with another farmhand. Wessing lured Olof to sign an agreement: days’ labour in exchange for the servant. Wessing had said it was in accordance with the law and that Olof could not have the servant until Olof had paid or agreed. This made Olof uneasy, ‘since I always, eagerly and well, want to fulfil His Majesty’s gracious decrees and orders, particularly at this moment, when His Majesty and the Realm so require it.’ But since Wessing had made him think he was obligated to, he felt forced to agree. After enquiries, Olof had found out that Wessing had had no better right to the farmhand than Olof himself and now requested the agreement declared null and void and to be paid for the days’ labour he had already performed. Apart from his willingness to contribute, Olof also pointed to legal arguments, as he stated that Wessing could have acted according to article 3 of His Majesty’s Royal Ordinance of

150 1758 Case 356: ‘då wi sedan, så snart någonsin möjligist är, äfwen skall förse oss med nödig vargeringzkarl’; ‘Och aldenstund härvid, äro brukade, alla eftertänkelige mått och steg, och all mycken möda ospard’; see also 1758 Case 152 where the members of a rote claimed they had spared no expense in recruiting a soldier.

151 1758 Case 379: ‘som utan tillstånd, emot Kong. [sic] Maj:ts nådiga försäkringar, att slikt manskap skola tilhöra then som them lageligen städjar’; See also 1758 Case 117, 256, 404, where the soldier was claimed to have already performed without the original rote’s knowledge.

152 See, for example, Kongl. Maj:ts Resolution på Krigs-Befällets af de indelte Regementerne til häst och fot, samt Amiralitetsstatens Allmänna Besvär (18 Aug. 1752), art. 20, in Modée, Utdrag, iv. 3323–4.
1731 (meaning he could have deducted the time he lacked a farmhand from the soldier’s salary). But he could have no claims on Olof at all.\textsuperscript{153}

When Wessing responded, he initiated a reasoning about the general problem of competition over reservists, which led to a virtual debate between him and Olof. Wessing maintained that

\begin{quote}
If a householder does not have the same right over a reservist, who by royal decree has been obliged to enter into yearly service, like over any other of his servants, this would mean that when such a farmhand or their equivalents could be taken out of service at any time, without any remuneration for damages, a master would suffer too much, both for the private and the public.\textsuperscript{154}
\end{quote}

Wessing did not expand on what he meant by ‘public’ (\textit{allmänna}). Possibly, he alluded to the fact that if the householders were damaged, their ability to pay taxes would be diminished. Olof’s reply to Wessing’s comment was that the master could not reasonably have any right to decide whether or not one of his servants should enter into the Crown’s service. If yearly service precluded the reservist from the obligation to march in defence of the Realm, it would mean that:

1. Private service entered into eight years after taking money as a reservist would always be valued higher than serving the war effort;
2. Private wishes and pleasures could always obstruct the defence ability and decrease the Crown’s power to command men against the enemy when necessary;
3. Reservists would create more damage than benefits since the recruiting unit would be wholly dependent on the master who had hired them into service on whether the former could enter into the Crown’s service or not. All this would be outrageous to consider in a well-ordered society among law-abiding subjects, as against all reason, although admittedly, excepting when the Crown demands it, reservists should not be taken from their yearly service whenever one wants.\textsuperscript{155}


\textsuperscript{154} 1758 Case 309: ‘Skulle eljest en landthushållare icke äga samma rätt öfwer en wargärnings karl, som i stöd af hög konglig befallning blifwit förbunden at taga åhrstienst, hwad öfwer annat sitt tienstehjon, skulle nödwändigt följa, at då en dräng eller flere af samma beskaffenhed kunde tagas uhr sin lagstadde tienst, hwad tid man hälst wille, utan ersättning af skadestånd, en husbonde för mycket skulle lida så enskylt som för det allmänna.’ For a similar argument, see 1758 Case 229.

\textsuperscript{155} 1758 Case 309: ‘1:o en privat Städsel som antogos 8 år efter wargeringspenningarne altid vara mera att akta och wärdera, än lega till krigstjenst; 2:o Privatorium behag och wilja, altid kunna hindra försvarsstärket och minska höga öfwerhetens magt att wid nödiga tilfällen Commendera manskap emot fienden; 3:tio woro och tå wargeringskarlar mera skadeliga än nyttiga, då roten eller rusthållaren som dem legdt, och inskrifwa låtit, skulle aldeles Dépëndera af den husbonde som them sedan i ärstjenst antoge, om wargeringskarlen skulle få träda i Kongl.'
Both Wessing and Olof raised their private dispute and concerns to a more abstract level, arguing about what was best for the general good (and, by extension, for the state). As I have shown in previous sections, this connection between personal and public was done in other case types as well, which demonstrate the complexity in the parties’ arguments. Together with statements that highlighted their willingness to contribute and referencing laws and contracts, these were the main strategies for the rotar in their recruiting troubles.

The final obligation that led to petitioning because of the MATE was the augment tax. The duty for a farm to provide the cavalry with a trooper and horse was expensive. To help, these farms were given tax revenues from smaller surrounding farms, hence the word ‘augment’.156 This solution meant that farmers essentially delivered tax revenues to one another – and defaults left tax receivers and taxpayers to petition one another. These were similar to petitions over allotted salaries; they were ordinarily short demands for payment.157 When respondents contested it, they again highlighted their willingness to contribute, their rights according to law and the problems of competing interests.

For example, in March 1838, sergeant C. A. Liljestråhle applied against the farmer Per Samuelsson. Per had failed to deliver his augment grain, despite having received transport orders and now Liljestråhle wanted him obliged to pay its equivalent in money according to market price. The petition was remitted to the bailiff in the same order as was described earlier. Per replied and asked to pay the tax according to the official tariff instead. He admitted that he had received transport orders to deliver the grain to Sala. However, the same day, he had to serve an inn with coach duty, transporting travellers to Sala market, and could not do both. When faced with this choice, Per selected the market transport since he saw it as unconditional. He thought that, since the day of payment for the augment tax had not yet lapsed, the sergeant could give him a new day or agree on a just price in cash, which he had refused. This refusal, together with the fact that – according to the royal ordinances – he ought not to be obliged to deliver the grain to any other place than the farm itself, ought to allow him to pay according to official tariff.158

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156 Thisner, ‘Manning the Armed Forces’, 165.
157 See, for example, 1758 Case 91; 1803 Case 240, 515, 819; 1838 Case 793–4.
158 1838 Case 793; see also 1838 Case 794 where Per Samuelson’s neighbour presented the same arguments. Several respondents admitted their tax liabilities, but asked for more time to pay, see 1803 Case 240, 458, 495. For other references to law, see 1803 Case 375. For competing taxes, albeit in another context, see 1803 Case 793, where the respondent argued that since he already had the duties associated with a postal homestead, he should not have to contribute to the building of the parish hall.
Per, like many other taxpayers, was keen to show his willingness to fulfil his duties, and he knew to use the regulations that obligated him as well as conferred rights upon him. It is clear that petitioners and respondents alike did not question the existence of the taxes themselves at the GAV. Instead, it was the form of their collection that sparked the most argumentation. Furthermore, cases due to the MATE disappeared over time. Many of these were handed in during 1758, which partly had to do with the war creating competition over soldiers. But over the nineteenth century, the taxation system also became more cash-based, which also explains why we find the petitions over the form of payment in the first year of the investigation.159 This increased focus on cash can be seen in the registers. It is apparent that whenever people turned to the GAV in 1838 wanting enforcement over unpaid salaries or augment tax, they often did not want the grain or articles but their equivalent in cash.160 This development culminated in the legal changes introduced from the mid nineteenth century, when the allotted taxes were gradually removed. Even though the MATE was still in force in 1880, taxpayers were no longer required to deliver the taxes (either in kind or cash) directly to the tax receiver, which led to the disappearance of these disputes at the GAV.

7.4.2 Taxes in the form of shared work activities

People who owned and used taxed farms were also obliged to perform certain activities, the general duties (allmänna besvären). At the GAV, three such activities were particularly visible: coach transport (håll- och reservskjuts), road maintenance, and repairs to public buildings.161 These three duties were all regulated in the Building Act of 1734.162 However, their performance was further qualified depending on the land’s fiscal nature.163 For example, the nobility’s tax privileges meant that farmers on noble lands (frälsebönder) were exempt from or subject to decreased transport duty.164

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159 As Frohnert, ‘Kronan’, 159 remarks, the more complicated the tax system and the more payments in kind, the more opportunity for conflict.
161 For coaches, see 1758 Case 287; 1803 Case 454, 692, 1023; 1838 Case 47, 51. ULA, LV, Lka I, B II:1 17580105 (Åtskilliga bönder), 17580309 (Samtliga åbor), 17580310 (Erik Matsson), 17580511 (Åtskilliga åbor), no. 23, 47, 195; ULA, LV, Lka I, B II:15, no. 51, 624, 710, 866, 1055, 1272. For road maintenance, see 1758 Case 288; 1803 Case 1006, 1024; 1838 Case 43; 1880 Case 581. ULA, LV, Lka I, B II:1, no. 188; ULA, LV, Lka I, B II:15, no. 6 (Jan.), 396; ULA, LV, Lka I, B II:44, no. 76/366, 185/390, 207/394. For building maintenance, see 1803 Case 793; 1838 Case 80, 1941, 2097; 1880 Case 124, 138, 361, 453, 506, 518, 522, 572, 580.
163 In simplified terms, there were three types of land: land owned by the Crown (krono), land owned by the nobility (frälse), and freehold land (skatte).
164 Rydin, Det Svenska Skatteväsendet, 115–17, 246. Exactly what types of farms were exempt and to what extent varied over time.
Similarly, road maintenance encompassed ‘All who own or use homesteads in the countryside’, but again some lands were exempt – ironworks, mills and a few large noble manors in the south of the country.\(^{165}\) The scope of building repairs, such as churches, the rector’s home and court buildings, depended on the building and the land’s fiscal nature, with some exemptions for peasants on noble land.\(^{166}\) Consequently, these obligations were primarily owed by peasants on either freehold or Crown land. Therefore, they were the ones who would have had reason to ask the GAV for relief or exemption. However, claims could also come from dissatisfied beneficiaries, such as rectors and innkeepers.

The burden of communal activities was supposed to fall proportionately, according to the size or capacity of the homestead. For example, road maintenance was allocated after ‘the share of the owned part of the village’. Notably, the GA was to ensure that ‘one is not burdened more than the other.’\(^{167}\) These allocations meant that if one peasant wanted relief, another would have to take over the duty. Therefore, as Linde has found for peasant complaints to the GA of Örebro over duties during the first decades of the eighteenth century, the question often centred around fairness.\(^{168}\) In the material, several cases contained parties who were both obliged to carry out these duties but who quarrelled over its partition.\(^{169}\)

In 1758, 1803 and 1838, the arguments in these cases were similar to other tax cases, containing highlights of contributions, legal references and some emphasis on sustenance. In addition, the parties pointed out how these collective responsibilities ought to be fairly applied according to ability. For example, in March 1803, Övertjurbo local court decided to increase the reserve coach duty (supplying horses on demand) at the Bolandet inn in the parish of Sala. The decision prompted the heads of the household of one newly assigned village, Hede, to petition the GAV for release from this duty. The peasants emphasised that they, for centuries, had diligently taken care of prisoner transport (fångskjuts), thereby highlighting their previous contributions. They went on to emphasise their wish to do their new duty, adding that ‘if our circumstances were different, we would never shirk from


\(^{167}\) BB1734, 25:8, in Carlén, \textit{Sveriges Rikes Lag}, 102: ‘efter then del han i by äger’; ‘at then ene ej mera betungas, än then andre.’ For the division of road repairs, see Högberg, \textit{Ett stycke på väg}, 76–7. Similarly, the materials, transport, and other costs of building churches were to be borne according to the farm’s fiscal size (hemmantal), see BB1734, 26:1, in Carlén, \textit{Sveriges Rikes Lag}, 103.


\(^{169}\) 1758 Case 288; 1803 Case 1023–4. ULA, LV, Lka I, B II:15, no. 396.
an obligation that many of our fellow subjects must undertake’.170 However, their village lay far from the inn, and their horses grazed even further away, on the village’s outfields. In essence, the distance would cause Hede villagers problems to run their farms, which would impact both them and the Crown. Since the horses would be exhausted even as they reached the inn, travellers would be delayed and perhaps impatient: ‘through which we will lose our cattle, our agriculture will be destroyed, and we will be unable to pay our taxes.’171 In addition, the decision was against the law since the reserve transport had to be located closer to the inn.172 Their petition ended by asking to be free from this burden or that ‘we be allowed the same conditions and duties as our fellow landowners in the parish’, thereby raising the issue of how one should not be burdened more than the other.173

Some weeks later, the villages previously solely responsible for the reserve duty asked the GAV to confirm the court’s decision (that Hede had complained about). Like Hede, they emphasised the difficulty to continue farming and their previous contributions. The court had realised the necessity to increase the reserve since without it they, their wives, and children ‘would soon be thrown into the darkest despair because of the heavy torment of not being free from daily transports, having tired and often damaged horses returned and putting the agriculture in disuse’. Pointing to fair allocation, the petitioners asked the GA oblige the others and the innkeeper to ‘each to his part – perform the transport duty’, since only this last month, they had contributed with 64 horses, and the continued loss of people and horses would lead to their destruction.174

Similarly, in 1838 Anders Ersson in Hedåker handed in a complaint for the whole reserve team for the inn at Jordbron. The inn had recently been moved to Jordbron, which brought on the application. After a description of how the coach duty had previously been performed, Anders appealed to the ‘Fair and considerate governor, who wants the best for all his Region’s inhabitants’, in other words the governor as the father of the region.175 He continued to argue

170 1803 Case 1023: ‘wore wår belägenhet annorlunda, wille wi aldrig undandraga oss et onus, som många andra wåra medundersåtare måste widkänna’.
171 1803 Case 1023: ‘hwa rigenom [sic] wi således förlorade wåra dragare, åkerbruket förstördes, och wi sattes utu stånd att prestera wåra utskylder.’
172 For petitioners’ or respondents’ references to law, see also, for example, 1758 Case 288; 1803 Case 793; 1838 Case 80, 1941.
173 1803 Case 1023: ‘eller och tillåta oss samma vilkor och förbindelser, som de öfriga hemmansåboer i församlingen äntjuter.’
174 1803 Case 1023: ‘i yttersta äländne medelst den tryckande plåga, at ingen dag kunna vara säker för skiuuttnings, återfå, utröttade och ofta skadade hästar och se åkerbruket i vanhåfð; ‘åläggas var i sin måhn, skyldigheten att skiuutta’. For arguments about fair allocation and sustenance, see also 1758 Case 287. Equal distribution was not only highlighted relative to coach transport, but also for other shared obligations, for example, 1758 Case 288 (road maintenance) and 1803 Case 1024 (bridge-building).
175 1838 Case 47: ‘Rättvis och omtänksam höfdings omsorg är, att vilja alla sina Läns innevånare väl’.
that the move created particular problems for them (*vanlottade*, meaning getting a worse deal than others). They were a small team, the need for transport was great between Sala and Västerås and by this change, they had gotten a longer distance to transport than before and less help from the ordinary transport.

After this emphasis on getting a worse deal than others, Anders described the heavy consequences of the reserve duty, where the ability to keep one’s farms running again was at the forefront. He highlighted how the lands of Jordbro reserve were quite large, but the fields were weak. Luckily, they had many forests, and its revenues allowed them to buy grain and other necessities. Forest work, however:

require much work that cannot be done without the help of horses … But with the current transport allocation, our horses are seldom available, so we will be forced to sell our properties … and move where we are less burdened by transport…\textsuperscript{176}

In the end, all horses would be lost and the properties neglected. As, these cases illustrate fair allocation and that a distribution above their ability would make them unable to manage the properties were important arguments. And behind this last statement of course lay the implication that if they could not provide for themselves, they would not be able to pay taxes either.

Most transport complaints were made in 1758 and 1803. This was likely connected to the same development seen in cases about tax payments in kind. Over the nineteenth century, it was increasingly encouraged to hire the transport out to external contractors (*entreprenad*) instead of the peasants providing the innkeeper with horses and drivers during certain days or on-demand.\textsuperscript{177} In 1878, external hiring was made the main rule.\textsuperscript{178} When peasants were no longer obliged to use their own horses, they no longer would have the same reason to complain. In fact, the only other case concerning coach transport in 1838 (there were none in 1880) was between a landowner and a contractor, the former being dissatisfied with the contract.

Cases concerning other duties, primarily about church buildings continued to be handed in to the GAV in 1880, a year that also saw cases about school buildings. These petitions – or more correctly appeals – were different from the ones handed in previous years, especially compared to 1758 and 1803. First, it was most often a question of monetary responsibilities, that is –

\textsuperscript{176} 1838 Case 47: ‘detta fordrar mycket arbete som icke kan värkställas utan hästens biträde … men som nu Skjuts Regleringen är anslagen att våra hästar nästan aldrig får vara obehindrade, så är för oss undvikligt att försälja våra ägendomar … och förflytta till någon annan ort som icke är så svårt ansatt af skjuts’.

\textsuperscript{177} In 1838, Governor Riddersolpe remarked in his report that it had not been possible to hire people in some parts of the region, see *Kongl. Maj:ts Befallningshafwande, Femårsberättelse för åren 1832, 42–3*.

\textsuperscript{178} Rydin, *Det Svenska Skatteväsendet*, 346.
whether or not the complainant ought to be obliged to pay his share of the cost of building, not that the person was to undertake these obligations himself. Second, the form had changed, being solely appeals of previous decisions within the parish (local council or church council). Thus, the respondent was an official body. In this year therefore the issue of taxation had become more of the relationship we see today – between individual and state (or more correctly local authorities). The traces of decentralisation leading to disputes between individuals had disappeared.

The principal arguments also changed. There were still mentions of wanting to contribute and that the contribution ought to be according to one’s legal share. However, in general, the argumentation was more concentrated upon the flawed process of the board meetings and on legal prescriptions. One representative example was handed in by major Norlin in June 1880, asking for an annulment of the church council’s decision regarding repairs to the rector’s homestead. Norlin highlighted several faults with the process: documents that he had motioned be read had not been; the chairman – who was the rector himself – had participated in deliberations despite having an economic stake in the matter; a representative for the parish ought to have been assigned; the subject had not been announced correctly in the summons. In addition, the decision was against the law because certain repairs fell to the rector himself under the Building Act.

Thus the cases regarding land taxation were similar to each other in the first three years of the investigation, highlighting the willingness to contribute, the consequences for sustenance, and in cases concerning shared work activities, fairness. Because of changes in the taxation system, some cases disappeared over time and in 1880, those that remained displayed another kind of argumentation, more focused on formal faults and legislation. In addition, taxation was now more a matter between the individual and local authorities than between individuals.

### 7.5 Concluding remarks

The main question addressed in this chapter is how regional petitioners and respondents argued for their claims with respect to land. The purpose has been

179 There were examples of official bodies being counterparties before, but they were just that, examples, see 1803 Case 793. In 1838, there were more such cases, see 1838 Case 80, 1941, 2097.

180 See, for example, 1880 Case 361 (the complainant argued he had already paid more than he was obliged to), 580 (the petitioner argued that the landowner, without any contribution from the parish, had kept a school, and how he did not want to shirk his obligations to the local authorities), 581 (the petitioner argued the road maintenance was more than he could afford or was legally obliged to pay).

181 1880 Case 525.
to understand how the resource, position, and the law shaped argumentation. The analysis has shown that the answer to that question is not straightforward, even though the arguments were similar in many kinds of requests. There were arguments tied to the resource and some that were not. Some justifications were used by many in the earlier period but over time were used mainly by specific groups. Argumentation in land cases show the same development as in credit cases, where formal and legal arguments were more visible towards the end of the period, and others, based on custom, sustenance difficulties and contributions were less visible.

Some strategies, such as the use of legislation and documents, we find in most cases; they were neither resource-specific nor specific to particular groups (Chapters 6 and 8). Other arguments were tightly tied to the resource at hand, such as the notion that work and efforts on the land should be reimbursed and the need for the land to sustain yourself. Others were shaped by the person’s connection to the land. For example, if your office or estate gave you the right to land, chances were that an emphasis on the contributions of those positions entered into the argument.

In regards to the use of legislation and documents, one important distinction was the difference between monetary issues and claims on the land itself. In the former, petitioners rarely expanded on why they wanted to be paid (for the land, for rent etc.); they merely relied on the documents detailing the debt at hand. If the respondent thought the claim was wrong, they focused on questioning the documents. This is visible also in cases where a land benefit, such as a croft, was based on a contract. This way of arguing also survived over the whole period and was of course related to the detailed rules about enforcement (Chapter 6). The strong legal position of the person to whom payment was due, whether it be for land, rent or taxes, made other arguments unnecessary.

When the claim was on the land itself, parties still used documents and legislation such as contracts and court orders to prove their right to it, but they also deployed other arguments. One was that the efforts put into the land ought to be remunerated. In cases originating in transfers of land, petitioners maintained this work conferred a right to use the land; in cases about keeping the office benefit a while after their husband’s deaths, widows used it as a way to show that the full benefit had not been reaped; crofters and soldiers used it as a way to argue for their right to stay on the plot. That efforts on the land gave the right to reimbursement seems to have been a widely held notion that was seldom questioned, if ever. In some cases, for example, relating to a soldier’s right to stay on the croft, it was even set down in law. What was questioned, though, was the form of the remuneration. It is particularly visible in cases between landowners and crofters in 1838. The crofters maintained that their work conferred a right to stay, which was disputed by the opposing
parties, who, in their view, had the right to determine who lived on their lands by virtue of their ownership.182

A second argument, primarily seen in cases about access to land, was how the land was necessary for a person’s livelihood. Whenever the opposing parties mentioned or responded to it, they were clear that even if the person might deserve help, it did not confer any right to the land. Economic consequences were also highlighted in cases about land taxation, where petitioners argued that the tax imposition would cause them to be unable to keep their farms (and, by extension, provide the state with tax).

Arguments about the land’s importance for people’s livelihoods and their contributions by their service became less common over time. They also seem to have become more tied to cases involving labouring people. The fact that they became less common could be because monetary claims were more dominant in the later years, and here such arguments turned up much less. However, another equally plausible explanation is that these arguments lost their validity over time, along with references to the governor’s obligation to protect and care for the province’s inhabitants by the norms of household culture. This certainly seems to have been the case for the sustenance argument – given the opponent’s answers that it did not confer any rights to the land. The fact that it was also used only by specific people also points in that direction.

A similar change over time can be identified in cases related to land taxes. Until 1880, two common strategies were for the petitioners to stress that the distribution of duties ought to be fair and that they were not unwilling to pay. By 1880, though, these cases had changed, becoming appeals over decisions taken by local councils who decided on the tax. It was no longer a question of the fairness of the contributions, but of demonstrating that the decisions had not been taken in the prescribed fashion. Again, the legalities and formal arguments became more prominent. I would argue that what we see here is a formalisation and legalisation of argumentation. While, as we have seen, laws and correct formal procedures were essential as arguments from the first year, they were also the ones that survived over time.

Socioeconomic status continued to shape argumentation, because labouring people used some arguments longer than other groups. In addition, at least until 1880, people who had a right to land because of their position (be it as a burgher, an official, or a soldier) highlighted the contribution of that position when they wanted access to land. Soldiers made sure to point out their long service to the Crown; burghers highlighted how they had done their burgherly duty for their community; civil servants how they wanted to execute their office as best they could. Nevertheless, the emphasis on contributions in

182 Ågren, Jord och gäld, 248 identifies the same clash between arguments that work conferred a right to the land vis-à-vis absolute ownership rights in court cases at the end of the eighteenth century.
itself spanned the groups – it was something many parties did regardless of who they were.

In contrast, gender was not a very visible element in how people argued. It turned up in scattered mentions, especially in the strategies that appealed to the governor’s patriarchal responsibilities, where widows played on their vulnerability and dependence. However, these strategies were on the wane and by 1838 were employed by only a select few (Chapter 2). Where gender did have some impact was on what was asked for. For example, widows of civil servants had more reason to ask to stay on their deceased husband’s residences, while the civil servants who were men wanted monetary compensation upon office transitions.

Finally, the complexity of the argumentation further shows how petitioners of all kinds had knowledge (or access to knowledge) that enabled them to protect their rights. In many different cases, petitioners and respondents alike connected their private concerns to more general, societal issues. They highlighted the point of legislation and how their specific problems related to the concerns of the Crown or the public. In this way, horizontal petitioning between individuals was connected to their vertical relationship with the state.
8 Men with the right reputation: Arguments about rights and obligations tied to working roles

Petitioners or respondents who had access to land through their working role – officials, soldiers, and burghers – sometimes highlighted the contributions of this role (Chapter 7). In this chapter, I will now look at the cases that came to the GAV because of five identified working roles: officeholders, external guardians, positions tied to burghers’ trades, servants, and wage workers. I focus on the same questions as the two previous chapters. How did petitioners and respondents justify their claims? What rights and obligations were highlighted in relation to the working role?

Not all working roles led to petitioning. The ones I have found were all roles whose rights and obligations were tightly regulated in law. For example, there was extensive legislation around the duties of officeholders.1 Guardians’ obligations were stipulated in the Inheritance Code of 1734. Servants’ conditions and rights were set down in subsequent Servant Acts. These laws significantly impacted argumentation, as civil servants, guardians, and servants alike used them to their advantage. Despite the cases concerning quite different roles, petitioners and respondents highlighted what these duties were and how they had been fulfilled (or not fulfilled). This way, just as with land, the arguments were again influenced by the nature of the resource.

8.1 Following the law: Acting and defending yourself as an officeholder

Civil servants were an essential part of the regional and local administration. Bailiffs, sheriffs, and surveyors performed many of the orders emanating from the GAs. In their instructions, the governors were charged explicitly with ensuring that certain officials under their command followed their orders.2

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1 Cavallin, I kungens och folkets tjänst, 68. For examples directly tied to enforcement, see SOT, Kongl. Maj:ts Bref til alle Gouverneurer och Landshöfdingar, huru med Execution öfwer Debitorerne skall förfaras (15 Oct. 1684); SOT, Kongl. Maj:ts nådige Förordning, angående Crono-Fogdars skyldighet och answar i Utmärningsmål (11 Dec. 1766).
2 IU1734, art. 24, in Styffe, Samling af Instructioner, 362–3; SFS 1855:90, art. 66–7.
governors were also responsible for collecting and sending applications for offices to the proper agencies and could, according to the instructions of 1855, appoint some offices themselves.3 Thus, one working role that turned up in petitions pertained to the actions and requests of officeholders.4 In these cases, we find arguments that pertained to civil servants’ proper behaviour, where following the law emerges as a central tenet.

8.1.1 Asking for or complaining about appointments

In her thesis on the eighteenth-century perception of the civil servant, Maria Cavallin stresses how following laws, being honourable and loyal to the state were three essential obligations for the officeholder. When positions were appointed, the regulations emphasised them being pious, knowledgeable, experienced, and of good moral character. For higher offices, there was also a focus on formal education.5

Petitions and complaints over appointments to the GAV contained such perceptions as well.6 Supplicants argued by highlighting their merits or, in case of complaints, the unsuitability of the person assigned. For example, in January 1758, discharged sergeant major Anders Hernod applied to become sheriff in Våla. As he told the story, the reason for his application was that the current sheriff – Jonas Kiellberg – likely would be fired. The court had sentenced Kiellberg to a fine because he had concealed and opened another man’s letter.7 According to Hernod, such a judgement and sentence had made Kiellberg lose his honour (ärelös) and therefore ‘would probably not be allowed to continue in public office.’8 In other words, by breaking the law, Kiellberg was no longer fit for office. Similarly, when complaining about the election of a city councillor in 1838, a group of burghers in Västerås said that they thought that ‘a person who is elected judge, ought to be without fault and untarnished by filthy trials’.9

Returning to Anders Hernod, he continued by highlighting his own accomplishments. First, he referenced his previous merits and experience

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3 SFS 1855:90, art. 35.
4 See Chapter 5.
5 Cavallin, I kungens och folkets tjänst, ch. 3.
6 Few of these complaints have survived, see 1758 Case 321; 1803 Case 1021; 1838 Case 52, 70; 1880 Case 444, 476, 543, 573. In 1880, two were complaints about appointments made by the local council, where the arguments focused on the formal illegality of the decision rather than the merits of the candidate (Section 7.4.2). For two additional cases in 1838, albeit outside my March–August time frame, see 1838 Case 220, 2866.
7 A crime under the Crime Act of 1734, see MB1734, 8:4, in Carlén, Sweriges Rikes Lag, 148. 1758 Case 321: ‘icke lärer tillåtas widare bekläda någon publique Beställning.’ Hernod’s application was likely unsuccessful, because the Svea Court of Appeal later acquitted Kiellberg, see ULA, LV, Lka I, B II:1, 17580218 (Kilberg).
8 1838 Case 70: ‘utan fastmer trodde vi, att den som till Ledamot i Domstol inväljes, borde vara utan Fel och Smutsiga Rättegångar belastad’.

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through a list that revealed his studies in Uppsala and his service as a sergeant major for nine years. He also mentioned how he had conducted cases in court. The second criterion that made Hernod suited to serve was his reputation and conduct (frägd och uppförande), certified by his superior, Baron Samuel Gustaf Stierneld. In the certificate, Stierneld emphasised how Hernod had served loyally and well. Hernod himself also noted how he, free of his infirmity and in his best years, again wanted to serve publicum, thereby attesting his loyalty.10

Not all people were as eager to serve. When Anders Andersson from Norrsylta was elected local constable by the parish council (sockenstämma) in 1837, he complained and asked the GAV to tear up the decision and appoint someone else. To an extent, his arguments were the opposite of Hernod’s since he argued he did not have the experience required. It would be impossible for him to perform the office satisfactorily because he did not know how to write or read and had not learnt how to count. Since the office involved many enforcement measures, he would not be able to read the decisions or write down what things were appropriated.11

Shortly after Anders appealed, the local bailiff sent a letter confirming the appellant’s concerns. However, besides Anders’s inability to write, read handwritten documents and count, he lacked other qualifications connected to reputation and conduct. The bailiff expressed how Anders possessed a ‘very limited understanding and a weak, ignorant disposition’, making him unfit for office. The GAV heeded the arguments, ordering the parish assembly to hold a new election.12

A suitable official, according to the arguments presented at the GAV, was someone who followed the law, who had the proper experience to perform his duties satisfactorily, and who, moreover, was of an exemplary character for public office, including an honourable reputation, loyal disposition, and a strong mind. In reality, this was hardly always the case, as the complaints about their actions testify (Section 8.1.3). Nevertheless, the idea of the ideal official served them when they defended themselves against such accusations.

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10 1758 Case 321. For a recent dissertation on the contents of these applications (to many different authorities) in the seventeenth and eighteenth centuries, see Wienberg, ‘Förväntningarnas anatomi’, 79 et passim who concludes that applications in the eighteenth century had greater focus on the applicant’s own formal merits and legal right.
11 1838 Case 220; see also 1838 Case 2866, where the ability to read and write satisfactorily was emphasised in a complaint about the election of a bookkeeper to the grain stores in the parish. One respondent highlighted how the previous bookkeeper had not kept order in the books.
12 1838 Case 220: ‘ett högst inskränkt förstånd och ett vekt enfalldigt lynne’.
8.1.2 Asking for payment for services rendered

Just as officials petitioned for their allotted salaries (Chapter 7), they also asked to be paid for specific services related to the office. Most common among these were surveyors asking for enforcement for performed enclosures. At least in 1803 and 1838, the GAV handled such cases in the same simplified order as for taxes, thus with a presumption for executive measures. Because of this, few remain in the archives.13

Nevertheless, the few that remain to us show that the surveyors justified their requests by arguing that they were legally obliged to perform the partitions and that they had done so according to the law. In November 1758, surveyor Hollsten petitioned the GAV for payment from some of the peasants of Gestre village for an enclosure (storskifte) he had performed according to an appended bill. In his first letter to the GAV, Hollsten started with a description of the demarcation of the village’s land, a question that turned out to be crucial to both parties’ argumentation. Within the boundaries of Gestre, there were eight farms whose land was mixed in strips (skift om skift) and three farms within the same borders whose land was separate: Håfgårdarna. During the enclosure, ‘put upon me through a decision on 10 October 1757’, the peasants on Håfgårdarna had asked Hollsten to correct the value of their land, which had previously been decreased to the benefit of the other farms. The surveyor had not done so because the documents the peasants presented did not support their statements, instead the issue had been remitted to court.14

Furthermore, Hollsten argued Article 2 of the Royal Surveyor Instructions of 1725 obliged him to ‘properly survey, calculate and describe all the land belonging to Håfgårdarna’.15 However, the peasants on Håfgårdarna refused to pay for any part of the enclosure, which was why he asked the GAV to help him. Hollsten did notdetail what the article said, but from it we can read that it stipulated that, in certain circumstances, the surveyor had to measure all farmland, not just one farm’s land strips (teg).16

The peasants on Håfgårdarna justified their refusal to pay with arguments that speak to how they viewed Hollsten’s mandate. First, they had not asked for a partition; the other peasants in Gestre had, and the enclosure only concerned their land. Second, at the partition, Hollsten had asked them if they wanted their land measured and partitioned. They had answered affirmatively if he also adjusted the land’s value. When he did not, Håfgårdarna’s peasants had left, thinking he would only measure the other farms because he had not

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13 Such cases seems only to have been preserved when there was a reply from the respondent. For the remaining files, see 1758 Case 338; 1880 Case 347, 374, 425, 434. In addition, two (1880 Case 374, 434) had only documents from officials and nothing from the parties.
14 1758 Case 338: ‘till mig genom utslag af d. 10 October 1757 hänskiutit’.
15 1758 Case 338: ‘behörigen afmäta, uträkna och beskrifwa alla the ägor hwilcka Håfgårdarna nu innehafwa’.
16 Instruction för Landtmätare, i gemen och i synnerhet (20 Apr. 1725), art. 2, in Modée, Utdrag, i. 617.
been asked to or formally assigned (begärda eller befullmäktigad) to do anything else. And thirdly, while Hollsten had used the surveyor’s instructions to justify his actions, the peasants on Håfgårdarna contested his interpretation of the particular article he had referenced. The complete measurement that the article referred to could not concern land that was already separate. In other words, Hollsten had not acted as instructed, and his orders had not encompassed their lands.

Hollsten replied and claimed that their understanding of the law was odd since their farms to some extent were mixed in strips with the others (skift om skift). He maintained that excluding lands within the same village borders would have been seen as unfinished work, which the contested article prohibited. Therefore, he had not been able to act in any other way than he had done.17

To justify his claim for payment, Hollsten relied upon his official orders and his mandate according to law. As the case shows, the landowners on their side questioned this precise mandate and held that Hollsten had, in fact, gone beyond it. The instructions ought not to be interpreted as the surveyor claimed, which exempted them from the obligation to pay.

8.1.3 Complaining about the actions of officeholders

The commonest petitions involving officials were complaints about something they had done.18 At the GAV, people typically complained about officeholders’ specific actions, rather than accusing them of general misconduct. As I argued in Chapter 5, focusing on one particular event might have made it easier to make your complaint because it was likely not seen as threatening and invasive. Often, the petitions revolved around delays or faults during enforcement measures.19 Among the faults complained about were formal ones: failures to give legal notice of a decision, performing an evaluation without the prescribed number of witnesses, waiting too long with enforcement, or performing enforcements without the proper authorisation.20

Even though petitioners did not always directly cite legislation, their arguments indicated that the complainant considered these errors illegal. For

17 In the only other extant file that contained more arguments than the normally short requests for enforcement, the surveyor’s actions according to law was an important argument as well, see 1880 Case 347.
18 See Section 5.2.3.1.
19 For example, see 1758 Case 39; 1803 Case 50, 139, 489; 1838 Case 1261, 1396; 1880 Case 66, 195, 402; ULA, LV, Lka I, B II:1, 17580309 (Anna Söderström), 17580316 (Isac Ekman). Other events that were complained upon were auctions (1803 Case 265; 1838 Case 1824), an evaluation (1803 Case 451), tax collection (1880 Case 576), enclosures (ULA, LV, Lka I, B II:15, no. 789, 1040) and military recruitment (ULA, LV, Lka I, B II:15, no. 946).
20 For not having received the decision, see 1803 Case 139; 1838 Case 1396. For not enough witnesses, see ULA, LV, Lka I, B II:15, no. 875. For waiting too long, see 1803 Case 1025. For a lack of proper authorisation, see 1838 Case 1261; 1880 Case 66.
example, in June 1803, Anna Mattsdotter voiced several objections over the enforcement performed by local constable Eric Pehrsson in Vreta. First, it had taken place in her absence since she had been at court. Consequently, she had not kept away from the executive measure but had had a lawful excuse (laga förfall) not to be present.21 This argument was likely a partial reference to the Enforcement Act of 1734, which stipulated that executive measures could occur even if the debtor ‘Leaves or keeps away’.22 Second, Eric had taken all her draught animals and wagons, with which ‘I should run my business’. This statement was more or less identical to another article, stipulating that that with which the debtor ‘runs his business’ shall be taken last.23 Third, the constable had taken property that belonged to others. According to the same law, enforcement ought to be undertaken without infringements upon other people’s rights to the property.24

The numerous indirect references to law in Anna’s petition were likely not coincidental. It was written by former city court secretary (stadssekreterare) Arvid Holmquist, who should have been well versed in these laws due to his work.25 But Anna’s petition was not the only one of this kind; indirect or direct references to the official’s non-compliance with the law was a standard argument over the period in question.26

Anna’s argument that the property did not belong to her was one of the commonest objections in 1880, where such actions were prohibited under Article 68 in the new Enforcement Law of 1877.27 In August 1880, the crofter’s wife, Anna Kristina Axelsdotter, complained about an executive measure performed by sheriff Essén. She argued that she was the sole owner

21 1803 Case 489. While these statements were lifted from the legislation verbatim, Anna’s scribe also added references to the obligations of household culture – a familiar strategy (Chapter 2). Her statement of legal excuse emphasised her status as a widow, or almost widow, since her husband had absconded a few years before. The constable should not have been so heartless to her, since she had not kept away, and, as he knew, she had a lawful excuse since she was in court. Her reference to being a widow and the constable’s heartlessness, combined with then stating how she ‘fled to’ the governor, was clearly to paint her as a (defenceless) widow deserving of the governor’s aid against one of his subordinates, but it could also have been a way for Anna to highlight how she did not have a husband who could act in court in her stead, and so she had had no choice but to absent herself.
22 UB1734, 5:1, in Carlén, Sweriges Rikes Lag, 218: ‘Reser han bort, eller håller sig undan’.
23 UB1734, 5:2, in Carlén, Sweriges Rikes Lag, 218: ‘han sin näring idkar med’. Anna’s expression was ‘hvarmed min näring bör idkas’.
24 For property exempt from enforcement, see HB1734, 17:2, in Carlén, Sweriges Rikes Lag, 135.
25 For Holmquist’s title, see 1803 Case 684.
26 See, for example, 1758 Case 294 (the official accused of prosecuting only those who did not pay him); 1803 Case 215 (reference to law), 265 (reference to illegal conduct), 570 (reference to having acted against instructions), 1025 (reference to law); 1838 Case 53 (enforcement of things that belonged to someone else), 1261 (reference to law), 1824 (reference to law and enforcement of things belonging to another); 1880 Case 66 (reference to law), 195 (enforcement of things that belonged to someone else), 576 (reference to illegal conduct).
27 UL1877, art. 68, in Herslow, Utsökningslagen, 51.
of the property because of a prenuptial agreement and that her husband – for whose debts the enforcement had taken place – only had the right to manage the property. Directly after the enforcement, the sheriff had set a date for selling the property on auction, which Anna Kristina said hindered her from protecting her property rights according to Article 69 of the Enforcement Law. The article stipulated that if someone other than the debtor made probable that they owned the property, the civil servant should refer them to the court before which the property could not be sold.28

Thus, the commonest objection over the period was that officeholders acted against legal provisions, an argument that became even more common and explicit in 1880. In other words, the officeholder had to apply the law correctly when acting within his office, or he could be subjected to complaints. These actions were usually framed as faulty application of the rules rather than official misconduct. Still, some petitions reveal that such behaviour was not tolerated either. For example, when farmer Pehr Jansson complained about a public auction performed by a local sheriff in 1803, he also asked the GAV to punish the sheriff for his illegal conduct. Despite the presence of many credit-worthy and resident men, the sheriff had sold the property to his close friend Brickman without waiting for offers from others.29 Similarly, in June 1880, Major Norlin appealed a decision taken by the church council (kyrkostämma) about repairs to the rector’s official residence. The rector himself had presided over the meeting when the decision was taken. Since the rector ‘can benefit or be disadvantaged by the decision, does not have the ability to be as impartial as is needed’, Norlin requested that another suitable person be assigned as chairman. In addition, he asked the GAV to determine if the rector had conducted himself ineptly and ill-advisedly.30

Petitioners did not hesitate to highlight the officeholders’ misconduct, such as arbitrariness or partiality, although it was more common to complain about the incorrect application of the regulations. Such arguments were made over the entire period, indicating a widely spread view that misconduct and legal violations were frowned upon and seen as unacceptable. This contrasts with some previous research that has toned down the importance of laws for how civil servants performed their job before the end of the eighteenth century. In an article about the bureaucratisation process in Sweden, political scientist Bo Rothstein argues that the Swedish state remained feudal and particularistic, based on individual loyalties, until the 1850s. From then, a quick

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28 1880 Case 247; see also 1880 Case 193, 195, 224, 283, 341, 402.
29 1803 Case 265.
30 1880 Case 525: ‘som har nyatta eller skada af beslutet, ej synes hafva förmåga att så opartiskt som i denna sak vederbör’. See also 1758 Case 294 (a lower official accused of letting people who paid him escape court charges); 1803 Case 570 (a lay judge accused of having managed a grain storage for his own gain), 1838 Case 1261 (a sheriff accused of arbitrariness); 1880 Case 193 (a sheriff accused of partiality), 576 (a tax collector accused of having been persuaded to gather taxes illegally).
transformation occurred, leading to the administration becoming truly bureaucratic, based on objective, impersonal and universal rules in the 1870s. One tenet of Rothstein’s is that early modern legislation about civil servants did not affect practice. He highlights how, despite being forbidden, a system of position purchasing survived long into the nineteenth century: ‘The fact that they [the prohibitions] hardly made an impact provides insight into the legislative system of feudal society.’  
In addition, civil servants did not have to worry about repercussions if they broke laws. ‘Obedience to laws was seen as more or less voluntary compared with personal instructions from the King’s court.’  
In a recent study about corruption, using the Supreme Court’s judgements in malfeasance cases, Rothstein partially revises his previous conclusions. Focusing instead on changes in the late eighteenth century and between 1820 and 1850, he states that ‘the data on malfeasance show that a behavioral shift towards impartial administration and rule compliance among public officials had already occurred before the “big bang” reform process of the mid-nineteenth century was initiated.’  

However, as these petitions show, at the GAV, misconduct and faulty applications of the law engendered strong complaints from the general public already from the beginning of my investigated period, in the middle of the eighteenth century. They also engendered reactions from the GAV, formulated in a way that emphasised how they were viewed as important. For example, when sheriff Brink was accused of violent behaviour (våldsamt uppförande), the case was sent to his closest superior, the local bailiff, with orders to ‘immediately’ send in Brink’s response.  

Given the sheer cost of petitioning, it is highly unlikely that people would have raised these issues if they thought they had no chance for success or if the regulations they based their claims upon were useless. In fact, laws and their interpretation were integral to argumentation in all four years studied, from 1758 to 1880, not only for the petitioners, but also for the official. Their responses show how they took accusations of misconduct or illegal enforcement very seriously. They took great pains to answer, and their tone indicates that it was sometimes seen as a personal affront. As pointed out by  

32 Rothstein, The Quality of Government, 111.  
33 Rothstein, Controlling Corruption, 47–68 at 63.  
34 Cavallin, I kungens och folkets tjänst, 193–202, 224–228 concludes that the Supreme Court judged many cases of official misconduct, especially against regional and local civil servants. The punishments varied according to how serious the misconduct was considered to be. Nevertheless, Cavallin concludes the Crown did not succeed in controlling the officials, and misconduct seemed to be common. For a study of the possibility of bringing cases against officials in eastern Finnish courts between 1770 and 1829, see Koskivirta, “‘Springer som en varg’”.  
35 ULA, LV, Lka I, B II:15, no. 1220; ‘omgående’. For similar expressions of speed, see ULA, LV, Lka I, B II:15, no. 218, 301, 816, 1040, 1071, 1171, 1201; ULA, LV, Lka I, B II:44, no. 131/378.
Linde, officials seemed to interpret the complaints as an attack upon their honour and reputation.\textsuperscript{36} For example, when Norlin accused the rector, the latter demanded that Major Norlin be held accountable for defamation and for the derogatory accusations he had made upon the rector’s civic reputation, charges that – if true – would have been serious.\textsuperscript{37}

Similarly, in January 1838, the maid Brita Ersdotter asked the GAV to convert her fines for unlawful selling of spirits to corporeal punishment. The local constable Per Andersson had taken executive measures to exact the fines. Brita’s petition did not contain any outright accusations of misconduct. Her main objections were that the constable had taken things he should not have (under the law, although Brita did not say so explicitly): clothes she needed and a cabinet that belonged to someone else. However, his response was very indignant and in a completely different tone. He started by claiming Brita had lied, accusing him of being an oppressor of the poor, which was far from his nature. He also made several harsh accusations against Brita, calling her an abomination, a drunkard, and a temptress who deserved her punishment.\textsuperscript{38}

In addition, the commonest defence was that the civil servant had indeed acted legally. Per mentioned how he had – according to the stipulated order – read the proper documents to Brita. He had not taken all her clothes, and the cabinet belonged to her, not someone else. Similarly, defending himself in May 1758 over a complaint about a delay in collecting tithes, the bailiff Eric Garman argued that he had, as far as was possible, ‘acted according to what is right and legal’.\textsuperscript{39} Finally, when local constable Anders Carlsson was accused of taking a horse that did not belong to the debtor, he defended himself by saying that the petitioner had not presented any documents that proved his ownership. Therefore, ‘I assume that according to current statutes, the distrainers cannot be responsible when people only say that this is borrowed, it is not mine’. In fact, he would have committed an error if he had heeded these words.\textsuperscript{40}

Surprisingly, officeholders seldom raised the question of loyalty to the governor in their defence. Loyalty to the king or government was a cornerstone of the early modern official’s conduct, and in her thesis Cavallin argues that officials who appealed verdicts about malfeasance to the Supreme Court were careful to highlight this.\textsuperscript{41} At the GAV, the civil servants could sometimes highlight how they had done their duty as officials, such as when the

\textsuperscript{36} Linde, \textit{Statsmakt}, 92.
\textsuperscript{37} 1880 Case 525.
\textsuperscript{38} 1838 Case 365.
\textsuperscript{39} 1758 Case 104: ‘giordt hwad rätt och lagligit är’.
\textsuperscript{40} 1838 Case 1824: ‘jag förmodar att Enligt nu gällande författningar – det utmetningsman icke kunna stända ansvar, då de med blotta ord förete det är lånat det äger jag icke’. For officeholders who argued they had followed the law, see, for example, 1803 Case 489, 570, 1025; 1838 Case 1261, 1932; 1880 Case 193, 224, 402.
\textsuperscript{41} Cavallin, \textit{I kungens och folkets tjänst}, 70, 224–8.
bailiff J. A. Lindgren faced complaints about his payment collection for gravel used for road repairs. Lindgren had many arguments, not least that his actions had been legal, but he also added that he ‘according to my weak ability have tried to, and to the best of my ability I will continue to, fairly perform the office that I have been entrusted with’. However, I have found no complaint cases where the civil servants explicitly emphasised their loyalty to their direct superior or the governor or the ruler. What instead looms large is their emphasis on their lawful behaviour. Acting according to current legislation, not having broken the rules, was an essential and vital characteristic for these eighteenth- and nineteenth-century officials, through which they could both defend themselves and make claims for payments.

8.2 Managing inheritance properly: The guardian’s responsibility as an argument

As we saw in Chapter 5, several men petitioned or responded because of actions undertaken due to a temporary official assignment, especially as auctioneers and guardians. In some of these cases, although by no means always, the assignment itself could sometimes play a part in the arguments raised. In this section I have chosen to focus on guardians, since auctioneers rarely referred to the obligations of their position. Whenever guardians used their assignment as arguments, they primarily highlighted what would happen if they did not fulfil their responsibility and as a way to highlight the importance of receiving the GAV’s help.

In a few cases, the rights and obligations of the role itself was the main issue. In June 1758, Eric Ersson Korp asked the governor to oblige his brother-in-law, Lars Larsson, to account for Korp’s daughter Anna’s inheritance and hand it to him post-haste. Over ten years earlier, the court had assigned Lars as Anna’s guardian, and since then, he had managed her maternal inheritance. However, Korp said, Anna was now to be married, and he wanted to buy immovable property for his daughter’s gain.

In his response, Lars opposed the father’s claim based on three arguments about the nature of a guardian’s rights and responsibilities. First, Korp was unfit to handle his daughter’s inheritance. The court had divested him of guardianship because he had other children to care for and had managed his children’s property poorly. Korp had to show, according to law, that he was

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42 1838 Case 1261: ‘Efter den svaga förmåga jag äger, har jag hitills sökt, och skall allt framgent vinlägga mig om att redligt förrätta den mig ombetrodde tjänst, så godt i min förmåga står’.

43 Such lawful behaviour could be construed as a form of loyalty to the government since it was part of the official’s oath. However, I would say there was a difference between saying you acted according to the law and saying you had faithfully served the Crown or had acted fairly.

44 For an auctioneer who did mention his responsibility, see 1758 Case 131.
‘an able, settled, and debt-free man’, before he could regain the guardianship or receive any money. The court case, appended to Lars’ response, provided more details on Korp’s mismanagement. Not only was he debt-ridden, owing a considerable sum of money to Baggå ironworks, but his propensity for quarrels had led to further indebtedness through fines. In addition, he had sold Anna’s immovable property without proper permission from the court. Therefore, the court had approved the girl’s maternal uncles’ (of whom Lars was one) request to transfer the guardianship. The choice fell upon Lars, ‘a settled, wealthy man with a good reputation’.

Second, Lars argued that he had, and would continue to, fulfil his duties as a guardian. When he was legally obliged to, he would show how he had managed Anna’s inheritance according to law, and if he were found to have neglected his duties in any way, he would directly compensate for it with his own funds.

Third, since Korp was still quarrelsome and in debt, Lars maintained that he, as the legally assigned guardian, had a right to be heard before the father could contract about his daughter’s marriage or purchase any land. Since he had not asked for Lars’ consent, the latter should not be obliged to hand over any money.

Similarly, in July 1838, Anders Andersson asked the GAV to separate his wards’ inheritance from the father’s property and put it under sequestration. In this case, the direct reason for the father’s loss of guardianship had been his heavy beatings of his 10-year-old son. Anders mentioned this initially in his application, but to secure the funds, his more detailed argumentation centred on the father’s, discharged soldier Olof Julpstedt, mismanagement of his children’s inheritance. He had sold land and movables belonging to himself and his children and wasted all the proceeds. Without rapid action, the children would lose their maternal inheritance, necessitating the sequestration. In a later letter, Anders Andersson related how Julpstedt had been reasonably well off when his wife died, still serving as a soldier and owning a few acres of land. But he had not taken proper care of it, thus wasting it.

As these cases demonstrate, the guardian’s ability to manage the inheritance was an important part of his responsibilities. He was supposed to be debt-free, have funds, and a good reputation. The Inheritance Act of 1734 expressed the same principle, stipulating how people who were ‘in debt,

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45 1758 Case 147: ‘en skickelig, bofast och ei med någon skuld graverad man’.
46 This was a direct violation of the law, see ÄB1734, 22:3 and JB1734, 4:8, in Carlén, *Sveriges Rikes Lag*, 44, 49.
47 1758 Case 147: ‘en bofast och förmögen man, samt af god fräjd’.
48 Except for this case, I have not found any cases where the responsibilities in terms of raising and educating the ward, stipulated in the Inheritance Act of 1734, turned up see ÄB1734, 22:2, in Carlén, *Sveriges Rikes Lag*, 44.
49 1838 Case 1698.
50 For the suitability of guardians, see Ighe, *Ifaderns ställe*, 193–4, 231–2.
spendthrifts … or poor enough to be unable to manage the guardianship’, were not allowed to be guardians.\textsuperscript{51} Since the GAV’s cases most often involved financial matters, this obligation to manage the inheritance was what was highlighted in petitions and responses.

Guardians deployed it when facing demands and asking for enforcement measures. In several cases, the consequences of not fulfilling an obligation justified the petition and the claim. For example, in February 1803, organist Johan Borgström asked for the GAV’s help with enforcement. Years earlier, he had lent out some of his wards’ inheritance to Per Persson and his wife, a couple from the same parish.\textsuperscript{52} Now (some time after the wife’s death, according to the promissory note), Per Persson’s uncertain conditions made it impossible for Borgström to let him keep the money. And, the guardian added, since he, as a guardian, was responsible for the management of the property and would be forced to pay both capital and interest with his own money if the debtor did not have the funds, he asked the GAV to enforce it while the debtor still had assets.\textsuperscript{53}

The risks highlighted in the previous case could already have occurred. In June 1803, Lars Mattsson and Anders Jansson petitioned to enforce a loan of their wards’ inheritance to sheriff Johan Petter Carlström. They told the GAV how they had received the inheritance to manage and account for but had themselves been subject to a debt case when the guardianship was over. The inheritance had been enforced on them because they had insufficient funds to pay with. Therefore, even though they did not want to ask the GAV for help, they could no longer let the situation rest – they needed their money back from the sheriff.\textsuperscript{54}

As the case shows, the guardian could be subject to enforcement measures if he did not hand over the inheritance in time. When this happened, he could defend himself by referring to their assignment and management. In March 1803, Johan Pehrsson asked the GAV to oblige his former guardian to pay the rest of his inheritance since he had reached his majority several years ago. The guardian, Per Jansson, maintained that Johan was unjust to turn to the GAV

\textsuperscript{51} ÄB1734, 20:8, in Carlén, \textit{Sweriges Rikes Lag}, 43: ‘gäldbunden, slösare … eller så fattig, at han förmynnderskapet ej förestå kan’. Other disqualifying criteria were mental disability, age (youth or old age), foreign nationality, having another religion, or being responsible for money belonging to the Crown.

\textsuperscript{52} Such lending was encouraged in law, so that the ward’s inheritance would grow (Section 5.2.3.2).

\textsuperscript{53} 1803 Case 288. For statements of a guardian’s responsibility for funds or property, see 1758 Case 114, 282; 1803 Case 980. For guardianship used as a direct justification for petitioning, see 1803 Case 242 (the claim concerned some children’s inheritance which the guardian now had to account for), 459 (as a proper guardian he had to secure the funds); 1838 Case 781 (as a guardian he had to carefully guard the inheritance by asking for sequestration since the debtor was going to sell her assets); see also 1803 Case 507 (a guardian refused to give a debtor more time since he had to account for the inheritance within the requested time).

\textsuperscript{54} 1803 Case 508.
this quickly. Per wanted to give the man his inheritance as soon as he could, ‘and during the time as I was his guardian, I conducted myself so that he could have no reason to doubt my honesty.’

Consequently, a guardian was supposed to properly and carefully manage his ward’s property. This obligation was set down in the Inheritance Code, and guardians used it to argue for and explain their claims. To ensure the guardians’ abilities fulfil their responsibilities, their suitability was based on their material circumstances and reputation. From the arguments raised in the petitions, it is evident that the guardians were well aware of their obligations and knew how to deploy them.

Most cases where the guardian used his assignment or its consequences as arguments were from 1758 or 1803. In 1838, guardians handed in quite a few applications, but they often did not mention their responsibility other than stating that they were guardians. In 1880, the cases where the documents reveal guardians who acted were fewer overall and neither did they speak about their responsibilities. Since these cases were mostly debt cases, the guardian’s obligations, essentially an argument tied to the petitioner’s position, thus show the same development as other debt cases; namely that arguments that were not legally necessary for enforcement disappeared.

### 8.3 Protecting and promoting your trade and craft: The importance of rights and reputation

The GAs were charged with several tasks regarding trade and crafts. In the instructions of 1734, the governors were to guard over the burgher’s privileges and issue permissions for parish artisans. In the instructions of 1855, the GAs were responsible for hearing applications for trade in the countryside and, in subsequent legislation, applications for specific goods (Section 2.2.1.2).

Therefore, the GAV received several petitions from people in which we find arguments relating to their rights and obligations specifically due to their working role in these areas. Some were applications to trade or become a craftsman, where we – just as for officeholders and guardians – find that reputation was essential for the permission. However, in 1880, while

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55 1803 Case 384: ‘jag har under den tid jag warit hans förmyndare, wist så förhållit mig, at han icke kan hafwa ordsak at draga min redlighet emot sig i twiwelsmål.’

56 For the term ‘careful’ (‘noggranhet’), see 1838 Case 781; see also 1803 Case 670 (a girl’s relative asked that the remaining property from her late father be put under sequestration until the estate was liquidated because the surviving mother did not take care of it properly).

57 For the extant cases in 1838: 1838 Case 15, 88, 95, 612, 781, 1065, 1092, 1333, 1423, 1427, 1512, 1698, 1715, 1869, 1897, 1924; 1839 Case 254, 1160. In only three cases did the petitioning guardian explicitly mention his responsibility, see 1838 Case 781, 1333, 1698.

58 Extant cases in 1880, see 1880 Case 107, 144, 202, 295, 421, 580.

59 IU1734, art. 18, in Styffe, *Samling af instructioner*, 256–8; SFS 1855:90, art. 31 (9).
reputation remained important, it was framed very differently. Some, although quite few, also went to the GAV to protect their privileges or rights of the trade. Here, the rights of the working role were essential, as were the contributions made in that role.

8.3.1 Protecting the rights of the trade

These petitions were few and only turned up in 1758 and 1803, and only two of these have extant documents. Sometimes, the claims were directed against someone else; other times, they were appeals of court decisions. In both instances, the petitioners argued that the person or the court’s decision had violated the rights they had because of their specific working role or because of the contributions connected to the role. In July 1803, three blacksmiths in Västerås complained about a journeyman’s illegal work. The journeyman, Pehr Hedbeck, had worked for one of them earlier but had left to look for work in Stockholm. However, instead of going to the capital, he had taken up with a blacksmith who lived in a neighbouring parish, where he ‘practices work as a blacksmith for his own gain, to the detriment of ours’. The petitioners thus asked the GAV to oblige Hedbeck to find a master in some city since he had no right to work on his own as a journeyman. Finally, they argued that ‘as contributing masters, we find it lamentable that these actions should be allowed to happen since they are strictly against the Guild Act and other royal decrees, whose rules we want to be held to.’

Just as the blacksmiths argued, the Guild Act of 1720 clearly stated that it was forbidden for a journeyman to take on any work for his own gain without his master’s knowledge. This rule was placed under the section ‘Order between masters and journeymen’, indicating that not only had Hedbeck worked in a way that broke the law, he had also acted independently in a manner unbecoming of a journeyman. In addition, the supplicants’ references to their detriment and their contributions as masters were a way to say that Hedbeck’s work infringed upon their right, as taxpaying masters, to have a monopoly on their craft.

The infringement of rights earned through contributions can be found in another petitioning case in 1803 when the widow Magdalena Björkdahl appealed a city court’s decision. The circumstances were slightly different

60 I have found five cases: 1803 Case 524, 560; ULA, LV, Lka I, B II:1, no. 139 (And. Berg), 228; ULA, LV, Lka I, B II:15, no. 99 (Jan.).
61 1803 Case 524: ‘för egen räkning skall idka klensmeds arbete oss til mycken skada och förfång’; ‘Det är för oss beklagansvärdt, såsom contribuerande Mästare at finna, det slikt osklick skall passera, hwilket är snörrätt stridande emot Skrå Ordningen och Kongl. författningar, hwarvid wij oss trygga och wilja bibehällne warda.’ For another infringement related to the craft, see ULA, LV, Lka I, B II:1, no. 139 (And. Berg).
since Björkdahl was not out to protect her business against unlawful competition. Instead, the court had removed her right to a stall during market time and handed it to another merchant, a decision that Björkdahl argued should be repealed.63

In March 1803, Magdalena Björkdahl’s husband, the merchant Magnus Björkdahl from Stockholm, died.64 Some years before, she and her husband had been awarded the stall, that they consequently had used and paid the proper fees for. Now, the city court had granted it to a local tradesman without hearing her first or announcing it in the papers. Björkdahl argued that since she had been awarded the right to the stall and had not forfeited it, its usage belonged to her for as long as she wished. Therefore, the governor should let her, ‘an accident-ridden and now defenceless, poor widow’, keep it until someone else proved their legal right to it in the manner prescribed by law.65

The tradesman who had received the stall handed in a response, questioning if this right belonged to Björkdahl. He maintained that the city court had the right, in connection to each market time, to award stalls to whom they wished. The widow had not shown that it had been granted to her for a specific number of years or an undetermined period. Her appeal was an unjustified attempt to hold on to a right that her husband had been awarded every year. The tradesman then finished by arguing that his own contributions gave him as much if not more right to the stall since he had traded at the market for 28 years and paid his fees.

Both Björkdahl and the merchant emphasised their legal rights and contributions. Similar to Lindman who lost his plot of city land (Section 7.2.1), Björkdahl alluded to procedural faults in that the court had taken her right to the stall without hearing her first.66 In addition, Björkdahl – as several other widows – made use of household culture by asking the governor in her petitio to protect and care for her, with the gendered argument of the poor, defenceless widow. There was also another gendered aspect in the case, having to do with why Björkdahl had to complain. In a letter to the GAV from the city court, they described how one reason for giving away the stall was that they had learnt that her husband had died, and had been unsure whether or not the widow would take over the business. It is unlikely that Björkdahl’s husband (or any other male merchant) would have ended up in this situation. The burghership was formally tied to him, and had his wife died, his continuation of the business would probably not have been questioned. As a merchant’s widow, Björkdahl ended up in a situation that her male counterparts would not have, prompting her to turn to the GAV.

63 1803 Case 560. For another appeal of the city court’s decision, see ULA, LV, Lka I, B II:1, no. 228.
64 AD, Stockholms rådhusrätt 1:a avdelning, F1A:351, 878.
65 1803 Case 560: ‘af olyckor förfölgd och nu värnlös fattig Enka’.
Björdahl and the tradesman highlighted how their contributions (long work and payments) entitled them to the stall, just as the blacksmiths in the previous case did (and the burghers fighting over land described in Section 7.2.1). By fulfilling obligations connected to their role, they could claim the rights and privileges that came with this position.

8.3.2 Asking for permissions and licenses related to trade and crafts

Before 1845, anyone who wanted to become a parish craftsman needed a permit from the GA. From the remaining cases, the presumptive craftsman either handed in a simple petition with a short statement of the court’s and parish council’s previous approval or just handed in the necessary certificates.\(^{67}\) Thus, these court orders or minutes from the parish council contained the important information. These served the petitioner as a local certificate of suitability as well as arguments in themselves. The GAV could not know the needs of each parish and each applicant’s merits. Therefore, a delegation of the procedure to the local level made sense. The contents of the minutes show the requirements needed to obtain a letter of appointment from the GAV, and – just as we saw in applications from civil servants – knowledge of the craft and reputation was important.

From the documents, two essential conditions was important to receive a permit: The parish had to need an artisan, and the petitioner had to be suitable for the work, which included a reputation for skills in the craft and good conduct. For example, in 1758 the Yttertjurbo’s court record shows how the previous parish tailor had died, making a new appointment necessary. The petitioner, Per Jansson, was deemed suited for the position since he understood his craft well. Similarly, in November 1803, the GAV issued a permit for a tailor’s servant (skräddardräng) Eric Andersson to be a parish tailor. The parish minutes related how the previous tailor had quit his appointment. Upon his application, the parish assembly took Eric under consideration. His application was granted since he had made himself known for proper conduct in his previous services, and had the required knowledge of the craft.\(^{68}\)

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67 1758 Case 202, 207; 1803 Case 755.
68 1758 Case 207; 1803 Case 755; cf. 1758 Case 202 that had no mention of suitability. Although the extant cases are few, these conclusions are borne out by similar cases from the neighbouring region of Örebro. Riksarkivet, ‘Register över suppliker’, s.v. ‘socken’ (a register of extant petitioning cases compiled for the research project ‘Att tilltala överheten: Suppliker som kulturav och källa till kunskap’) was found to hold four additional petitions from the eighteenth century. In these cases, the need of the parish and the suitability of the presumptive artisan (having shown skill and mastering his craft) were highlighted, see ULA, LÖ, Lka I, D III ba:1, 17000119 Bild-id 40000298_00274; ULA, LÖ, Lka I, D III bb:11, 17961101, Bild-id 40000309_00236; ULA, LÖ, Lko I, D III:2, 17191213 Bild-id 40000317_00288; ULA, LÖ, Lko I, D III:2, 17201230 Bild-id 40000317_00549.
Thus, a parish artisan’s suitability was tied to their ability to exercise the craft. Naturally, the parish did not want people in the role who did not have the required skill. After all, they were supposed to help the inhabitants with their crafting needs. But, just as for civil servants and guardians, another important factor to obtain a position as parish artisan was being known for suitable repute and conduct.\(^{69}\)

In 1880, the petitioner’s reputation remained vital to obtain the required licences. However, where the appointment for official positions or to become a parish artisan had been connected to loyalty, honour and conduct as a servant, the approval to sell these specific goods in 1880 were tied to morality, propriety and, importantly, the conduct of a citizen. The commonest request was for permits to sell spirits, wine, and beer.\(^{70}\) In terms of handling, the petitions were similar to their counterparts about parish artisans. Just as the latter contained minutes from other authorities, which acted as certificates and local investigation, the applications in 1880 contained certificates from a local official, the chairman of the local board (kommunalnämnd), and the rector. As before, it was the appended documents that served as arguments. Based on their contents, it is clear that a person’s suitability was mainly based on their reputation.

To obtain a licence, the petitioner needed a reputation for ‘morality and propriety’ (sedlighet och ordentlighet).\(^{71}\) In the late nineteenth century (over)consumption of alcohol was tightly tied to moral values.\(^{72}\) If the licence-keeper was a proper and ethical person, it ensured an orderly alcohol trade. For example, when innkeeper Sofia Söderberg asked for permission to sell wine and beer at an auction, she appended a certificate from Arboga’s city prosecutor. This document stated that she managed an inn and ‘have shown

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\(^{69}\) For a case where the presumptive artisan’s reputation was highlighted, saying he had a ‘good reputation and generally known for a faithful and honourable conduct’, see ULA, LÖ, Lka I, D III bb:11, 17961101, Bild-id 40000309_00236: ‘wällfrädgat och allmänt känd för ett trogit och ärbart uppförande’.

\(^{70}\) There were 78 applications to sell alcohol, 10 applications to sell flammable items, 5 to sell poisonous substances, and 17 reports of general trade, see ULA, LV, Lka II, B V a:2, Amälningar om näringsidkande, Eldfarliga oljor, Giftiga ämnen och varor, Spirituösa drycker, Win och maltdrycker. Note how the registers also contain lists handed in by officials, which have not been included in these numbers. Only the ones concerning alcohol have survived. In the one case where the documents were preserved in a petition for general trade, the appended certificates confirmed the petitioner was legally competent, which was a legal requirement, see 1880 Case 524.

\(^{71}\) In the ordinances, the requirements were phrased as ‘good reputation’ (god frejd) and propriety (ordentlighet) for spirits and ‘good reputation’ or ‘morality and propriety’ for other alcoholic beverages, see SFS 1874:56, art. 6; SFS 1874:62, art. 2 (1), 6 (1). For the expression ‘sedlighet och ordentlighet’ see, for example, 1880 Case 440, 451, 455, 467, 493, 495.

\(^{72}\) Blomqvist, ‘Sjukdom’, 38; Johansson, Staten, 20. See also how the question of the inhabitant’s consumption of alcohol was mentioned under the heading ‘sedlighet’ in the governor’s report, BiSos H, Kungl. Maj:ts Befallningshafvande, Femårserättelser, 1876–1880, 2.
orderliness when exercising her business.'73 Thus, the specifics of the required reputation depended on the nature of the permit. A presumptive artisan needed to be known for the quality of his craft and a provider of alcohol for their propriety and orderliness.

However, compared to previous years, the petitions in 1880 introduced a new way to describe reputation: citizenship. When persons asked for these different permits, a certificate from the local rector was usually appended.74 These followed a prescribed form and contained the person’s title, date of birth, and level of knowledge of Christianity (kristendomskunskap). Importantly, it also stipulated whether the person ‘enjoyed civic trust’ (medborgerligt förtroende).75 The knowledge of Christianity was very varied among the applicants, as were their backgrounds, but all rector’s certificates certified ‘civic trust’.

What did this expression mean? In essence, it was proof that the person was not condemned for any crimes that caused them to lose certain civic rights, such as the right to vote and to work in trades that required a good reputation (god frejd). The expression was used in the Penalty Act in 1864, but figured in legislative proposals and other contexts earlier in the nineteenth century.76 The idea itself, that some crimes had consequences for one’s reputation, was not new and could be seen earlier than the nineteenth century, as the Procedural Act of 1734 stated that if someone was dishonourably condemned (ifrån äran), his disgrace was to be made known where he lived.77 Thus, in the eighteenth century, this expression was tied to the loss of honour, whereas it developed into the loss of civic rights in the nineteenth century.

In 1880, a person’s suitability to sell different goods was connected to reputation, which was tied to citizen status and retained civic rights. In earlier petitions that emphasised reputation, involving parish artisans, guardians, or officials, reputation was not connected to citizenship. In fact, the only other reference to civic reputation in cases about working roles was made by the rector who defended himself against those accusations of misconduct made by lieutenant Norlin in 1880. He claimed that Norlin’s allegations were an insult to his honour and troublesome for his ‘civic reputation’.78 In earlier years, reputation seems to have been connected to your specific position, such as officials who performed their office well, were loyal and honourable, servants behaving as they should in service, guardians who were settled and stable. In 1880, people of many different backgrounds all needed civic trust to

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73 1880 Case 443: ‘ådagalagt god ordning vid utöfvandet af denna befattning.’
75 Another expression was that there were no remarks about a person’s reputation (fräjd), see, for example, 1880 Case 451, 495.
77 RB1734, 24:13, in Carlén, Sveriges Rikes Lag, 281.
78 1880 Case 525: ‘medborgerliga anseende’.
be able to do a certain work. Reputation could still be connected to honour in 1880, but aspects of citizenship, encompassing women, merchants, labouring people and more, had also emerged as another way to describe someone’s reputation and, by extension, suitability for specific work activities.

In summary, the argumentation in petitions for trade licences displayed similarities over time, but also differences. They contained certificates from other authorities over the whole period, speaking to the importance of documented recommendations. However, the requirement of suitability that existed in both the eighteenth and nineteenth centuries started to be described in terms of citizenship. Before 1880, it seems to have been more connected to questions of loyalty and acting in a manner becoming of your position.

8.4 Vulnerable circumstances: Service and wage work

The last working roles to turn up among the cases at the GAV were issues relating to service or wage work. Like many others, servants and later workers asked the GAV to enforce their wages. A few times, servants also requested to be free from service. Most often, however, they were at the receiving end of a claim, either defending themselves against being forced back or into service or from eviction claims due to domiciles they had as workers. The following analysis will show that these groups had access to several argumentation strategies and knew how to deploy them. Nevertheless, their vulnerable and unequal position in relation to their masters was evident and should not be underemphasised.

8.4.1 Requesting wages and recommendations

Servants’ wage claims were no different from other such requests and followed the typical short formula. In addition, respondents were more likely to admit the wage or choose not to reply, the equivalent of forfeiting the claim, than contest it. But even when the right to the wage was uncontested, they could make other objections. For example, in July 1758, Erik Ersson in Djurby demanded that his brother-in-law, Mats Rungberg, pay him 224 daler kopparmyt. The sum consisted of several debts: two based on promissory notes and one year’s unpaid wage without documents. In the petition, Erik simply stated his claim upon Rungberg and asked that he pay the debt with Erik’s sister’s inherited land since the brother-in-law lacked other assets. The

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79 For short applications, see 1758 Case 137; 1838 Case 12, 1710; 1880 Case 36, 293. For uncontested wages, see 1758 Case 137, 194. For contested wages, see 1838 Case 1163, 1710. For the debtor not responding, see 1838 Case 1958; 1880 Case 36, 293.
80 1758 Case 137.
81 Erik called the two first debts ‘undisputed’ but not the wage, attesting to his own or his scribe’s knowledge of the legal requirements for enforcement.
GAV sent the petition to Rungberg and his wife, and Rungberg responded a week later. He did not deny Erik’s right to his wage but presented a counterclaim because he had given his brother-in-law clothes, grain, and cash.

Shortly afterwards, the GAV gave its verdict, demonstrating how the lack of documents and Rungberg’s counterclaim negatively impacted Erik’s possibility of having his wage enforced. The authority concluded that the two debts based on promissory notes were clear and undisputed and obliged Rungberg to pay them. However, since Erik Ersson had not executively proved his wage claim and Rungberg had disputed it with a similarly unproven counterclaim, the wage was deemed disputed and was referred to court.

A similar outcome, albeit in different circumstances, was experienced by soldier Olof Olsson Dubbel, who handed in an undocumented wage claim against his former master Eric Persson in October 1758. He told the governor that he had come into Eric Persson’s service by Michaelmas the previous year. At Midsummer 1758, he was recruited by a rote to be a soldier and thus left Eric’s service. However, Eric did not give him his wages.

Dubbel likely mentioned his recruitment to justify why he had left his service earlier than the law prescribed. The Servant Act of 1739 (Legostadgon) stipulated that if a servant was recruited in peacetime, he had to stay in service the entire year, but in 1758, the country was at war. Dubbel’s statement turned out to be relevant. In his response, his former master did not deny Dubbel’s right to his salary: it was ‘fair’ (billigt). Still, Eric Persson had a counterclaim since he had given him tobacco, cloth, sheepskins, remuneration for some other work, and paid his taxes. Eric also asked that Dubbel be obliged to compensate him for damages because he had left service at midsummer, the busiest work time of all. Dubbel partially admitted the counterclaim but wholly denied any damages since it was not his fault that he could not serve the entire year. He had been given strict orders from his officers to leave his service and go to the rote. Thus, he asked to be paid for nine months of service.

Just as in the previous case, the GAV referred Dubbel to court. Despite his justification, the GAV found that Dubbel ought not to have left his master. Even though the country was at war, the Royal Recruitment Ordinances of 1727 and 1731 stated that a recruited farmhand in service had to stay there unless he was deployed. Since Dubbel’s absence could entitle his master to damages and because he disputed the wage claim, the GAV could not executively decide upon the question.

When the servant had a written document, the outcome was quite different. In January 1880, the farmhand Carl Lundholm simply asked that a leaseholder

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83 1758 Case 194.
84 Förnyad Legohjons-Stadga (12 Aug. 1739), art. 6 (5), in Modée, Utdrag, ii. 1593. For service and recruitment, see Uppenberg, I husbondens bröd, 102.
W. H. Forsslund be obliged to pay him the rest of his wage for 1878, based on a promissory note he appended to the petition. The GAV’s favourable decision was short, stating that the respondent had not replied within the prescribed time and that the claim was based on a written promissory note.86

The examples above show that there were both similarities and differences in the servant’s possibility of getting their wage in court and the GAV. In court, most servants were successful, and their masters rarely disputed the claims, which Uppenberg interprets as a sign that the servant’s right to their wage was strong.87 Some things point in the same direction at the GAV. The petitioner rarely argued for their right to enforcement, and although the masters presented counterclaims, they did not seem to dispute that right to wage per se. However, one crucial addition must be made. To be sure of success, the servant needed written executive documents. If they had, their right to enforcement was as strong as for other groups. Without papers, they risked having their case referred to court, if the master disputed payment. The notion that a servant should receive compensation for his work was visible in petitions as well, but to have a undisputable right to enforcement, you needed proper documents. Therefore, the GAV was not always the right authority for these servants’ claims.

8.4.2 Leaving or forced into service

While the servants’ petitions for wages would likely succeed with proper documentation, this was not so when they asked for permission to leave service. As we saw in Chapter 5, the GAs were not strictly the correct authorities to turn to in these cases, yet four servants still petitioned about it.88 Their argumentation demonstrates how such petitions exposed the servant to accusations of misbehaviour. However, the servants did not hesitate to raise their own allegations, which the GAV seem to have taken seriously.

In May 1838, P. E. Lundman asked to be released from his service with Baron Duvall and receive his wage. First, his case highlights why some servants found cause to turn to the GAV instead of the local authorities. Lundman explained that he knew he had turned to the wrong place but had done so because no sheriff had been at hand, and he had not dared remain. Therefore, he had chosen to go directly to the governor ‘who surely knows the man’s [Duvall’s] circumstances and that I have not accused him of more than he deserves.’89 Lundman signed his petition on 16 May, and the event causing him to leave had taken place on 14 May. Lundman’s argument makes sense

86 1880 Case 293. ULA, LV, Lka II, A I b:30, 420; see also 1838 Case 1710; ULA, LV, Lka I, A I b:90, no. 1419 (Act. No. 1710).
87 Uppenberg, I husbondens bröd, 171–2.
88 1838 Case 1163, 2511; ULA, LV, Lka I, B II:15, no. 208. One case involved two servants.
89 1838 Case 1163: ‘som säkerligen torde känna mannens förhållande, och att jag ej tillagt mer än hvad han väl förtjener.’
when considering that the governor was essentially the sheriff’s superior and that he left because of his master’s treatment of him. His words indicate that he took recourse to the centuries-old principle of the governor as a protector of the subjects as something that took precedence over legal jurisdiction. His petition started: ‘A poor servant, who for his safety and rights has no refuge than the executor of the King’s wishes and orders’, meaning the governor.90 When he could not go where he was supposed to with his criticism of his master’s actions, Lundman’s next step was to go higher in the hierarchy.91

Lundman wanted release from service due to Duvall’s behaviour towards him. He did not give a detailed account but claimed that Duvall acted unreasonably and without sense towards his servants, having undeservingly beaten him (‘med stryk oförtjent öfverfaller’), and several other servants before him. According to the legislation, severe beatings could provide a reason to leave service. In the relevant article, it was said that the master could not act against a certain article in the Criminal Code. This in turn stipulated that if masters beat their servant so that they became crippled they could be fined. If such beatings occurred, the servant could go to the bailiff or sheriff and ask to be released from service.92 Despite the high conditions to leave your service because of beatings, Lundman invoked the Servant Act in his petition and asked to be released from service.

The GAV received Lundman’s petition and, the same day, referred the part relating to his release from service to the local sheriff for investigation and ‘the following action prescribed by the Servant Act’.93 Since the application also contained a demand for wages, it was ordered to be served to the baron for his response. The sheriff also seems to have acted with some speed, as he responded about a week later, that on May 17 (one day after Lundman had signed his petition), Lundman had been sacked on Duvall’s request because of drunkenness, disrespect, and negligence, certified by witnesses. In his response, which came in a few days after the sheriff’s letter, Duvall described this purported misbehaviour. First, Lundman had received a warning for not entering into service when he was supposed to. Second, he had misbehaved on a journey where he had been drunk, mistreated a horse, and returned late, for which Duvall had warned him that the next time he would be physically punished. On May 14, Lundman had been drunk, and when chastised for it, he had been insolent and impertinent, at which point Duvall ‘punished’ him

90 1838 Case 1163: ‘En fattig tjenare, som för sin säkerhet och rätt ej har annan tillflyckts ort än till verkställande magten av Konungens bud och befallningar’.
91 Lindström & Jansson, ‘Pigan i fadersväldet’, 365–6 similarly argue that the spheres of the Table of Duties were interwoven and acted in relation to one another. When the father or master in the household sphere did not fulfil his duties, the subordinate could turn to fathers in other spheres (the local rector or the courts).
92 SOT, Kongl. Maj:ts försata gåva nätiga Lego-Stadga för husbönder och tjenestehjon (23 Nov. 1833), art. 2 (9). For court cases where beatings were accepted as a legitimate reason to leave service, see Uppenberg, I husbondens bröd, 154.
93 1838 Case 1163: ‘den åtgärd som i anledning deraf enligt Tjenstehjons Stadgan bör äga rum’.
(afstraffade, which I read as physically) and then read him Lundman’s obligations according to the Servant Act. The following morning, Lundman refused to get out of bed to do chores and was told off in the presence of two witnesses. He then left for Västerås, and when he returned from his unlawful absence, Duvall discharged him with Sheriff Karlén’s help.94

Just as Lundman argued that Duvall had not acted as a master ought, Duvall tried to show how Lundman’s misconduct and Duvall’s attempts at the legally required corrections (warnings and then physical chastisement) justified discharging him from service. For some reason, Duvall’s arguments were much more detailed, while Lundman seemed to trust in the governor already knowing things about Duvall. Baron Duvall was a frequent party at the GAV at this time. His financial troubles made him the object of many debt claims. Several of his servants turned against him with accusations of drinking, beatings, wage claims, and requests for recommendations. In the autumn 1838, Duvall and his wife disappeared, and it was later revealed that he was imprisoned for debt in Stockholm. Nevertheless, Lundman’s vagueness and Duvall’s detail give an impression of different positions of argumentative strength.95

The case was decided on 31 December, not by the governor – despite Lundman’s plea to him personally – but by the county secretary and county clerk together. In it, they took no account of what they did or did not know about Duvall. Since sheriff Karlén had decided upon Lundman’s service in the prescribed order, they did not give any verdict in that part of the petition. However, Karlén’s information and Duvall’s arguments were important for whether enforcement of the wage ought to be granted or not. The authority stated that since Karlén, after hearing witnesses that corroborated the statements about drunkenness, insolence, and negligence in service, had recounted how Lundman was dismissed, the wage claim was not clear and undisputed. Like other wage (and debt) cases, Lundman was referred to take up his case in court if he so chose.96

The second case, where servants wanted to leave, was handled similarly. It was handed in by the contract worker (statdräng) Anders Odin and his wife, Anna Lisa Hilfert, requesting to end their service and settle their payment in the presence of the local authorities. Their situation was different from that of a live-in servant because they had their own house and household. However, in 1838, their rights and obligations were regulated in the Servant Act. Thus, the terms and process of leaving service were the same.

Unlike Lundman, Odin and Hilfert partially based their request on the failure of their mistress, Stina Lisa Jansdotter, to give them enough upkeep,

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94 1838 Case 1163.
95 For cases against Duvall, including those with his servants and that giving information about his imprisonment, see 1838 Case 37–8, 55, 515, 867, 976, 1098, 1103–104, 1142–3, 1286, 1473, 1518, 1958.
96 1838 Case 1163.
saying that they were dissatisfied with their payment in kind. But like Lundman, they claimed that she was often drunk and physically abused them. Six weeks before, she had beaten Odin, who was sick, so he had still not healed. The GAV sent the petition to the sheriff Eric Ytterberg to investigate and take whatever action the Servant Act prescribed. He reported back about six months later, saying that Stina Lisa’s guardian had described Odin’s misbehaviour (essentially that he had not acted as a servant should). He had left service without permission, and when he returned, he was chastised physically (husaga) by his mistress. The correction did not have the required effect, and Odin, Stina Lisa, and the guardian had agreed that he would leave service. The sheriff added that from Odin’s conduct, it could be concluded that Odin seemed to be one of those servants ‘who wants to decide things himself and not obey his masters’ since he had left service without permission and unwarranted wanted his full pay. Odin had been satisfied with the agreement and had no more demands upon her, which several people could certify. Since the matter was already settled between the parties, the GAV concluded there was no executive measure to be taken, and if Odin was displeased, he could take his case to court.97

As can be seen from these two cases, the parties’ stories diverged much more than in the wage cases. Neither Duvall nor Stina Lisa’s guardian admitted to any wrongdoing or accepted that the petitioner had any right to leave service. Instead, their version of events was almost the opposite of the servants’. In both cases, the master’s version was accepted by the sheriffs who also said they could present witnesses, something the GAV also noted in their decisions. But the GAV also took the servants’ statements seriously. For example, in Odin’s and Hilfert’s case, they accused Stina Lisa of drunkenness, which the GAV referred to the prosecutor to bring criminal action. Similarly, when one of his maids accused him of drunkenness, Duvall was charged with it by a city prosecutor.98 If the petitions’ contents were not taken seriously, such a referral or subsequent action would hardly have been made. But, as these two cases also indicate, it was likely difficult for servants to circumvent the local authorities (who were the proper people to turn to according to law) and get the GAV to release them from service. In both instances, the GAV acted according to law and still sent the case to the sheriff, who essentially handled the case and thus making decisions about the service unnecessary at the GAV.

More commonly, the servants were on the receiving side of these requests. It was rare for masters to petition the GAV for early termination of service, but they did so for another executive measure: forcing servants into or back

97 1838 Case 2511: ‘som will råda sig sjelf och icke lyda sine husbönder’. The case is also cited in Johnsson, Vårt fredliga samhälle, 234.
98 1838 Case 38.
When asking for a servant’s retrieval, the masters’ claims contained two important arguments: the servant had been hired according to law and was absent without permission. When notary Abraham Gother turned to the governor in August 1758, he simply stated that his ‘Legally hired servant Hans Hägerlind has been keeping away from my service for the past seven weeks’. Gother therefore requested the GAV’s help to retrieve Hägerlind for a hearing, where he could explain why he kept away without permission. Two days later, the GAV held it, and Hägerlind admitted that he had served Gother from autumn 1756 to autumn 1757, but had then quit the contract through the help of two reputable men (gode män). Despite this, he had not received his recommendation letter or been allowed to leave. Although he did not explicitly say so, Hägerlind’s statement was a way to show that he had legally terminated his contract and Gother had not fulfilled his duties as a master because the Servant Act prescribed that a servant could terminate their contract between 29 July and 10 August, and if they did, the master was obliged to give them a recommendation.

Similarly, in January 1803, Anders Svensson recounted how he ‘Last autumn and in the correct time’ hired his farmhand Jan Abrahamsson to serve for a year. The servant had moved to him correctly but had left after four days to prepare for his communion. He returned several days later but had only stayed for four short periods (stunder) so that since then, he had been with Anders for six days. Since the farmhand had had no reason for such audacious behaviour, and his guardian had approved the service, Anders requested the GAV’s help to return the boy to his legal service. To the petition was appended a certificate that Johan had been correctly hired. The importance of the hiring being legal was confirmed by the GAV, saying that the bailiff was to help the petitioner return the farmhand ‘Unless the legality of the service is disputed’.

Typically, the petitions for retrieval were relatively short. I argue that the reason for this is that if they could show that the servant had entered into service in a prescribed way and then had left, no further arguments were needed.

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99 Only one case of early termination of service has been identified, and it was related to a request to be free from a surety the master had signed for her servant, see 1838 Case 2021.
100 1758 Case 222: ‘Som min lagstadde dräng Hans Hägerlind nu på Stunde weckan aldeles ahåller sig ifrån min tienst’; see also 1758 Case 231, 255; 1803 Case 688, 717, 1015.
102 1803 Case 1015: ‘För ledne höste tid och i Laga tid’.
103 The course of events is not entirely clear. In a later letter, the master explained that Jan Abrahamsson had not entered service at the proper time. After he arrived, he left after six days to prepare for communion, and despite having promised to return he did not, whereupon Svensson handed in his petition.
104 It was important the servant had consented to serve of his own free will, since that justified the subordination, see Uppenberg, *I husbondens bröd*, 97–8.
105 1803 Case 1015: ‘Så wida städselsns laglighet icke bestrides’.
106 See, for example, 1758 Case 205, 222, 231, 255; 1803 Case 688, 717, 1015.
necessary. The master’s right to retrieve a runaway servant was unconditional and having servants leave without permission threatened the social order. This is evident by the fact that the very first article in the Servant Act of 1739 was not about servants but about people who did not enter into service, and how ‘Tramps, Vagrants, Idlers or Lodgers’ were not to be tolerated either in the cities or in the countryside. Everyone who did not have a trade or a farm/croft were obliged to be in service and could otherwise be forced into military service.\(^{107}\)

If we look at the continuation of Jan Abrahamsson’s situation, this is precisely what he exposed himself to. After the GAV’s decision, Jan Abrahamsson was retrieved on the orders of bailiff Johan Fredrik Hultberg but left again after three days. Hearing about this, the bailiff was quick to hand in a petition to the GAV requesting his recruitment as a soldier, shortly stating that he had now left his service for the second time. On the bailiff’s request, the GAV called a hearing, where the servant’s, his guardian’s, and his master’s presences were required. Before the hearing, the master, Anders Svensson, handed in a letter explaining how, during the three days Jan had been with him, he had constantly asked to be free from service, even going so far as to say he would die or commit suicide if he was not. Anders had therefore let him go. On the day of the hearing, Hultberg handed in a new letter explaining how Jan had promised to better himself and return to his service. His master had accepted this on condition that he remained the entire year and repaid his costs. Under these circumstances, the bailiff rescinded his claim. About a month later, Hultberg returned to the GAV and repeated his request because Jan had left his service for the third time. The GAV called in the servant and his master the same day. Anders explained how he had given Jan permission to go home on Monday and Tuesday, but he had not returned until Thursday. The GAV resolved to free the servant from Hultberg’s claim because of undermål, which probably meant that he was not physically fit to serve in the military – an argument that we find in other cases about forced military service as well.\(^{108}\)

Just as masters who wanted their servants retrieved, the officials who claimed men for the military kept their petitions short, seemingly not thinking it necessary to present more arguments than that the person in question did not have any service.\(^{109}\) Again, I believe that the relative unconditionality of the law played an important part. If the person was without legal defence (laga försvar), he could be claimed for military service.\(^{110}\) That is not to say that the

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108 1803 Case 1015. See SAOB, s.v. ‘undermål, undermålig’ meaning not functional; see also 1758 Case 242–3.
109 See, for example, 1758 Case 242–3, 318; 1803 Case 1022.
110 In simplified terms, being without laga försvar meant that as a servant you had a master for whom you worked in yearly service.
legislation was clear about who had legal defence; it was anything but. However, the bulk of argumentation about this was likely left to the hearing that normally complemented petitions about recruitment to military service.

The relatively few cases with located documents indicate that the accused men seldom accepted these requests but vigorously disputed them. When they argued, they either tried to show their physical unfitness for service or their legal defence, something their purported masters could help them with. This connects to the competition over workers that we saw in Chapter 6 when the *rotar* competed over soldiers — sometimes against the masters. This competition meant that servants did not have to face the charges alone, perhaps putting them in a better position.

An example of the first strategy was farmhand Erik Jöransson, who explained himself in 1758 upon quartermaster Westmark’s recruitment request. Erik made sure to point out that he *wanted* to serve the Crown (thereby showing loyalty). However, he was bodily impaired since childhood and therefore unfit. His injuries exempted him from poll tax (*mantalspenning*) and had forced him to beg. Erik likely mentioned the tax exemption to prove his disability since people who were sick or disabled could receive such an exemption. He also appended two certificates, one certifying said tax exemption and one stating he was unfit for military service because of a lame leg. Erik’s explanation and certificates were handed in during the hearing. Since Westmark did not come to the hearing and Erik had been deemed unfit, he was sent home.

The same month, Westmark handed in another request concerning eight men. At the hearing, one of them, discharged soldier Eric Bom, used the same argument as Erik Jöransson, handing in his temporary discharge letter, which he had received because of his crushed skull and lameness in the right hand. The other men tried in different ways to show that they indeed had legal defence.

One of them, Olov Jacobsson, was said to be a day labourer. He responded in writing, arguing that he had been in legal service with a vice sheriff for three years, receiving wages and food. He had now terminated his contract in the proper time and taken service with another sheriff. Like the masters who wanted their servants back, Olov tried to show how he had been hired according to law. He also emphasised that during his time with his first master, he had ‘performed the chores I was ordered to’, which proved that he was a farmhand and not a day labourer. Furthermore, Olov appended a certificate signed by people who lived where he had served, attesting that Jacobsson had terminated his service some days before the deadline and that his master had

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111 For a survey of the laws, see Johnsson, *Vårt fredliga samhälle*, 82–9.
112 1758 Case 243.
113 1758 Case 242. Two men could not be located.
114 1758 Case 242: ‘giordt de syslor mig blifwit befalte’.

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agreed. At the hearing, it was noted that Olov was registered as a servant with Hedman in the poll tax registers.

Similarly, Hindric Jansson argued that he was in service and handed in two certificates from neighbours and another person. Hindric’s master accompanied him at the hearing, verified his story, and offered to stand surety for him. The other men also had help from their masters. Discharged trumpeter Olof Liljeroos handed in a letter from the manager at Strömsholm saying he had legal defence as a fisherman. The other two were represented by a gardener at Strömsholm, Carl Morin, who gave evidence that they were boatmen at the castle and had legal defence. If forced into service, Morin said, he did not want to be held responsible if the deliveries to the royal court in Stockholm were not sent.115

As these cases demonstrate, despite the law being fundamentally unequal and placing these men in a vulnerable situation, they were not helpless. They presented evidence of their defence through certificates, signed by a variety of people and had help from their masters to prove that they were in service. Their masters were likely keen to keep them and not lose valuable workers. In these cases, the competition over the workforce led some of these men to have help when defending themselves.

How servants and others responded to attempts to force them into service shows that they were aware of their rights and duties and could enlist valuable help framing their claims. A particular example of this occurred in November 1758, when Christina E. von Bysing, a colonel’s widow, asked the GAV to order the local authorities to return her crofter Per Persson to her. The rules regarding crofters who absconded were similar to servants because if they left before the tenancy ended, the landowner could bring him back by force.116 Bysing highlighted how Per was legally hired and registered in the poll tax registers. He had moved away without legal termination or her knowledge and had taken service with a farmer. Per denied that he had been hired as a crofter. His response, written by juris doctor Nils Zellén, maintained that he had never consented to become a crofter or be registered as one in the poll tax registers. He also asked that Bysing show the executive documents that could give her right to enforcement. Finally, he wanted his current master to be heard in the case.117

In her second letter, Bysing appended certificates that Per was noted as her crofter in the poll tax registers and that he had performed days’ labour. For three years, Per had performed a crofter’s duties, such as days’ labour, and therefore his actions bound him to the croft. He had also been registered in the tax registers of his own volition since his parents were too old to pay poll taxes.

115 1758 Case 242.
116 JB1734, 16:7, in Carlén, Sweriges Rikes Lag, 64.
117 1758 Case 205.
With the help of Zellén, Per responded again with his own certificates. He argued that neither the annotation in the register nor the days’ labour made him become a legally hired crofter. Bysing had not presented any valid grounds for enforcement. In fact, Per’s father had been the crofter, and to this day, he had not been given any notice. Thus, he still carried the crofter’s responsibilities. Per himself was not yet of age, and as such, could not make legally binding contracts. The days’ labour had been performed by him, on his father’s orders which he had obeyed. Bysing’s son had tried to get him noted in the poll tax registers, but Per’s father had not consented to it. None of that meant that his father’s contract was terminated. Persson had entered into service with his father’s permission, a more suitable activity given his age and physical abilities. Finally, Persson asked that the case be remitted to court since it was disputed rather than clear.118

A few things are notable about how Persson responded to a woman of a much higher social position than himself. First, he had help from Nils Zellén, legally trained at a university, who sometimes worked at the GAV, a person he had likely got into touch with through his current master (Chapter 3). Second, as many servants, he knew or had access to people who knew, not only to rely on words, but also proving their case with documents. Third, his response was quite lacking in the language of deference that has been noted for example by Liam Meyer in a study of the English Court of Requests during the seventeenth century. Meyer found that the servant plaintiffs highlighted their deference in relation to their masters to emphasise their paternal responsibilities.119 In cases at the GAV between master and servant, the latter did indeed try to activate these reciprocal obligations, sometimes highlight how they had fulfilled their duties – how they had obeyed and done what was required of them – but more often it was the fact that the masters had broken their fatherly obligations that were emphasised. The master had not paid them, had been drunk or subjected them to abuse. But, an equally prominent feature of the argumentation were other contractual aspects of the service, where the servant tried to show that the service had been properly terminated, that they had not been legally hired or that they indeed had legal defence with someone else.

Looking solely at how they argued, it is difficult to say that servants were more vulnerable than other groups. Their strategies did not differ notably from others. However, the legislation upon which most arguments were based was inherently unequal, putting the masters in a stronger position – both as petitioners and in society. And their vulnerability was visible in other ways. They were more often subject to demands than made such themselves. And, unlike other groups (with the exception of soldiers), these demands were

118 1758 Case 205.
119 Meyer, “Humblewise”. 

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directed against their bodies. It was not money or property that was to be enforced; it was human beings.

8.4.3 Forced to leave tied accommodation

In 1880, no claims from and against servants relating to them being released from or forced back into service were handed in. Instead, the cases revolved around workers – often at ironworks – and consisted of claims for home evictions. As a basis for their claim, the employers argued that the worker was no longer employed and therefore had no right to stay on the property. Quite often, this loss of employment was said to be because of unbecoming behaviour. Conversely, the workers defended themselves by proving that they still had permission to stay or questioning the reason for termination.

Several workers also deployed arguments of sustenance and need. As we have seen, such arguments were used more widely in the early years of the thesis, while mostly by elderly widows and a few other labouring people who faced evictions in 1838 (Chapter 7). However, in the earlier period, such an argument was often combined with the paternal notion of the governor’s protection, thus connecting it to his obligation to care for his subordinates within the norms of household culture. As was concluded in Chapter 2, expressions that alluded to the governor’s protection had vanished in 1880. Thus, although still raised, the argument of need and sustenance differed at the end of the period. Nevertheless, it shows that although argumentation became more formal towards the end of the period, some people still highlighted other arguments than those that were legally necessary. This exemplifies how changes in how people made themselves heard differed depending on who you were and on the resource at hand.

A few cases can exemplify this change. For example, in 1838, the owner of Karmansbo ironworks petitioned through his steward to evict a former smith, Johan Petter Broström, his wife and children. The petition shortly stated that Broström had stayed at Karmansbo without permission since last autumn and was not registered in any poll tax register. Nonetheless, he could not be made to move willingly from the ironworks and get work. Since, as was revealed later, Broström had left the country to work at a Finnish ironworks, his wife answered the petition. She admitted that her husband had been ‘legally separated from all service at Karmansbo’ last autumn and that they stayed in their room without permission. However, she saw no other option: ‘where else will I and my four half-naked children get sustenance and a room over our heads when my husband is in Finland’ at another ironworks. If she

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120 There were two cases that concerned former contract workers, but where the case itself concerned a home eviction rather than service, see 1880 Case 411, 429.
121 For examples, see 1758 Case 233, 260–1, 304; 1803 Case 489, 495, 560, 630, 698; 1838 Case 81, 1498.
was to be evicted, she hoped that the GAV would arrange for her and the children to receive ‘protection and sustenance’ from her husband’s new master. Broström’s wife’s asked for care, together with the familiar reference to protection. According to the paternal norms of household culture, it was her husband’s new masters duty to provide for and protect her, and the GAV ought to arrange it.\(^{122}\)

Just as petitioners and respondents no longer ‘fled’ to the governor in 1880 (Chapter 2), workers did not reference their master’s (or the GAV’s) obligations in terms of protection and care.\(^{123}\) For example, in November 1880, leaseholder K. A. Wilander petitioned to evict his contract worker Per Johan Johansson. Wilander said that Per Johan, who had been in his service between April and October, could not be made to move willingly from the domicile he had kept during his service and now Wilander lacked housing for Per Johan’s successor.

Per Johan’s first defence was to object to his notice, saying that he had not received any recommendation letter. Second, he claimed he had permission to stay in exchange for days’ labour as long as he could not find other service. Third, he remarked that it seemed harsh that Wilander would ‘put me out of a house with wife and four small children, two of them twins only six months old.’ Wilander answered but did not reply to Per Johan’s reference to his need at all. He simply remarked that Per Johan indeed had received a recommendation letter and had in no way received permission to stay. Since he had not proved this was the case, the eviction ought to be granted.\(^{124}\)

Sometimes the employer would justify the eviction by connecting the notice to the worker’s behaviour, thereby using the obligations attached to the working role itself as an argument. For example, in January 1880, the steward at Utterberg’s ironworks, C. E. Wallquist, asked that day labourer Gustaf Gustafsson and his family be evicted from their living quarters because he had been sacked. In the first petition, Wallqvist was satisfied with a short statement

\(^{122}\) 1838 Case 1546: ‘ifrån all tjänste utöfning wid Karmansbo Bruk lagligen skild’; ‘hwarest will jag få tak öfwer hufwud och lifsupphälle för mig och 4 half nakne barn – då min man är i Finland’; ‘beskydd och underhål’. For the steward’s title, see AD, Hed församling, AI:10, 208.

\(^{123}\) Other types of cases with a direct bearing on the relationship between master and servant, occasionally have such expressions and direct references to household culture, for example concerning older people and their support. In a case handed in during 1879, a company called Hallsjö appealed against the local council’s (‘kommunalstämmans’) decision to oblige it to provide for a former stablehand that had been employed by the company. In their response, the local council claimed the company ought not have terminated the stablehand’s service. With an indirect reference to Article 7 of the Servant Ordinance of 1833, the council argued that a servant who had served faithfully and well, from his thirtieth year until his ability to work had been weakened should not be sent away. ‘If the master is a right-minded housefather’ (‘Såvida husbonden är en rättänkande husfader’), see 1880 Case 450; see also 1880 Case 340 when a servant justified leaving because of the disorderliness of the household, but he had been forced to sign a promissory note that the master now asked to be enforced.

\(^{124}\) 1880 Case 429: ‘vräka mig på bar backe med hustru och 4:a minderåriga barn, 2:e tvillingar hvilka icke äro mer en 6 månader gamla.’
that Gustaf had been discharged. When Gustaf disputed the claim, he described the termination in more detail. Gustaf had not taken care of his days’ labour, he had been lazy and drunk during work hours, and Wallquist was entirely in his own right to be rid of such a person. In addition, Gustafsson was a middle-aged man with full work capacity and would not be eligible for any poor relief.  

Gustaf’s objections had been threefold. First, his discharge was based on Wallquist’s dislike and not connected to his work efforts. He had worked at Uttersberg for ten years and done his job without complaint. The problems had started after he sued Wallquist for beating his son, which Wallquist had also been convicted for. After this, Wallquist had not only forbidden him to work at Uttersberg but had also told other local employers not to hire him and now finally wanted to evict them from their shabby living quarters when Gustaf was sick and had to provide for his wife and four children, with a fifth on the way. Second, he said that he would – in these circumstances – be forced to ask for poor relief from the ironworks. Finally, Gustaf questioned Wallquist’s formal right to act for the ironworks. The GAV took no note of Gustaf’s description of Wallquist’s purported reasons for wanting his eviction, simply stating that Gustaf had not shown any right to stay.

Similarly, in May, Engelsberg ironwork’s owner, O. G. Timm, asked that worker Anders Ersson be evicted with a short statement that he would not leave despite not paying his rent. Upon Anders’ protests, Timm handed in a new letter. He said that even if Ersson had done his duties, the ironworks would be in its full right to give him legal notice and discharge him. However, he had not done his work to satisfaction, first as a tenant crofter and then as a day labourer.

Timm’s letters were short, stating that the company had every right to discharge Anders. Giving him work as a day labourer after he had not performed his work satisfactorily had been a favour. Ander’s explanation was longer and based entirely on the hardships while working at Engelsberg. It started with a lengthy description of how he had been a crofter for Engelsberg for nine years. It had put him in the company’s debt because the land had been mistreated before he moved there. After nine years, he was assigned as a day labourer, and all his work on the croft was lost. He continued to work as a labourer for two years, barely providing for his wife and children. His debt was deducted from his pay, so he had to purchase food on credit in the trade stalls to have anything to eat. When he could not pay for the food, his credit was eventually rescinded. He had to seek other work, but at the time, he was satisfied that his wife and children had somewhere to live. Now, this petition for eviction showed how mercilessly and almost illegally the company had

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125 1880 Case 377.
127 1880 Case 391.
treated him, asking that the GAV oblige the ironworks to provide him with housing and firewood. Just as the previous case, the GAV paid no attention to Anders’ story of mistreatment, granting the application for eviction and stating that Anders’ request for housing could not be settled by the GAV.128

Like the servants faced with military service and labouring people faced with evictions from crofts, many of these workers tried to fight the petitions.129 Their letters were longer than the employers’, who mostly settled for argumentation based on rights and legal discharge. While the workers would dispute the eviction based on not having been properly discharged, what stands out is how they primarily used other arguments, such as having worked a long time or how the eviction was uncompassionate in their need. The explanations do reveal that they were aware of their rights. For example, they could describe how the reason for the eviction was due to having made some claim, such as asking for a higher wage or even just to get their salary (or in the earlier case, suing the steward in court to protect your son).130 But their arguments, with their references to a need that their employers did not even respond to, also gives an impression that these workers, when faced with a demand for eviction, clearly were in the weaker position.

This is corroborated by the fact that the workers never succeeded in their objections. None of the cases where I have found verdicts had a positive answer from the GAV.131 The decisions were often short, with just a statement that the counterparty had not shown any right to stay on the property against the owner’s wishes. The only case where the counterparty had a measure of success was when the GAV decided that the case was unclear and disputed and ought to be sent to court. In that instance, the reasons that the GAV highlighted from the respondent’s side were that he had claimed he was still legally employed and had received wages but had been illegally discharged from his work.132 Arguments of need generally had no effect whatsoever on the outcome. The worker’s only chance was if there was a legal means to attack the decision, again pointing to a stronger emphasis on argumentation based on the written law.

8.5 Concluding remarks

In this chapter, I have looked at how petitioners and respondents justified their claims in cases about working roles, analysing how roles themselves, factors such as gender and socioeconomic status, and the law shaped their

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129 Of the extant files, seven had a response and four did not, see 1880 Case 377, 388, 390–1, 397, 408–409, 411, 418, 429, 477.
130 1880 Case 409, 418.
132 ULA, LV, Lka II, A I b:30, 343.
argumentation. Civil servants turned to the GAV asking for payments and positions. Others turned to the GAV to complain about these same civil servants who were the governor’s subordinates. Burghers complained about infringements on their privileges, and people who wanted to become parish artisans went there for the proper permissions. Servants turned to the GAV to have their salaries enforced, something they were successful in when they had the proper documentation. In addition, when they wanted to leave their service early, they sometimes petitioned the GAV, even though these questions were supposed to be solved by the local administration.

The working roles that these cases were concerned with were all extensively regulated in law. This was also evident in the argumentation itself, where the rights and obligations of the role were often at the forefront. The civil servant who stood accused of unlawful decisions maintained that he had followed the law. The guardian maintained that he had responsibilities for the inheritance management, and if he did not, the consequences would be dire. The burgher pointed to his rights under the Guild Act. The servant argued he had a legal defence or he had not been legally hired.

Another essential argument in relation to working roles was that of reputation. When applying for positions, the civil servant could highlight how he was loyal and honourable. The presumptive parish artisan needed a reputation for knowing his craft and good conduct. The guardians who were appointed were men who had capital and a steady living. In 1880, reputation was still essential for getting specific permits, but since the permits concerned the sale of alcohol, reputation revolved around morality and orderliness. In addition, reputation was framed with a new concept since this was the first year when reputation was related to citizenship. To obtain a permit to sell alcohol, you had to have ‘civic trust’, meaning that you could not be punished for specific crimes. The notion itself was not new, but it had shifted from being framed in terms of dishonour to lack of citizenship rights.

A second change over time can be seen in arguments of need and sustenance. In earlier years, such statements – for example, framed as difficulties to provide for yourself or being a poor widow – were often combined with enunciations of the governor’s paternal role as protector. In 1880, this combination had disappeared whenever the workers argued that their employers were heartless in light of their need. Although they did deploy legal arguments when they could, questioning the notice given or arguing they had permission to stay, workers tended to highlight their dire situation and the uncompassionate behaviour of their employer – arguments that, in the end, had little impact because they rarely got to stay. Neither the respondents nor the GAV took any notice of the statements of need, speaking to the weak position of the workers in relation to their employers.

Servants were also in a vulnerable position since the legislation upon which they based their applications and responses was inherently unequal. However, I would argue there was a qualitative difference in the cases regarding servants
and workers. Whenever we have access to their responses, servants were less prone to highlight their needy circumstances, but seemingly focused on their notice or the circumstances on the hiring or how the master had failed in his responsibilities. We can find such statements in the later cases as well, when workers noted how they had not received their pay, but together with the references to heartlessness or harshness and the lack of reference to protection, the arguments had a more piteous character than when people previously referenced their need. What we see is a society where the ideas of household culture had lost much of its influence, whereby it no longer made sense to ask for the governor’s protection or care.

In terms of principal arguments, there were many similarities between these cases, even though they concerned different working roles. The rights and obligations of the role turned up very often, as did questions of what made a person suitable for a particular role. Just as for land, the nature of the resource was essential for the exact justifications used.

Finally, the cases involved several positions not open to women. They were not allowed to hold the offices that the petitions involved, and they could not be assigned as external guardians. They were allowed to continue their husband’s trade or craft, running the business as long as they had the proper permits. Nevertheless, before 1880, there were relatively few women who acted in these cases by virtue of being servants orburghers. They did turn up on the opposite side, as masters or petitioners who wanted their inheritance, see, for example, 1758 Case 229, 231; 1838 Case 2021.
9 Conclusions

The thesis has deepened our understanding of women’s and men’s ability and need to make themselves heard through the regional petitioning process. It has also elucidated how this was intertwined with people’s endeavours to make a living by focusing on the participation’s connection to resources. To study these issues, I have used 6,402 petitioning cases (of which 2,834 are extant files and the rest are register entries) from the GA of Västmanland, spread out over four years: 1758, 1803, 1838 and 1880. The starting point for the analysis has been the concept of voice, first developed theoretically by Albert Hirschman, and in this thesis construed as participation based on rights and obligations related to resources and resource use. Empirically, the study is structured by four clusters of research questions: two focusing on the vertical relationship between petitioner–respondent and the state, and two on the horizontal relationship between the parties and the resources that led to petitioning and responding.¹

This separation of the different parts of the petitioning process has been necessary for a stringent analysis. However, at this point, it is time to bring the questions together and discuss the broader implications. Here I return to the themes presented in the introduction (Sections 1.1.1.3 and 1.3), where the study’s main contributions lay. Some research questions connect more strongly to certain themes than others, but most will appear in more than one theme, illustrating how they are connected.

First, the thesis has introduced an extended theoretical conceptualisation of the regional petitioning process, where the relationship between petitioner and respondent is integral to the petitioning itself. This inclusion has shown that the commonest reason why women and men needed to make themselves heard, thus establishing a relationship with the governor and his administration in the first place, was because of interactions and conflicts with other people over some resource, primarily credit, land, or working roles. In other words, economic and everyday interactions led people to use the regional

¹ The first two clusters: How was the GAV’s petitionary relationship to the applicants and respondents viewed and constructed? How was participation in the regional petitioning process connected to practical and formal restrictions? The second two clusters: Why did women and men participate in the regional petitioning process? When petitioners and respondents participated in the regional petitioning process, how did they justify their claims? Strictly speaking, the last question concerns both vertical and horizontal relationships since arguments were put to both the GAV and to opposing party.
administration in legally regulated disputes, which ultimately had political implications.

Second, by comparing the participation of women and men as well as that of labouring people to other groups, I shed light on how the ability and need to make yourself heard varied with gender, marital status, and socioeconomic status. Here, it is important to balance the ability to contact the authorities with the restrictions on doing so. To participate in this manner was expensive, which undoubtedly affected poor people’s ability to petition. Nevertheless, we find people from the lowest rungs of society who vehemently protected their rights concerning credit, land, and their working roles, sometimes as petitioners but more often as respondents. Women’s participation at the GAV, as in almost all official contexts at this time, was lower than men’s, sometimes only a fraction. It is obvious that gender was a determining factor for defending your rights, yet women’s presence was also dependent on marital status, age, and resource use. Despite their low levels of participation, it nevertheless took many forms, and importantly, the share of women and its variety continued into the nineteenth century, a time when especially married women’s scope for action has been said to become more restricted.

Third, and arguably most essential, the thesis is a study of how the ways people made themselves heard and were heard through the regional petitioning process evolved over time. Their participation at the GAV has been examined during a long period characterised by both change and continuity. In doing so, it is one of few Swedish studies of petitioners and respondents beyond the beginning of the nineteenth century. Its temporal setting has yielded previously unknown insights into how the development of voice through the petitioning process was connected to administrative bureaucratisation, aspects of the judicial revolution, the gradual but non-linear disappearance of household culture, and the emergence of a civil citizen.

9.1 Voice and the regional petitioning process: Economic, legal, and political participation

At an online symposium on early modern petitioning in 2016, Brodie Waddell concluded by noting ‘the danger of examining petitions and supplications through a single lens.’ While mainly placed in a ‘purely political or constitutional narrative’, the multitude of petitions to local authorities suggest ‘that people were much more likely to be involved in supplications about social or economic matters than in politically driven petitioning campaigns.’ An important task for coming research was to investigate how petitioning’s political history was intertwined with its everyday use.²

² Waddell, ‘Addressing Authority’. 
In this thesis I have endeavoured to give an additional view of the petitioning process, by including all its participants in the analysis and by investigating the nature of the overlooked horizontal (although not always equal) relationship between parties, alongside the more studied vertical one. In doing so, I can conclude that the regional petitioning process, and by extension people’s participation in it, can be described as simultaneously economic, legal, and political.

By taking as my starting point what people found crucial to make themselves heard about, I have shown that they chose to and needed to contact the governor and his administration because of resources that were important for their sustenance, primarily relating to credit, land and working roles. And importantly, these resources were often subject to some form of conflict that people needed the state’s help to solve. Most petitioning cases originated in a previous resource interaction between individuals or (more uncommonly) smaller groups. Without such interaction, the contracts over goods, money, or land, the agreements between master and servant or enforcement actions of officials against debtors, the need for petitioning would not have materialised. Even in cases involving taxation – the state prerogative par excellence – the decentralisation of its collection made the issues take the form of disputes between the actual taxpayer and tax receiver rather than a complaint against the state. Therefore, the often economic and everyday aspects of the relationship between the subsequent parties were integral to and constitutive of the need to make yourself heard in relation to the state as of the regional petitioning process itself.

At the same time, we must remember that regional petitioning existed in a particular context. To what extent was this horizontal relationship important in other petitioning processes? What, in other words, is the range of this result? Here, another aspect of petitioning participation is worth considering, namely that it was also clearly legal. The resource disputes women and men needed help with were, as became clear in Chapters 6–8, those of a regulated kind. Credit legislation detailed how enforcement could be obtained. Similarly, land transactions, tenancies and access to land were tightly controlled in the Swedish Law Code of 1734, as were the responsibilities of guardians and officials. Additional ordinances regulated the exercise of trade and artisanal privileges as well as the duties of masters and servants.

Not only were the material issues (sakfrågorna) regulated, the jurisdictional ones were too. Turning to the GAV in these issues, executive and judicial alike, was often a result of particular laws that gave the authority the right to decide them. And when the GAV received a petition, it followed a strict procedure, having the opposing party give their view on the matter. In other words, much of the regional petitioning process had strong similarities to the workings of a law court. And this is where the range of my observations becomes clear, because we have many examples of how petitioning authorities across Europe and beyond had a judicial aspect. To just mention a few, the
British parliament handled petitions for private bills where it ‘adjudicated between interested parties.’\(^3\) The Swedish Diet received petitions in civil or other disputes between individuals or groups.\(^4\) The same has been found for the Danish king and his office.\(^5\) As Maggie McKinley has noted for the American Congress in the eighteenth century, ‘processing petitions involved an amalgam of legislating, adjudicating, and enforcing.’\(^6\) The separation of these aspects was a later phenomenon (Section 9.3). Of course, the extent to which one or the other was a defining feature of any particular petitioning process varied, and the disputes these authorities judged could be between individuals as well as groups. Nevertheless, the horizontal relationship that was such a pervasive part of the regional petitioning process seems to have been an important part of many petitioning authorities too.

A further implication of emphasising the horizontal relationship between the parties is that not only was regional petitioning political in the sense that it could entail an influence on the state, it was also a question of power between individuals and groups. Defending your rights and making yourself heard was by no means a neutral act; it was often done to someone else’s disadvantage, in the struggle over the fine detail of how resources should be distributed.\(^7\) We have seen many such examples in this thesis, where landowners use the GAV to evict tenants, where an artisan’s rights to pursue his trade was questioned by guild members, where *rotar* competed for soldiers, and, omnipresent, how creditors used the state to make sure their debts were paid.

In many ways, it was an unequal power relationship. The petitioner made the choice to use the state mechanisms; the respondent did not. We can see how people with more power, masters and landowners, used petitioning as a way to exercise control over subordinates, their servants and crofters. Many times, the petitioner had a stronger legal position, especially visible in enforcement cases about credit. If they had the proper documentation, they could expect their petition to be granted. However, what should also be highlighted in this context is that the rights of the respondent were also protected. They were, almost always, required to give their view, which they also did in many cases when something was deemed important, and especially visible in eviction cases. As respondents or as petitioners, it was by no means impossible for an old cotter to claim her rights against the landowner, nor the servant against her master. This observation ties into how petitioning, as Bowie and Munck have said, sheds light on how authority and power was used.

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\(^{3}\) Miller, *Nation of Petitioners*, 75.
\(^{4}\) Almbjär, *Voice?*, 182.
\(^{5}\) Bregnsbo, *Folk skriver*, 123–43.
\(^{6}\) McKinley, ‘Petitioning’, 1563.
\(^{7}\) Carpenter, *Democracy by Petition*, 20.
in society.\textsuperscript{8} And, as E. P. Thompson has famously argued, the law was certainly used as an instrument of the ruling classes, but equally, to preserve its legitimacy, it also had to offer protections to the powerless.\textsuperscript{9} We should of course acknowledge that mistakes, outright faults, and arbitrariness existed in the regional petitioning process.\textsuperscript{10} Nevertheless, my impression, from having read and analysed thousands of petitions and answers and the employed official’s scribbles on them as well as a fair number of decisions, is that they were, for the most part, treated seriously and conscientiously.

The final observation in this section concerns how the political aspects of participating in the petitioning process were connected to its legal and economic. First, we can see how changes in the circumstances under which the parties’ interactions took place (including policy), changed the need to interact with the GAV. Once the military allotment system was based on cash transfers, peasants no longer needed to petition about the form their obligations took. When people started to buy more goods from merchants on a regular basis, the need for the latter to ask for payments grew. When trade was liberalised, people from other backgrounds than burghers in the city applied for necessary permits. In this way, economic, legal, and political aspects were intertwined in the petitioning process.

Second, when they presented their arguments, in what were often personal matters between two individuals, petitioners and respondents did not hesitate to elevate their problems to a more general, societal level. Participants made the GAV aware that their troubles could lead to diminished tax revenue for the state, how proper management of the forest was necessary for industry, how the competing rules over servants and soldiers should be interpreted against the backdrop of the private and public good or who should carry the responsibility for the poor.

Third, as several researchers have emphasised, people’s economic relationships and management of resources could lead to changes in the state apparatus because such connections existed. For example, Sandvik points to how in Norway women’s petitioning on economic issues led to policy changes.\textsuperscript{11} For seventeenth-century France, Julie Hardwick has argued that people’s resource management led them to use the state agencies strategically, which had an impact upon ‘key elements of the early modern state and economy.’\textsuperscript{12} This happened at the GAV as well, as illustrated by at least one example. As was described in Chapter 2, people interpreted the legal aspect

\begin{itemize}
\item \textsuperscript{8} Bowie & Munck, ‘Early modern political petitioning’, 274.
\item \textsuperscript{9} Thompson, \textit{Whigs}, 258–69; see also Sogner, ‘Conclusion’, 271. For a similar conclusion in regards to the GA, see Aronsson, \textit{Bönder gör politik}, 304.
\item \textsuperscript{11} Sandvik, ‘Gender and Politics’, 332.
\item \textsuperscript{12} Hardwick, \textit{Family Business}, 1–2, 5–6, 10 at 1–2. Similar reasoning can be found in Würgler, ‘Voices’, 31–2; van der Heijden & Vermeesch, ‘Uses of Justice’, 2; Österberg, \textit{Mentalities}, 176–91.
\end{itemize}
of the petitionary relationship broadly, handing in petitions for enforcement based on a variety of documents, in applications that were also accepted by the GAV. However, this caused problems with the speed of the process, eventually leading to legislative change in what kind of issues could be brought to the administration, which brought a standardisation of cases. Because of certain petitionary practices, these same practices were changed through legislation.

The literature on petitioning emphasises the political nature of the petitioners’ actions in relation to the government authority. And it is right to do so since the political was undoubtedly a part of it; the evidence for how people’s letters to their superiors and authorities shaped and affected legislation and administration practices is plentiful at every level. An equally prevalent statement is that many early modern petitions concerned individual, ‘private’ or economic matters. However, what has not been emphasised explicitly enough is the connection between the two. This eighteenth- and nineteenth-century political practice, at a regional level, was a result of other, usually economic, practices between people in matters concerning their day-to-day lives.

9.2 Voice and disadvantaged groups: Balancing opportunities and restrictions

With their attempts to shape their circumstances and the distribution of resources, petitioners and respondents navigated the administrative and judicial petitioning process. Throughout the thesis, the recurring theme has been that petitioners and respondents had a measure of legal literacy. They possessed the required knowledge to participate in a formal, legal setting (Chapter 3). They knew whom to turn to, often turning to people who would have had experience with the process through their work. We find examples of people who used the sometimes vague boundaries between courts and the GAs to their advantage. And finally, the analysis of the argumentation demonstrates how petitioners and respondents alike applied the law and positioned themselves in a way that suited their purposes. Of course, because they have left no trace in the archives, we cannot know how many people failed to contact the GAs or did not know how to do so. Nevertheless, the variety of people who did manage to do so points to a society where women and men were relatively used to seeking the authorities’ aid. But, as the thesis has also made apparent, when they participated, people did not necessarily do so on equal terms, and we must be careful to highlight these nuances.

Although the thesis has studied all petitioners and respondents in the four years in question, it has paid particular attention to the activities of unmarried, married, and widowed women of all socioeconomic status and men and
women from the ranks of labouring people (including servants). By comparing them, their actions and their principal arguments to the petitioning and responding population as a whole, we have learnt more about the role of factors, such as gender, marital status and socioeconomic status, in making yourself heard through the petitioning process.

Until now, in the Swedish case we have known little about the systematic participation of women in the regional petition process and even less about labouring people. We have known that, as petitioners, their involvement was low despite being a large proportion of the population, a result that this study confirms. However, we have been less aware of how and why they participated when contacting the GAs.

9.2.1 Women and the role of gender

For women, petitioning was a way to make themselves heard, but it is apparent that their participation was more limited than men’s, as the differences persisted across marital status. Regardless of whether the women were unmarried or married, they never petitioned or responded in numbers that reflected their share of the population. In contrast, married men seem to have been quite overrepresented.¹³ In cases involving servants – who were mostly unmarried – farmhands or other men in service were more active petitioners than maids, although they ought to have had the same reason to petition. The only group of women who even got close to their share of the population were widows.

To explain the differences, gender is only one part of the puzzle. Other factors – changes in jurisdiction, the occurrence of cases regarding specific resources, and administrative practices – also affected the share of female petitioners. When trade was deregulated and permissions were required to sell specific goods, these new cases had a high share of women applicants compared to their participation as a whole. Women were often parties in cases originating in land transfers, and when these cases (as far as we can tell) became less common, it lowered the share of women. And similarly, the practice of making out promissory notes to the bearer rather than a named payee and transferring them to civil servants for collection (Chapter 5), might be one reason why we see fewer women in debt cases that year. However, these factors are not separate from the issue of gender. At the time, women were not allowed to work as government officials such as police constables, bailiffs, and enforcers (exekutor) who bought promissory notes. Trade was an area where women were particularly active. And when land was transferred, they were legally obliged to have a say. In other words, gender was directly intertwined with women’s petitioning because their work opportunities and

regulated rights were not the same as men’s, and these activities outside the GAV gave them (or did not give them) a reason to petition.

Marital status and socioeconomic status also made a difference. For example, soldiers and their wives seem to have been particularly given to acting together at the GA, while such joint actions were not seen among, for example, merchants. While married women overall often appeared as petitioners and respondents together with their husbands, husbands more often petitioned alone. In addition, before 1863, adult unmarried women were represented by their guardians in matters of inheritance. These guardians and husbands did not always detail who their wards or wives were, which made unmarried and married women comparatively invisible.

Even when we account for marital status, socioeconomic status, case type and authority, differences persist between men and women, indicating that gender was essential in explaining women’s participation in the regional petitioning process. Here, I argue that the gendered procedural rules relating to guardianship, målsmanskap, and ideas about who should represent the household were important. Married women who acted as sole petitioners primarily did so when their husbands were absent. According to the rules on målsmanskap, it went into abeyance when the husband could not exercise it, for example because of infirmity or a long absence. In that case, the wife became the sole head of the household, responsible for representing her household or family, just as a widow had to do. Many married women also acted together with their husbands, indicating how they shared responsibility for representing the household, but compared to all cases at the GAV, these were relatively few. In 1880, some married women acted independently in matters related to their own businesses, following a legislative change in their rights to manage their property. In these matters, they had the right to apply themselves to the GAV. The procedural legislation and ideas of household representation seemingly affected how married women participated, making it likely also to affect participation rates.

The legal rules and ideas about household representation normatively made the married man the primary representative of the household and his wife. Nevertheless, the variety of how these women participated points to a pragmatic approach. Wives could and were allowed to act on their own, as were unmarried women. Their actions were very rarely questioned, and if the opposing party (or the husband or guardian) did not, why should the GAV? We can see increased control on the GAV’s part in 1880, when it occasionally started to condition the women’s participation by wanting their guardians or husbands to respond, but these instances were very few overall.

Married women continued to act both with their husbands and independently throughout the nineteenth century. Therefore, in petitionary practice, I have not identified a tightening of målsmanskap identified in previous research. I do not question that such a tightening took place, but it seemingly did not affect how wives made themselves heard at the GAV.
Likely, the above-mentioned pragmatism, together with the fact that the GAV was a lower-level authority than the Supreme Court studied by Hinnemo, and that I have studied procedural practice, not their actions elsewhere, can go some way to explain this absence. By 1880, it also seems that the perception of wives as lacking legal capacity (*omyndiga*) had shifted, partly due to the removal of guardianship for unmarried women and the introduction of extended rights for wives to manage particular property (Chapter 4).

Leaving the issue of gendered participation aside, when they did petition and respond, the contents of letters from men and women showed many similarities. Thus, in terms of argumentation, gender did not play a major part when looking at argumentation as a whole. There were undoubtedly gendered elements, such as how women could deploy the notion of the poor, deserving widow with fatherless children (Chapters 2 and 6). Such differences have been noted in previous studies of women’s petitions to noble masters and other authorities in Sweden.14

Importantly, however, these were slight differences. Both women and men in the early modern period deployed the language of poverty, but women could seemingly use it regardless of socioeconomic status. But almost everyone could plead their poverty, humility, charity, helplessness, and distress in their appeals to the governor – healthy noblemen were perhaps the only exception. Gender was by no means the defining factor in their argumentation, which, in the end, served to position the sender in a relational position to the governor, activating reciprocal obligations of ruler and subject (or, for some, other positions within household culture). When looking at the petitions and responses as a whole, where women and men highlighted laws, customs, humility, and subordination, I agree with Sandvik and Sofia Ling that these petitions primarily bore similarities to one another.15 As Sandvik says of Norwegian petitions to the king, ‘Similarities, not gender differences, are what strike us’.16 She tentatively explains these similarities with the supplication’s genre and the use of scribes. Another critical factor, at least for regional petitions and responses, is the thoroughly regulated context in which these cases were made. In most petitions, the issue at hand was surrounded by legislation, and both petitioners and respondents, regardless of whether they were women or men, used it explicitly or implicitly to make their case. Instead, the differences we find were primarily when parties highlighted their position. And as the nineteenth century progressed, the differences became even slighter as these positional arguments were less used.

In this context, it is worth highlighting that the situation in Sweden and Norway seems to have been different from the Anglophone context. While

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Swedish researchers have indeed found gendered differences, similarities are continually highlighted as well. In Britain and North America, similarities are sometimes highlighted. For example, Marcia Smith Blaine notes that women’s petitions in seventeenth-century New Hampshire were not particularly different from men’s, as both highlighted their need. Nevertheless, gender differences were seemingly quite pervasive, as several studies of female petitioning have shown how women used gendered ideas much more extensively to argue. Some have claimed that petitionary language was gendered as a whole. For example, Whiting has argued that the persona of the petitioner was frequently gendered feminine. Both men and women could use these in petitions to parliament in the seventeenth century, but they did not use them in the same way. Whiting’s explanation is that ‘male petitioners did not have to negotiate the cultural assumptions about intellectual inferiority and legal incapacity that constrained women’, pointing to several examples in seventeenth-century England when women’s parliamentary petitions were not accepted explicitly because they were women. Similarly, Beatty points out how women used their feminine dependence and gendered expectations of white femininity to argue for their claims in revolutionary America. Others have pointed to women in the nineteenth century highlighting their roles as mothers.

Except for the aforementioned differences in the extent women could use their subordination and need compared to men, the issue of women’s intellectual inferiority or legal incapacity almost never arose. In contrast to parliamentary petitions, women in the regional petitioning process never explained why they, as women, chose to petition, nor were their petitions refused on that ground. A husband could (rarely) claim his wife had done something against his will or which he did not understand – a strategy of not being bound by her contractual actions. But such language in no way reflected the argumentation in petitions overall. In general, women deployed the same arguments as men, referencing laws, their efforts concerning the resource or issues of sustenance. It would be wrong therefore to claim that gendered ideas had no part to play in women’s or men’s regional petitions, but it would be just as wrong to portray it as something that permeated them.

9.2.2  Labouring people and the role of socioeconomic status

Regarding the participation of labouring people, we see a similar combination of opportunities and restrictions. They did use the GAV as petitioners, but far less than their proportion of the population would indicate. Petitioning was

18 Whiting, Women and Petitioning, 39–41, 209, 259 at 259.
19 Beatty, In Dependence, 3, 11.
20 Collins, “Petitions Without Number”, 56; Miller, Nation of Petitioners, 86–7.
relatively expensive (Chapter 3). Many in the group must have lacked the cash equivalent to ten days’ labour which it took to defend your rights at the GAV. That the poorest in society did not use petitioning to any degree is also demonstrated by the fact that so few received the exception from paying stamp fees due to poverty, and several of those who did had walked to the governor’s castle rather than travel by coach. To live further away from Västerås than a reasonable walking distance would likely often have resulted in foregoing petitioning if it was not absolutely necessary or even failing to do so. Even so, whenever one of their most important livelihoods – small plots of land – was threatened, many still found it worthwhile and managed to petition or reply. And for servants, the subordinate position that might have made it more difficult to reach the GAV, due to not being allowed to travel or need to contact the authority in sensitive subjects, could also enable them to find someone who helped them draft letters or stood by them in their struggles (Chapter 3).

I have shown that the small share of labouring people as petitioners did not mean they did not participate in the process. By systematically including the respondents, I can nuance the existing research that correctly concludes that these women and men were underrepresented as petitioners. In all four years studied, their participation as respondents was much higher than as petitioners, and in the final two years many times higher. Crofters, cotters, farmhands, maids, and workers had a definite role in the petitioning process, although not primarily as petitioners.

The role of the respondent undoubtedly entailed vulnerability. They had not chosen to turn to the GAV of their own volition; they were made to answer, often because they had failed to fulfil a previous obligation. As was shown in the case of crofters and cotters (Chapter 7) and servants and workers (Chapter 8), landowners and masters exposed them to the risk of eviction and physical enforcement. Like many others, they had trouble paying their debts. Being a respondent was to be subject to another person’s demands – a petitioner who used the state’s power to extract resources from the opposing party. The fact that labouring people were more often exposed to these demands than made them themselves is a clear indication of difficulties making ends meet and of unequal power relations.

Nevertheless, I think it is important to highlight how their presence as respondents can also be seen as a sign of empowerment. As emphasised in this thesis, when petitioners, including labouring people, claimed something against another, the GAV (and the legislator) expected them to respond and make their view known; anything else was considered a procedural fault. Even though they might not ultimately have been successful, they were given an opportunity to make their case and were part of and negotiated the petitioning process through their answers. In addition, the fact that they appeared in this judicial system means there were checks and balances on the petitioner’s arbitrary actions. Landowners could not just evict people on a whim; legal
notice was regulated. An essential argument for respondents was that no such notice had been given (Chapter 7). A creditor could not appropriate his debtor’s property without a decision from the GAs; if they did, they could be punished. Their appearance as respondents therefore offered some measure of protection.

In identifying why certain groups petitioned, I have demonstrated that socioeconomic status did affect participation, as some groups petitioned more frequently about certain resources than others. For example, peasants were overrepresented in cases concerning land, while merchants were overrepresented in cases regarding credit, both resources being an important source of income for the respective groups. This was the same for labouring people. As crofters, they defended their right to their plots of land; as soldiers, they wanted the benefits of their contracts; as servants, they asked for their wages or to leave service and respectively were requested to return to it. But they also petitioned and responded over issues unrelated to their socioeconomic status. They lent out money, took loans, and sold and purchased goods on credit, making them petition for enforcement and respond in the same cases. They complained about the actions of civil servants. They asked for their inheritance to be paid. Thus, the sheer breadth of issues in which they participated illustrates that labouring people, as well as many others, needed to petition over a wide range of topics.

9.3 Voice and change: A waning household culture in a more bureaucratised process

In the long period studied, the regional petitioning process underwent significant changes, which affected the conditions under which people made themselves heard. In essence, we see the connection between how people made themselves heard and the complex societal developments that have been described as a transition from ‘early modern’ to ‘modern’ society. To be more specific about the changes the thesis has identified, I will connect them to several of these elements: the judicial revolution, the waning of household culture, the emergence of civil citizenship, and finally, administrative bureaucratisation.

However, it is essential to remark from the outset that these changes were not a creation of something wholly new but should rather be seen as a shift in emphasis. In the eighteenth and nineteenth centuries, aspects of rights and obligations connected to the corporative and the individual effectively coexisted, and one eventually became more influential. This gradual, non-linear adjustment was visible both in the form of the petitions and in the principal arguments used. Throughout the period, women and men contacted the GAV with individual applications in personal matters, but its framework
changed from one permeated by the reciprocal and hierarchical obligations of household culture to an increasingly formal and delineated one focused upon what was seen as strictly legally valid.

9.3.1 Towards a changed composition of arguments and bases for rights

The most visible difference in the petitioning process was how the petitionary relationship between petitioner/respondent and governor/GA evolved. In the eighteenth century, legislators and people alike framed the relationship between the governor and the party as reciprocal and personal. In exchange for loyalty and obedience, the governor was meant to offer protection and justice. Another part of this relationship was its materiality. The petitioners were presumed to present their letters personally in a session presided over by the governor himself. Thus, the hierarchical ideas of obligations between ruler and subject set out in the Lutheran Table of Duties were part of and permeated how people made themselves heard.

Over the nineteenth century, evidence of this personal and reciprocal relationship gradually grew less visible until it had more or less vanished entirely by the last year. At the same time, petitioners and respondents started to address the authority instead of the governor, who also distanced himself from handling petitioning cases. Similarly, the instructions emphasised the office more. In other words, the relationship between the actors was perceived as more abstract, as a relationship between an impersonal office and an anonymous citizen with a legal right to approach it rather than a relationship between the monarch’s representative and his loyal, subordinate subjects.

The change in the petitionary relationship was primarily visible in the formal parts of the letters. However, arguments in the less formal parts underwent a similar development, characterised by disappearance. In 1880, although still somewhat humble, petitioners and respondents no longer deployed the very deferential and subordinate tone that was the rule in the eighteenth century. Neither did they, to the same degree, emphasise custom, their contributions to the land or the state, their need for sustenance, religious prescriptions, or their own position as, for example, poor soldier’s women, ignorant peasants, or defenceless widows. These changes were visible in all kinds of cases, regardless of case matter, demonstrating how it was a shift that transcended specific issues.

Instead, two connected argument strategies became more prominent: formal and legal arguments. Petitioners and respondents questioned formalities such as lack of power of attorneys, the validity of appended documents, and how authorities had handled the case and brought up jurisdictional issues to have the case dropped or for the GAV to decide in their favour. In addition, references to legislation and its interpretation continued,
as had been common since 1758, and because other arguments disappeared, they now stood out more. Based on the comparatively few verdicts analysed, it also seems they were the ones the GAV put weight on.

This transformation has been described in different ways in the literature; for example, as an emergence of a language of individual rights or how sentiment and deservingness (in pauper letters) gave way to legal and structural arguments. More abstractly, it can be tied to a few related conceptualisations. As Elin Hinnemo has concluded, it formed part of what has been termed the judicial revolution, where the legal system changed in a way that put more emphasis on what was legally regulated and what was not, leading to an increased emphasis on laws and legal documents. We can clearly see such a shift in emphasis happening at the GAV, where the argumentation increasingly focused on the validity of documents. It should be remembered, though, that proper documents were an essential part of the claimed rights – especially for enforcement – in the middle of the eighteenth century as well. In terms of credit cases therefore this aspect of change in legal systems primarily occurred earlier than the nineteenth century.

However, in the nineteenth century, we see how notions of what was considered law and sources of rights shifted. Some petitioners started distinguishing between the legal and the moral in their letters and understood that the latter would not necessarily lead to a favourable decision. Such a distinction can also be seen in the emergence of sharper boundaries between different types of letters, as a perceived separation emerged between applications based on law and supplications based on benevolence. Thus, the legal pluralism that characterised early modern society gave way to a stricter view of what conferred rights in the first place. This transformation can be connected to a more pervasive societal change, as the loss of arguments that were not strictly deemed legally valid also shows how other sources of rights lost influence. And what disappeared can, in many ways, be described as the hierarchical and reciprocal rights and obligations of household culture. Such a disappearance or waning has also been identified in other contexts, although compared to other petitioning it seems to have happened relatively early at the GAV. For example, in relation to the monarch, notions of subjecthood and paternity seem to have remained long after they disappeared at the GAV. This likely had to do with the nature of the arena: the governor was head of a regional authority, and over time, his person became separated from the authority. It was probably also connected to what case matters the authority dealt with. These were primarily cases concerned with debt enforcement, an area less connected to the relationship between master and servant and more to contractual, individual rights. And, as we have seen, it was fairly rare for

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22 For a similar development, see Damiano, *To Her Credit*, 89.
23 For these contexts, see Jansson, ‘Hushållskultur’ (forthcoming).

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cases at the GAV to explicitly deal with rights connected to estate privileges. However, even in cases where the responsibilities of master and servant might have been more prominent later in the period—for example, evictions of workers in patriarchal settings such as ironworks—we see a change in the arguments posed. These workers also focused on legal constructions, agreements and so on. They did invoke arguments of compassion in a way that most petitioners at this point did not, but it was different from, say, cases about crofter evictions earlier in the century in that the misconduct of the master (in the household sphere) did not lead to the petitioner asking for the fatherly protection from the governor (as the master in the political sphere).

Others characterise this development as a move from subject to citizen, where the corporate positional arguments gave way to individual rights. To a degree, I agree with this narrative since it is visible in several aspects of regional petitioning. For example, in the governor’s instructions from 1734, there was an apparent demand for a quid pro quo in order to be heard—namely, to act loyally and obediently in exchange for protection and justice—which also fed into the petitionary language. In the instructions of 1855, there was no longer any such counterdemand: the GAs were simply to hear cases because it was their responsibility according to law. The relationship portrayed was no longer explicitly reciprocal. This can be connected to the right of due process, depicted by Marshall as a part of the rights of civil citizenship.

However, several of the tenets of civil citizenship could be seen in 1758. As we can see from Marshall’s definitions, the cases in regional petitioning, like the act of petitioning itself, pertained mainly to the rights enumerated within the realm of civil citizenship, namely the right to own property, to individually conclude valid contracts, and the right to justice. The right to turn to the GAs to receive enforcement was explicitly said to encompass everyone, rich and poor, thereby giving it an impression of equality before the law. The cases involving enforcement (and, by extension, ownership rights and the right to conclude valid contracts) were the commonest from the beginning. And already in the first half of the eighteenth century, the GA’s procedure gave the petitioner and respondent a right to be heard procedurally before actions were taken regarding the property at hand.

In addition, the parties implicitly deployed the notion of civil citizenship rights over the whole period, as their frequent references to legal jurisdiction, ownership rights, and usufruct attest to. Compared to 1758, what became increasingly common over the nineteenth century was that the concept of citizenship rights explicitly entered into some of the cases’ argumentation, and the word itself was gradually applied to a broader circle of people. This was especially visible in the last year. In 1880, all petitioners, regardless of

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socioeconomic status, needed to show they possessed civic trust (medborgerligt förtroende) to receive permission to trade in specific goods.

Since the building blocks of civil citizenship were clearly present at the same time as the language of ruler and subject was equally prominent, the transformation that occurred should not be characterised as moving from one thing to another (subject to citizen). Instead, the changes in the petitioning process can be described as a change in emphasis, where some aspects lost influence and others gained more influence. If we see the bases for petitioning or arguments as a fluid consisting of different particles, it was not the character of the particles that changed but their internal composition.25 In the eighteenth century, notions of the civil citizen with individual rights and that of subject and servant in household culture existed side by side. Over the nineteenth century, the former gained traction, while the latter lost its influence on how people made themselves heard through this particular authority.

This was a gradual and relatively slow process that did not happen for everyone simultaneously. Looking closer into the rights and duties on which petitioning was established, it is clear that older and newer elements coexisted for much of the period studied.26 Petitioners turned to the GAV due to legal prescriptions in judicial and administrative procedures, but they could also do so with reference to the governor’s responsibility to hear his region’s inhabitants as a representative of a just and benevolent ruler. Similarly, in terms of available arguments, direct references to laws and legal rights were standard in the whole period, but those based on other sources of rights, such as custom and household position, gradually became less common. But as late as 1838, some still referred to the governor as their protector in a relationship based on household culture. It is worth noting that those who did so were labouring people, especially women. Thus, those in a subordinate position seem to have found it worthwhile to enunciate notions of household culture even after it had ceased to be upheld from above.

9.3.2 An increasingly formal, delineated, and standardised setting

Just as arguments became more formal and streamlined, so did the setting in which the petitions and responses were handed in. The legal instructions that set down the GAs tasks grew more precise and generally applicable. Firmer boundaries were created between the jurisdiction of the GAs and other authorities. And in many instances, the petition became standardised, turning into applications that could be preprinted, similar to what Miller and Huzzey

25 I am grateful to Maria Ågren for the analogy.
26 For similar conclusions about the old and new existing at the same time, see Hinnemo, Inför högsta instans, 207; Jarvis, Politics, 6; Melkersson, Staten, ordningen, 215–18.
have described for Britain.\(^{27}\) The service and handling of the petition were formalised by introducing specific offices designed to formally assist applicants with their letters for a fixed fee. To a degree, these formalisations consisted of regulating practices that had existed long before. All these developments of the petitionary practice speak to an increased but gradual bureaucratisation of the GAV.

The boundaries between the GAs and other authorities, primarily the courts, could be unclear (Chapter 2). When the legislation and instructions became less vague, in the manner described by Gadd, the jurisdictional rules made these boundaries firmer. Over the nineteenth century, we can see the intention to remove cases of a more judicial type from the GAs’ purview. An ordinance in 1828 removed some such cases, and the new enforcement law of 1877 (entering into force in 1879) more sharply distinguished between the clear (one might say administrative) debt cases and the unclear ones that required judicial considerations. In essence, there was an effort to separate the administrative and the judicial tasks of different authorities. An analogy can be made with what researchers have argued for the British Parliament and the Congress of the United States.\(^{28}\) These authors point to how central petitions were siphoned off to new, more specialised authorities over time. In the case of the GAs, cases were not normally turned over to new authorities, but a separation of cases depending on the purpose of the authority took place.\(^{29}\) Courts were to judge, legislative assemblies were to pass laws, and administrative authorities took care of administration. It should be noted that the GAV retained a fair amount of judiciary tasks in receiving appeals on decisions by different local boards and civil servants. However, by the end of this period, the GAV, as seen in terms of its petitionary practices, was more an administrative authority than a law court. Cases were still heard there because of personal conflicts that were legally regulated. But they had lost much of their judicial character, being either simple applications for enforcement or applications for permits that did not contain much argumentation other than documents specifying the creditor’s right to payment or necessary certificates of civic trust.

The authority also became more formal in its way of handling the cases. For example, in 1880, the order to serve a petition explicitly stated that it was to take place according to what was legally stipulated for a suit in court. And when the GAV decided it was necessary to let the applicant give their view over a response, that decision was justified with the particular legal article that regulated such actions. Another example of the more formal handling was the occasional investigation of a woman’s marital status to determine whether she

\(^{27}\) Huzzey & Miller, ‘Politics of Petitioning’, 224


\(^{29}\) There were such examples as the removal of logging permits to the newly instituted Forest Board in 1866, see Kardell, *Häradsallmänningarnas historia*, 77–8.
was under målsmanskap and thus needed to be represented by her guardian (Chapter 4). In other parts of the handling, the actual service, and the handing in and extraction of the petitions, particular offices that were supposed to help the applicants were instituted.

Finally, we see an increasing separation of office and person over the nineteenth century (Chapter 2). This phenomenon was visible in how the governor’s and GAV’s duties were described and how parties addressed the authority. As we have seen, the personal element of the governor’s responsibilities remained somewhat in the instructions of 1855 but greatly diminished. By 1838, for the most part, petitioners and respondents turned to and talked the government authority, not the governor, who was also less involved in the handling itself.

This growing bureaucratisation happened gradually as the GAV was characterised by both patrimony and bureaucracy (much in the same way that the petitioning process contained aspects of both subject and citizen) for much of the time.\(^\text{30}\) As mentioned before, documentation was particularly important and formed the basis for much of the case-handling in the eighteenth and nineteenth centuries. In 1758, the governor made an effort to send the cases to the proper authority if they did not belong there according to law. The procedure in debt cases was relatively uniform from an early stage, in that applications were consistently served to respondents. The practices which saw the creation of specialists such as process servers (stämningsmän) and people who could help with applications had existed before they were officially legislated into existence. And the separation of the governor as a person and the authority he represented took place in stages. Already in 1803, the governor was considerably less present in handling cases before the decision. In 1819, addressing him personally was no longer necessary, although some continued to do so. In 1855, the new instructions gave more power to his subordinates.

What did these gradual shifts mean for women and men who wanted to make themselves heard? In one way, it might have become easier to access the GAs. With the new simplifications, your chance to construct an application without the help of an expensive scribe increased. The more transparent jurisdictions would have made it easier to know where to turn. And less ambiguous legislation could eventually open up for more equal treatment before the law. But, a stricter jurisdictional division also limited the petitioners’ choice of where to turn with their troubles. In the more complicated cases that remained, the petitioner was still required to know or find someone who knew how to make advanced legal arguments. And the groups who previously had recourse to household culture for their arguments lost one vital tenet of how they could strategically make their claims. In essence, making yourself heard in the 1750s was different from doing so in 1880.


Varför behöver vi en studie om de tusentals kvinnor och män som under 1700- och 1800-talen deltog i supplikmål hos länsstyrelsen i syfte att förändra eller åtgärda något i sina liv? Jag menar att det finns tre viktiga skäl. För det första är det regionala supplikerandets roll för människors möjligheter att göra sig hörd i Sverige förhållandevis välstudierat för 1700-talet, men vår kunskap är i det närmaste obefintlig för det efterföljande århundradet. Därmed vet vi också väldigt lite om hur detta grundläggande möte med staten förändrades under ett århundrade som innehöll stora politiska, sociala, ekonomiska och rättsliga förändringar.

För det andra behöver vi veta mer om hur vissa specifika grupper deltog i supplikmålen, både under 1700- och 1800-talen. Vi vet att supplikerande, trots att det uppmuntrades från överhetens håll, var omgärdat av en mängd restriktioner, såsom diverse kostnader. För människor med begränsade ekonomiska och sociala resurser, skulle detta kunna innebära ett avsevärt hinder mot att göra sig hörd. Var det så, och kvarstod det i så fall under 1800-talet, när de obesuttnas antal ökade? För kvinnor, framförallt ogifta och gifta, utgjordes hindret istället av en brist på formell rätt att tala för sig själv, även om vi vet att de ändå vände sig till länsstyrelsen. Men vår kunskap om hur de gjorde detta, i vilka konstellationer och ärenden förblir begränsad. Under 1800-talet infördes åldersbaserad myndighet för ogifta kvinnor, medan gifta kvinnors handlingsutrymme har beskrivits som mer kringskuret. Vad innebar denna förändring för deras möjligheter att göra sig hörd?

För det tredje har människors användande av supplikkanalen i svensk forskning oftast studerats utifrån en vilja att veta mer om relationen mellan supplikant och stat. Hur interagerade personer (särskilt bönder) med överheten och vad hade de för möjligheter att påverka statens beslutsprocesser? Samtidigt har tidigare forskning konstaterat att 1700-talets suppliker ofta gällde privata och individuella frågor. Vad gäller just regionala supplikmål är min uppfattning att vår förståelse av dem med fördel kan utvidgas till att omfatta även den person mot vilken supplikantens krav ofta riktades, den så kallade förklaranden. Avhandlingen visar att merparten av supplikmålen hade sitt ursprung i en interaktion eller konflikt mellan två personer (eller grupper),
som supplikanten på något sätt behövde länsstyrelsens hjälp för att lösa. Genom att se relationen mellan supplikant och förklarande som en integrerad del av suplikprocessen kan vi även få veta mer om varför olika personer hade behov av att göra sig hörda.

Mot den bakgrunden är syftet med föreliggande avhandling att fördjupa vår förståelse av kvinnors och mäns förmåga och behov att göra sig hörda – eller att ha röst – genom regionala suplikmål under 1700- och 1800-talen. Därutöver belyser den också hur denna politiska praktik var sammanflättad med människors strävan att försörja sig, genom att undersöka röst i termer av tillgång till, användning av och argument rörande olika resurser.

Jag använder suplikregister och kvarvarande suplikmål för åren 1758, 1803, 1838 och 1880. Dessa utgör totalt 6402 registerposter inklusive 2834 kvarvarande suplikmål och de används för att besvara följande forskningsfrågor: Hur konstruerades och uppfattades relationen mellan länsstyrelsen (som suplikmottagare) och parterna (kapitel 2)? Hur hängde deltagande i suplikprocessen samman med praktiska och formella restriktioner (kapitel 3 och 4)? Varför deltog kvinnor och män i den regionala suplikprocessen (kapitel 5)? När de deltog, hur motiverade de sina krav (kapitel 6–8)? Dessa empiriska kapitel är sorterade under två huvuddelar. Den första handlar således primärt om relationen mellan parterna å ena sidan och lands-hövdingen/länsstyrelsen å den andra. Den andra behandlar istället relationen mellan suplikanten och förklaranden i termer av vad som föranledde suplikerandet och hur de argumenterade för sin sak.

### Röst och politisk handlingsförmåga


Under den undersökta perioden förändrades relationen mellan landshövding/länsstyrelse och parterna drastiskt. På 1700-talet och en bit in på 1800-talet definierades rätten att suplikera utifrån både de reciproka

Samtidigt fanns uttryckliga lagregler om att länsstyrelsen skulle ha hand om vissa supplikmål, och parterna kunde hänvisa till dessa för att motivera varför deras mål skulle tas emot. De flesta supplikmål som gavs in földe dessa forumregler. Över tid försvann uttryck för den reciproka relationen mellan överhet och undersåte; istället blev den rättsliga jurisdiktionen som grund för ansökningarna mer framträdande. Instruktionerna genomgick en förändring i och med att beskrivningar av länsstyrelsens arbetsområden blev tydligare och tidigare vaga gränsdragningar mellan länsstyrelse och domstol klargjordes. Samtidigt avpersonifierades relationen och beskrevs som varande mellan en myndighet och dess mål. Landshövdingen slutade referera till sig själv i första person i sina femårsberättelser och parterna började mer och mer hänvisa till ämbetet ’Kungl. Maj:ts Befallningshavande’ än till landshövdingen själv. I instruktionerna användes också ämbetstiteln mer, och uppgiften att ta emot suppliker blev mer abstrakt. Supplikanterna försvann och ersattes av mål som gavs in. Sammanfattningsvis ramades relationen allt mindre in av reciproka skyldigheter mellan överhet och undersåte och allt mer av medborgarens rätt att få sin sak prövad av en myndighet som inte var personberoende.


Kapitel fyra handlar om de formella hinder som fanns för kvinnor att delta i supplikprocessen. Det inleds med en undersökning av hur kvinnors och mäns deltagningskvantitativa skillnader skiljde sig åt, och vilka kvinnorna som supplikerade och svarade i processen var ifråga om civilstånd och hushållsposition. Eftersom regleringen av kvinnors rätt att företrädja sig själva varierade med civilstånd är kapitels andra del en djupstudie av hur kvinnors deltagande såg ut om de var ogifta, gifta eller änkor. Mer konkret studeras den reglering som fanns för kvinnor med olika civilstånd att företrädja sig själva (det jag kallar för procedural competence) och hur de agerade, och tillåts agera, i praktiken (procedural capacity). Företrädde de sig själva eller blev de företrädda av sin make eller förmynndare?

Som väntat var kvinnor kraftigt underrepresenterade i jämförelse med män, och oberoende av roll (supplikant/förklarande) nådde deras antal aldrig upp till mer än tio procent av det totala antalet parter. När civilstånd beaktas visar det sig dock att deltagandet skiljde sig åt mellan kvinnorna. Under samtliga år var änkor de vanligaste parterna, följt av gifta kvinnor och sedan vuxna ogifta kvinnor, vilket är ett väntat resultat. År 1880 följde samma mönster, men andelen ogifta kvinnor hade ökat till att nästan motsvara gifta kvinnors vilket möjligen skulle kunna vara ett utslag av att ogifta kvinnor inte längre behövde ha förmynndare om de var över 25 år gamla.

Resultaten av kapitels andra del visar att lagstiftningen överlag var oklar ifråga om kvinnors rätt att företrädja sig själva, vilket öppnade upp för olika tolkningar och ett pragmatiskt förhållningssätt från länsstyrelsens sida.
Regleringen tenderade i allmänhet att vara formulerad som en rätt (och möjligen en skyldighet) för maken och förmyndaren att företräda sin hustru och myndling, snarare än ett förbud för kvinnorna att göra det själva, även om konkreta förbudsformuleringar förekom i förhållande till vissa specifika handlingar. Undersökningen visar också att kvinnor av alla civilstånd i praktiken kunde agera själva inför länsstyrelsen. När det gäller ogifta kvinnor präglades deras agerande av å ena sidan en total brist på procedural capacity till, å andra sidan, en stor möjlighet att agera själva. Avgörande här var om målet handlade om deras arv eller inte, där förmyndaren steg in för för myndlingen i det förra fallet men inte i det senare. Gifta kvinnor deltog på flera olika sätt: ibland tillsammans med sina makar, ibland på egen hand och ibland företräddes de av sina makar. I och med att en make som skrev för sin hustru inte nödvändigtvis nämnde detta i sitt brev är det svårt att avgöra hur vanligt det var. Om parets hade handlat gemensamt innan, till exempel vid ett lån eller en fastighetsförsäljning, var det mer sannolikt att de sedan också gjorde det i ansökan till länsstyrelsen. I de allra flesta fall där hustrun agerade på egen hand var maken frånvarande eller sjuk. Således iakttar vi här en likhet mellan gifta kvinnor och änkor: Frånvaron av en make kunde i sig leda till ett behov för kvinnan att själv vända sig till länsstyrelsen. Skillnaden låg dock i att hustrun oftast hade en make som kunde agera för henne medan änkan per definition inte hade det. Därför förekom änkor i mer varierade situationer och i fler mål, på en nivå som vissa år nästan motsvarade deras andel av populationen.

Slutligen finns vissa indikationer på att länsstyrelsen, som tidigare låtit kvinnorna agera själva, vid slutet av perioden hade blivit mer formstyrd, till exempel genom att de i ett fåtal fall villkorade kvinnans deltagande med att hon var myndig. Ogifta kvinnor, som vid det sista nedslaget hade full myndighet, kunde nu agera utan en förmyndare. Gifta kvinnors agerande var på det hela taget förhållandevis oförändrat över tid, då de fortsatte att supplerika tillsammans med sina män och själva. Sannantaget kan jag inte i mitt material se att målsmanskapet för gifta kvinnor under 1800-talet skulle ha blivit mer likställt med omnydighet (och därmed en oförmåga att företräda sig själv) i ett processuellt sammanhang. Här föreligger en skillnad mot tidigare forskning som förmodligen kan förklaras av att jag studerar en lägre instans och att den förhållandevis korta period då detta likställande skedde ligger mellan mina två sista nedslagsår. Över hela perioden kan kvinnors rätt att agera och deras faktiska agerande sägas ligga på ett spektrum, och inget år var vuxna kvinnors förmynderskap eller målsmanskap att likställa med det förmyndarskap som fanns för barn.
Röst och ekonomiskt behov


Kapitlets andra del är en detaljstudie över vilka resurser, eller resurs-

När det gällde jord och arbetsroller var transaktionsyperna mer diversi-
fierade. Jag identifierade ett antal olika underkategorier i relation till jord:
ansökningar på grund av jordtransaktioner och nyttjanderätten, på grund av tjänsteförmåner eller ståndsprivilegier samt på grund av jordskatt. Målen präglades av att de till en stor del utgjordes av mål mellan privatpersoner. Detta gällde även skattemålen, vilket var en följd av skattesystemets (särskilt indelningsverkets) decentraliserade struktur, där indrivning av obetalnd naturaskatt till stor del var den enskilde skattemottagarens ansvar. Här kan
också konstateras att i mål som berodde på tillgång till jord var bönder starkt överrepreseuterade i förhållande till sin andel av den supplikerande befolkningen i övrigt, och i vissa måltyper (exempelvis jordtransaktioner) förekom kvinnor i större utsträckning än annars. De arbetsroller som ledde till supplikerande var framsförallt ämbetsmannapositioner, formella uppdrag av en mer tillfällig natur (förmynderskap och auktionsuppdrag), positioner inom handel och hantverk samt tjänstefolk och arbetare. Ämbetsmän supplikerade om en mängd frågor relaterade till ämbetet och privatpersoner klagade över förrättningar som ämbetsmännen utfört. Förmyndare och auktionister ansökte exempelvis om betalning för lån av myndlingars arv eller obetalda auktionsköp. Hantverkare kunde supplikera för att försvara sina privilegier enligt skråordningen, och senare, när skråväsendet upphävts, ansökte många olika människor om att få handla med specifika varor. Tjänstefolk kunde supplikera om sin lön och utsattes även för krav på att återställas i sin tjänst.

Den detaljerade genomgången av målen visar att personers kön och socioekonomiska status påverkade vad man supplikerade om, vilket framförallt förklaras av att man hade tillgång till olika resurser och även hade olika relation till andra. Bönder hade tillgång till jord och det var deras viktigaste inkomstkälla; därför hade de också stor anledning att vända sig till länsstyrelsen i de frågorna. Tjänstemän hade tillgång till jord och dess avkastning via sitt ämbete, och de förekom därför som supplikanter i exempelvis mål om jordskatter. Kvinnor hade en stark rättslig ställning i förhållande till jordtransaktioner, där deras medgivande behövdes. Därför syntes de också ofta i mål som hade sitt ursprung i en sådan relation. Samtidigt var ingen resurskategori unik för en viss grupp. Särskilt att be om betalning eller utsättas för ett sådant krav var en företeelse som många människor oberoende av social härkomst var med om. Förekomsten av olika resurstyper och mål påverkades också av större samhälleliga förändringar, såsom förändrade konsumtionsmönster, indelningsverkets försvagade position och näringsrättens utvidgande.

I kapitel sex till åtta analyseras målen i dessa tre resurskategorier utifrån hur supplikant och förklarande argumenterade för och motiverade sin sak. Vilka argumentstrategier (i termers av språk och dokument) användes? Vilka rättigheter och skyldigheter framhöll parterna i relation till resursen?

I kapitel sex studeras mål som grundade sig i en kredittransaktion som sedermera inte fullgjorts. För dessa mål fanns från början av undersökningsperioden en starkt formaliserad processreglering, med en mer eller mindre förutsatt rätt att få igenom ett betalningsålaggande om borgenären vände sig till länsstyrelsen med ett skriftligt fordringsbevis. Därför var ansökningsarna generellt korta, med ett bifogat skuldebrev eller annan skriftlig handling. Över tid blev ansökningsarna ännu kortare, då alla argument som inte var direkt rättsligt relevanta försvann. I de fall där förklaranden bestred fordringsanspråket handlade deras protester till stor del om att få länsstyrelsen att förklara anspråket tvistigt och remittera det till domstol, genom att exempelvis ifrågasätta tillkomsten av det dokument fordringen grundades på eller omständigheterna kring ett köp. I början av undersökningsperioden, framförallt under de två första nedslagen, förekom andra argument, som att både supplikant och förklarande framhävde sina och motpartens egenskaper som fordringsägare och gäldenär. Den första kunde hävda att den senare inte frivilligt betalade sina skulder, medan gäldenären påtalade att fordringsägaren borde ha kontaktat denne innan den tog ett sådant allvarligt steg som lagsökning. Dessutom kunde parterna framhäva egenskaper kopplade till sin samhällsställning och sina omständigheter, såsom att de var enfaldiga eller hur de borde få hjälp utifrån sin fattigdom eller nöd. Sådana argument framställdes framförallt av allmogen och obesuttna, men även av kvinnor från andra samhällsklasser och, i något enstaka fall, sjuka män från högreståndsmiljöer.

I kapitel sju analyseras argumentationen i mål som grundade sig på olika slags kopplingar till jord. De fyra vanligaste jordrelationer som jag identifierat handlade om transaktioner av jord eller jordrättigheter, jordtillgång på grund av en position eller ämbete (tjänstemän, borgare, soldater), nyttjanderätt till jord (exempelvis arrenden eller torp) och jordbeskattning. De tre första kopplingarna till jord ledde till både krav på själva jorden och krav av mer monetär karaktär. Argumenten i mål om betalning (av till exempel köpe-skilling, arrende eller husröra) liknade de som redogjorts för i kapitel sex, eftersom de var samma slags måltyp (lagsökning). I mål som gällde krav på själva jorden (såsom tillträde till köpt jord eller att avhysa en arrendator eller torpare) framkom, utöver argument baserade på lagstiftning och dokument även ett antal andra. För det första framhöll den som ville ha rätt till jorden att hen hade utfört arbete på densamma eller investerat i den, vilket gav rätt till ersättning. För det andra framhävde supplikanter och förklaranden andra bidrag, exempelvis att de hade betalat skatt, att de utförde sina ämbetsffyslor eller att de hade tjänat länge hos den jordägare vars jord de bodde på. För det tredje lyftes det även fram att jorden behövdes för den enskildes försörjning. De två sistnämnda argumenten, som kan kopplas till försök att appella till landsrådshovdagens skyldighet att ta hand om sina undersåtar, blev allt mindre framträdande under 1800-talets gång, och användes till sist framförallt av obesuttna, för att till slut i princip försvinna. Vad gäller målen om jordbeskattning kan vi se en motsvarande förändring. Under de tre första
nedslagen lyftes argument om rättvis fördelning och den skattskyldiges vilja att bidra fram, medan argumenten från det sista nedslaget framförallt handlade om skattebeslutets lagliga grund.


Vilka är då undersökningens viktigaste slutsatser och kunskapsbidrag? För det första har avhandlingen utgått ifrån en utvidgad teoretisk syn på suplikprocessen, där relationen mellan supplikant och förklarande har integrerats i själva processen. En sådan konceptualisering har visat att den vanligaste anledningen till att en person kontaktade länsstyrelsen var interaktorer och konflikter med andra människor (eller grupper) relaterade till vissa typer av resurser, framför allt kredit, jord eller arbetsroller. Med
andra ord: Dessa (ofta ekonomiska) relationer i vardagen ledde till att människor använde länsstyrelsen för att lösa (ofta lagreglerade) tvister, ett agerande som i förlängningen hade politisk betydelse då det kunde leda till konkreta lagändringar.


För det tredje är undersökningen en studie av hur människor gjorde sig hörda över tid. Deras deltagande vid länsstyrelsen har undersömts över en lång period som karakteriserades av både förändring och kontinuitet. Under hela perioden var kontakten mellan länsstyrelsen och människorna i länet intensiv, och länsstyrelsens roll som konfliktlöslösare kvarstod. Samtidigt blev relationen mellan supplikanten/förklaranden och landshövdingen över tid mindre karakteriserad som en relation mellan överhet och undersåte, och mer som en mellan myndighet och mål. Landshövdingen tog inte längre emot mål i egenskap av ställföreträdare för den gode monarken, utan som en representant för en myndighet som var rättsligt ålagd att hantera vissa typer av mål. Över tid blev (strikt) rättsligt relevanta argument alltmer dominerande, medan andra typer av argument gradvis försvann. Flera av handläggningsprocesserna blev också mer formaliserade genom att de blev uttryckligt lagstadsgerade.

Appendices

Appendix 1 The dataset

When working with the registers and petitioning files, I have compiled the information as a dataset consisting of one excel file per year. For 1838 and 1880, due to the way the registers were drawn up (Appendix 2), the files have several sheets. Each excel file has the same basic information, and has served as the basis for further analysis. Each row in the excel sheet denotes one case and the information gathered has been put in different columns. The dataset is stored at the Department of History at Uppsala University.

The main sources for the dataset are the registers for 1758, 1803, 1838 and 1880 and selected extant files (Appendix 2) from the following volumes:

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<td>1838</td>
<td>ULA, LV, Lka I</td>
<td>D IV b:3</td>
</tr>
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<td>1880</td>
<td>ULA, LV, Lka II</td>
<td>B III a:2</td>
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<tr>
<td>1880</td>
<td>ULA, LV, Lka II</td>
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<tr>
<td>1880</td>
<td>ULA, LV, Lka II</td>
<td>B VI:2</td>
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<tr>
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<td>ULA, LV, Lka II</td>
<td>D VI:1–2</td>
</tr>
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<td>D VII:4–7</td>
</tr>
<tr>
<td>1880</td>
<td>ULA, LV, Lka II</td>
<td>D VIII a:3–6</td>
</tr>
</tbody>
</table>

From the registers and selected petitioning files, I have noted the information described below.¹ To find out more about petitioners and respondents, I have

¹ I also browsed and identified a few additional petitions in a volume with minutes where the documents were kept in the minutes: ULA, LV, Lka I, A II a:8 and in the series for official correspondence: ULA, LV, Lka I, D III 93–4, 254. For 1838 and 1880, two additional registers were also kept for cases from the incoming register (if they reached a certain point in the process and thus given another number), according to which the files were then sorted, ULA, LV Lka
also used a number of other sources, such as biographical and genealogical dictionaries for the aristocracy (primarily Gabriel Anrep’s *Svenska adelns ättartaflor*) and clergy (*Munktell’s Herdaminne*), church archives with sources for births, deaths, and marriages, military rolls (*generalmönsterrullor*), court records (primarily probate inventories), tax records (primarily poll tax registers, *mantalslängder*), and for 1880, the national census (*folkräkningar*).

**Columns for archival and source references**

I have noted the volume of the case, either the register or the case file volume or both if applicable. Whenever additional sources have been used to find out more about the parties, these have been noted. Such information has not been systematically collected for all petitioners, but mainly for women and labouring people.

**Columns for case identification**

If the case had a register entry number this has been noted. In 1758, the first half of the year was unnumbered and extant case files rarely had a number on them. Therefore, in 1758 I had a column noting the name of the petitioner to make it possible to find the relevant file in the volume. In 1803, cases from January and February were numbered 1–277, but from 1 March the numbering restarted from 1. In other words, there were two cases each numbered 1–277. In 1803, the handling official normally gave the petition the same number as in the register. In 1838 and 1880, a case was given one number when it came in and one during processing (*expediering*), both of which was noted in the dataset. This last number seems to have been given when a response arrived or when it was clear that no such response would come in within the given time limit (and possibly that the petitioner still demanded a decision). For the files, it was this later number that acted as the sorting principle in the archive, with the prefix ED in 1838 and AB in 1880. Further, I noted the date when the case was registered or (when there was no register entry) when the petition

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1. I, B VII:8; ULA, LV, Lka II, B IV:1. I compiled these, but based the dataset on the registers of incoming cases.
2. Sometimes, files had not been kept together and documents have been found in several volumes or in several places in the same volume. If so, this has been noted in the column ‘Other notes’.
3. In both years the principle for the incoming number was to have a number followed by the page in the register, so for example 6/1 meaning page 1 number 6.
4. Asker, *I konungens stad*, 132 notes that in his material for the seventeenth and first half of the eighteenth century ‘expedited’ referred to the letter’s presentation to the governor for signature and posting, but that was for letters sent from the GA.
5. In 1880, this principle was by the GAV only for debt cases, otherwise the number given in the incoming register was used on the case files as well.

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was noted to have arrived or been presented. I also gave the extant files my own case number to use in this thesis whenever I cite a particular case (Appendix 3). Finally, the credit cases that were analysed in Chapter 6 were noted in a separate column named Cases in argumentation analysis.

Columns for information about petitioners

From the registers, cases, and other sources, I gathered and noted the following information about the petitioners and respondents respectively:

a. Gender: Unknown, Men, Women. If the gender was not evident from the register, for example because only initials were used, but there was supplementary information (such as a title that only men could have or a name in an extant file), this was noted.

b. The total number of petitioners and respondents respectively in each case. When known from the case files that there was more than one petitioner or respondent, or what the exact numbers in a group were, this was noted.

c. Titles of petitioners and respondents.

d. Unindividualised groups as petitioners and respondents.

e. Marital status: Compiled systematically for petitioners and respondents who were women, often from other sources or the case file. For widows I also found out and noted the year they were widowed and for unmarried women, their age.

Columns for information about the handling of cases

a. Number of scribes and/or representatives, and detailed description of how the task was formulated.

b. Whether an unmarried woman was represented by guardians.

c. Who signed the order to serve the documents?

d. The costs for petitioning and responding for both petitioners and respondents.

e. Whether the petition was on stamped paper (charta sigillata).

f. Who oversaw the service of documents?

g. Whether the petition was read to the respondent when served.

h. Specifically in 1758, who withdrew the petition or response from the GAV.

i. In cases categorised as ‘Credit cases’ I also noted the promissory note’s payee in a column named Promissory note put to?.

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6 Information on petitioners and respondents were put in different columns. For example, there were two columns for women, one for female petitioners and one for female respondents, under the column heading Women (S) for petitioners and Women (Fk) for respondents.
j. I denoted what the petitioner wanted more specifically, what they ‘Applied for’.

Columns for categorisations

Finally, I used the information to make categories. This of course required interpretation and selection to determine what to put where. Some of the guidelines for my categorisations have been presented in this thesis, others follow here.

a. The social status of petitioners and respondents based on title (Chapter 5).

b. For Credit cases, whether the argumentation was short. Many cases that originated in a credit transaction had a short formula where the petitioner said the debtor owed money, often according to some document (Chapter 6). At times these were supplemented by a statement that the person had not paid or could not be made to pay.

c. Resource: In the column Resource, I noted whether the case belonged to either of the categories Land, Land tax, Credit, Working roles, Other. To determine where a case belonged, I looked at the underlying actions that led to the petition. If it was a loan, I put it under Credit; if it was a purchase of land or about tenancy I put it under Land etc. Cases that did not fit elsewhere were filed under Other. After the general categorisation I also had more detailed categories in the column ‘Subcategory Resource’, which I then used to structure the second part of the thesis.

i. For Land, these were Transfers (Överföringar), Usufruct (Nyttjanderätt), Land due to offices (Ämbete). I also had a category I named Simple cases (Enkla) for lack of a better word for the straightforward cases concerning logging, registration as a rusthållare, and surveying measures. Land cases also had an ‘other’ category, for cases, often from the registers, when the information did not suffice to know exactly what lay behind it other than land – for example, statements such as ‘a conflict about land’ (om jordtvist), ‘about prohibitions for the forest, which is badly treated’ (om förbud på skogen som illa skall medföra).

ii. For Land taxes: Military allotment system (Indelningsverket), General duties (Allmänna besvär), and Other taxes (Andra skatter)

iii. For Credit cases: Since they did not differ much, regardless of whether the case concerned a loan or a credit purchase, I did not have any more detailed categorisation except for noting the unclear debt cases, viz. cases where the origin of a debt was not known.
iv. For Working roles I had a more detailed category denoting the kind of role: Officials (Ämbetsman), Auctioneers (Auktionist), Guardians (Förmyndare), Roles in trades and crafts (Handel och hantverk), Servants and wage workers (Tjänstefolk och lönearbetare).

d. I also divided the cases into Executive or Non-Executive (Chapter 2). This was determined partly by what the petitioner asked for – for example, if they wanted aid in getting paid for a claim due to a promissory note or other agreement (lagsökning), or sequestration (kvarstad) or imprisonment for debt (bysättning). Using situations described in the Enforcement Act and enforcement law, I could determine whether it was an area that pertained to the executive branch or something else.

Dataset concerning scribes and representatives

In addition to the dataset described above, I have also compiled information about scribes, representatives and their clients in an excel file. Like the previous dataset, it contains columns pertaining to archival information (volume), for identifying a case (register entry, case number and date). In addition, I noted the scribe’s or representative’s name, his or her title, their parish of domicile and the same information about the client as well as their gender. This information has then served as a basis for interpreted categories: socioeconomic status, role (scribe or representative). The dataset also contains sources used to get more information about the scribe and justifications for matching with a particular person, when I have only had the scribe or representative’s name to go on (Section 3.2.2.).

Appendix 2 Petitioning cases

In each of the four years studied, the principle for the official registers was different. In this appendix, I describe first what types of registers there were for each year, roughly how many of the entries could be considered petitions, and the ratio of surviving petitions for each year. For the whole period, the GAV’s archive is separated into two parts: the archive of the county secretariat (landskansliet) and the archive of the county office (landskontoret). In addition, the county secretariat is separated into further two archives, the first running from 1627 to 1850 and the second from 1851 to 1952. This separation came later for the county office, where the first archive runs from 1635 to 1915. When searching for relevant registers and petitioning cases I have searched all three archives.

As a general rule when selecting what cases to include in the quantitative analysis of petitioning cases, I excluded all possible cases registered in the
GAV’s letter register (*brevdiarium*). The letter register was mainly lists of letters coming from other authorities, but they could contain entries that might have been considered petitions from private persons. However, these were relatively few and the entries seldom contained enough information to gauge whether the case could be considered a petitioning case or not. In addition, I also excluded cases that were meant for other authorities – where the GAV was not the final destination.

During my search of the archives I also found documents that were clearly petitions, but were not entered into the supplication or application register. If these had not been registered in the letter register, I decided whether to include them or not based on case matter and whether it was on stamped paper.

### Identifying cases in 1758

In 1758, the county secretariat had two different registers for incoming documents: the letter register (*brevdiarium*) and the petitions register (*supplikdiarium*). The first was sorted by the authority that had sent in the letter, starting with King in Council (*Kongl. Maj:*). However, the register also contains ten pages (153–62) sorted from A to Ö, with what is seemingly individual officials that could not be sorted under a particular authority. An additional register has been found with letters from certain authorities, kept in the same box but with additional entries written in another hand.

In the letter register, there were some entries that could be said to be petitions. For example, whenever a letter came from another GA because the petitioner lived there but the respondent lived in Västmanland (*promotorialmål*) they were entered into the letter register. As a main rule, I have excluded cases that were noted in the letter register if they were not entered in the petitions register. The reason for this is that information is often lacking to decide whether or not they ought to be included as a petitioning case. However, the number of errands that could be said to be petitioning that had come in during 1758, but were still entered into the letters register, was rather low – around ten cases including the *promotorialmål*.

The petitions register was sorted chronologically. For the first six months, the register entries had no numbers and so there is no other way to identify them but by date and name of petitioner. In the second half of the year, entries were numbered from 1–230, but instead the handling officials seems to have waited a long time with dating the petitions in the register. In total, the petitions register had 493 entries. Of these, I removed 11: 5 because I did not consider them petitions (a list handed in by officials, a person who showed...

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8 In at least one case there was a double entry, entered both in the letter register and the petitions register, see ULA, LV, Lka I, B I:6, 50 (17580607 *handelsmannen* Berg); ULA, LV, Lka I, B II:1, 17580609 (*handelsmannen* Carl Berg).
how the court had changed the GAV’s decision, two instances where the GAV simply issued orders without any note in what had preceded these, and one concerning a letter from an official wanting guidance in a case he handled) and 6 because it was clear from either the entry itself or the remaining documents that it pertained to a case that had been handed in at an earlier date and thus would have resulted in a double entry had they been included.\(^9\)

The petitioning files themselves are preserved in one series called ‘Letters from private persons (decided cases)’.\(^{10}\) For 1758, these seem to have been sorted by when they were determined, but there were exceptions where some were sorted in when they arrived. One box contained residual (\(Överblick\)) cases, possibly cases that were not determined by the end of the year. Out of the 482 remaining entries after removing the 11 noted above, I found some kind of remaining document for 35 per cent of entries (167 cases).

In addition, 65 cases were found in the volumes that were handed in during 1758 for which I could not identify any corresponding entry in the register that I nonetheless chose to include, based on criteria such as case matter, the existence of stamped paper, and not being entered in the letter register. In total the number of cases analysed and presented is 547 (Figure 2.1).

**Identifying cases in 1803**

As in 1758, officials in 1803 kept one letter register and one petition register, now called the application register (\(Ansökningsdiarium\)).\(^{11}\) Both registers were sorted by incoming date, and incoming petitions were assigned a number. For some unknown reason, petitions handed in during January and February were numbered 1–277, and in March the numbering restarted so petitions handed in in the rest of the year were numbered 1–1297.

There were entries in the letter register that could be said to have been petitions, although the vast majority of letters came from officials and agencies. For example, the \(promotorialmål\) were still entered in the letter register, as were debt cases coming from the main Swedish discount bank, Riksens Ständers diskontverk. Sometimes when an official or agency helped with sending documents, these were registered in the letter register. In some of these cases, the application itself had previously been registered in the applications register. Since the information in the letter register is often too sparse to decide whether it was a petition or not, I therefore consistently

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\(^9\) The entries that were removed were ULA, LV, Lka I, B II:1, 17580207 (Ingenieuren Billscher), 17580218 (landsman Kielberg), 17580223 (ryttaren Lars Frisk), 17580302 (Directeuren Rothof), 17580302 (Garman), 17580309 (Brukspatron Isac Ekman), 17580309 (hustru Bröstel), 17580502 (Daniel Hansson), 17580515 (Bellander), 17580522 (Landsman Fassing), no. 160. For three of these entries, the basis for not including them were found in the documents, see 1758 Case 42, 48, 63.

\(^{10}\) ULA, LV, Lka I, D IV a:24–9.

\(^{11}\) ULA, LV, Lka I, B I:20; ULA, LV, Lka B II:15.
excluded these from the quantitative analysis unless they had been entered in the applications register.

The petitions register contained 1,598 entries. The reason this number is not the same as the numbered entries above is because some were not given a number and others were given the same number, presumably by mistake. Of these entries, I removed 208 due to a registration peculiarity in 1803 that would have led to double counting. When a petition was first handed in, it was sent to the respondent for explanation. If he or she did not respond, the petitioner would sometimes turn to the GAV again, repeating the petition. This new letter was registered in its own entry and an annotation of ‘additional’ (ytterligare). Twelve other cases were removed because I did not deem them petitions. Four were people who showed a particular decision from a higher authority or complaints over the GAV’s decision, destined for the higher authority, seven were additional measures taken in earlier cases such as ordering someone to hand in a response, one was a post that had been crossed out.12

The petitioning files in 1803 were mainly sorted by date (or at least month) when they were decided, although this principle was not always followed. The files were generally given the same number as that in the register. To find as many documents as possible, I went through the series for 1803 and 1804. I also leafed through two boxes with letters from ‘Other authorities’ that contained 14 applications with a number in the applications register. Out of the 1,378 remaining entries after having removed those above (1,598-208-12=1,378), I found surviving documents in 640 cases (46 per cent).13

Using the same sorting criteria as for 1758, I located additional petitioning cases that were not registered in either the applications or letter registers. The vast majority of these 61 cases were applications to be registered as rusthållare. Other examples included debt cases and being allowed to fell timber on common land. Checking the letter register at the county office (landskontoret), no applications of that type were found there, so these unregistered cases were apparently not handled by the county office. In total, the number of cases and entries analysed was 1,439.

Identifying cases in 1838

In 1838, the county secretariat kept a letter register and an application register.14 The former was sorted by the authority that handed in the document

12 The entries that were removed because I did not deem them petitions were ULA, LV, Lka I, B II:15, 18030228 (Medling), 18030330 (Per Ersson), 18030330 (Per Ersson), 18030331 (Anders Jansson), 18030421 (Fändriken Öman), 18030421 (Eric Larsson), 18030507 (Adjutanten von Unge), 18030516 (hearing), 18031019 (Becker); 18031023 (Matts Persson), no. 334, 1273.
14 ULA, LV, Lka I, B I:48; ULA, LV, Lka I, B II:44.
and then by date. Like in 1803, debt cases from Riksbankens diskontverk and other authorities were registered in the letter register and have therefore been excluded from the quantitative analysis.

The letter register also had one section with 36 entries with letters from private persons (enskilda personer). These were applications for different offices, complaints over road maintenance and applications for inspections of official residences, and the like. These sort of cases were previously (as in 1758 and 1803) kept in the petitions and applications register, but in 1838 they were apparently put in the letter register, most likely because the person handing it in was considered to have done so in his official capacity. For consistency, these have not been included in the analysis. Since the numbers are low, it does not change the results.

The applications register was now for the first time sorted by case type. There were six different types: (1) general debt claims (Allmänna skuldfordringsmål); (2) debt claims with conditional resolutions (Skuldfordringsmål med villkorliga resolutioner); (3) legal, oeconomy, police, and criminal cases (Justitiæ-, Oeconomiæ-, Politiae- och Crim:a mål); (4) appeals (Besvärmål); (5) surveying cases (Landmäteriemål); and (6) forestry cases (Skogsutsyningsmål). The cases were then sorted by the date they came in to the GAV. The register contained over 7 000 entries. Since it exceeded the material that was possible to analyse, I chose to concentrate on cases handed in between 1 March and 31 August 1838. This delineation resulted in 2 435 general debt claims, 740 debt claims with conditional resolutions, 163 justice etc. cases, 8 appeals, 48 surveying cases, and 19 forestry cases, for a total of 3 413 cases. Of these, one general debt case was removed because it had been registered twice, one justice etc. case because it had in reality been handed in in 1837 and one appeal because its destination was not the GAV.

To complicate matters further, the application files were not sorted by the number that was given to them when they were handed in (the register number). Instead, they were sorted according to another register, the working register (expeditionsdiarium). This was where the official entered an application either when the respondent came in with a reply or after the time for reply had passed – hence, when the case was ready to be resolved. At that time, the case file was given a ‘working number’ (shortened ED) and the files were sorted by this number. Therefore, I had to go through the file boxes for both 1838 and 1839 to find as many extant files as possible. I also went through the official correspondence, a box with applications without working

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15 Conditional resolutions meant that the respondent was not handed the application, and instead it was sent to the local official directly for measures to be taken. This was the case with taxes and purchases at auction, for example.
16 According to the register 7 074, but this is unlikely to be correct because of repeat registrations and some entries not being numbered, see ULA, LV, Lka I, B II:44.
17 Such cases were usually handed in in the autumn.
numbers, and some minutes that contained documents, finding two cases that could be an application without having been put in any registers.\textsuperscript{19}

In total, I analysed 3,410 entries, out of which I found extant files for 1,439 cases (1,441 if including the two I subsequently found). The main reason so many cases have not survived is that those not given a working number do not seem to have been kept. There were likely several reasons that the case was not entered into the working register, but the main one would probably have been that the applicant did not pursue the case and therefore did not need a resolution. Even those that were given a working number, but where there was no final decision, were not kept either.

Identifying cases in 1880

In 1880, the register principles had changed again. As before there was a letter register, but this year no one applications register was kept. Instead, there was a separate register for each case type. This made it necessary to go through all registers, deciding which ones I interpreted as applications and not.

The letter register was sorted by the authority that handed the letter in. As in 1838, there was one heading with letters from ‘Private Persons’, with a total of 90 letters that could be said to have been applications.\textsuperscript{20} A quarter (23) were letters from women wanting to be accepted on midwifery courses and they were forwarded to the Medical Board (Medicinalstyrelsen) in Stockholm. Several were letters where the GAV was not the final recipient, others were applications for offices and for different official pronouncements (kungörelser). For consistency, these were not included in the analysis.

In the archive, I found six registers that I initially thought might be applications: (1) Register over enforcement cases (\textit{Dagbok i utsökningsmål}), (2) Register of economy cases (\textit{Ekonomidiarium}), (3) Surveying register (\textit{Lantmäteridiarium}), (4) Passport register (\textit{Passjournaler}), (5) Register of military service and sharpshooting (\textit{Bevärings- och skarpskyttediarium}), and (6) Register of conversion of fines (\textit{Bötesförvandlingsdiarium}).\textsuperscript{21} Of these, I excluded the last three. First, the passport register were lists of people who had obtained passports, but it was unclear on whose initiative – whether they had applied on their own or had been picked up due to lack of work. Since I could not locate any surviving documents, this could not be ascertained. Second, the register over military service and sharpshooting contained letters from various authorities and some from people. Those from the latter were applications to shorten their military service, which was decided by Kungl. Maj:t. Thus the GAV was not its final destination. And finally, the register of

\textsuperscript{19} ULA, LV, Lka I, A II:8; ULA, LV, Lka I, D III:294; ULA, LV, Lka I, D IV a: 530–84; ULA, LV, Lka I, D IV b:3.

\textsuperscript{20} ULA, LV, Lka II, B I:30, no. 1/325–90/334.

\textsuperscript{21} ULA, LV, Lka II, B III a:2; ULA, LV, Lka II, B V a:2; ULA, LV, Lka II, B VI:2; ULA, LV, Lka II, B X:2; ULA, LV, Lka II, B XIV:2; ULA, LV, Lka II, B XVII:4.
conversion of fines were lists handed in by lower authorities, asking for executive measures and thus not applications from individuals.

In the end therefore I analysed three different registers covering enforcement cases, economy cases, and surveying cases. The enforcement cases were kept according to similar principles as the debt claims in 1838, with one register when the case came in and another when it was ready to be resolved, although this time the number given at the time was shortened AB. The other two case types had only one register.

The remaining documents were also kept in different archival series. Enforcement cases were sorted according to the number given to them when they were ready to be resolved, while the documents for economy cases were sorted by when they were decided. Finally, the surveying cases do not survive. Thus, I had to go through both 1880 and 1881 again. In addition, I leafed through the boxes containing documents belonging to the letter register and two boxes with enforcement cases without a number.

The incoming debt case register had 868 entries. Of these, I first excluded all applications handed in by banks (50), in order to ensure consistency. Previously, these had been listed in the letter registers and had been excluded on those grounds. An additional two applications had been registered twice, 67 were handed in the year before and two were documents about executive sales from local bailiffs, leaving me with 747 enforcement cases to analyse.

The financial register contained 205 entries, out of which 15 were excluded: 6 due to being handed in during 1879, 1 because of double listing, and 8 because they were lists handed in by officials and not applications. Finally, one of the 68 surveying cases was excluded because it belonged to another year. In total, there were 1 004 analysed cases in 1880, for which I found surviving documents in 460 cases. Again, many cases were not preserved because they were written off when the applicant did not pursue the case.

24 ULA, LV, Lka II, B V a:2, no. 7/1, 8/1, 9/1, 11/2, 18/2, 4/4, 5/4, 6/4, 2/21, 6/22, 34/24, 35/24, 1/36, 4/36, 31/39.
25 ULA, LV, Lka II, B VI:2, no. 28/9.
Appendix 3 Source key

Since the files were sorted differently and had different (sometimes no) call signs, I created my own way to refer to them. The following is a source key for the case files directly referenced in the thesis. The files are just that, files, where the documents have been put together in a pile surrounded by one of the documents. At least in 1758, 1803 and parts of 1880, there is no easy way to find a particular file corresponding to a register entry because the sorting principle and numbering principle (when such existed) were different. When working with the volumes, I therefore read through all documents, giving each file (or document if there was only one document in the file) in the volume a case number. The higher the number in the key, therefore, the later in the volume the case can be found.

The first post in each case number row below is the first document in the file. For 1758 (and other years if necessary) the petitions and responses are designated by the incoming date, usually noted at the top of the document, and the document’s signatory. If an incoming date was missing, other specified dates have been used. In 1803, petitions were given the same number as the register entry. However, the petition was not always first in the file, so if a document without number was first in the file, I have kept to the same principle as in 1758. In 1838 and 1880, there were almost always numbers that designated the file, which have been used instead of dates. After the first document in the file, other referenced documents follow. For example, if the petition came first in the file, but I am talking about the respondent, I have endeavoured to also note the response in the source key. Thus, the key contains references to the documents that are discussed in the running text, and not all documents that are in the files. It should also be noted that a response, promissory note or other document could be written on an already existing document in the file, such as on the petition. Thus, by ‘documents’ I do not necessarily mean something written on a separate paper, but rather another text – regardless of whether or not it was written on the same or another paper.

The given dates for other types of documents than petitions and responses, such as promissory notes, are usually when they were signed. To not crowd the appendix, I have usually only noted one signatory on promissory notes and service receipts, even when there were several. The signatories’ names have been modernised because spellings were very varied, even in the same case. For example, the given name Eric comes in many different forms (Erik, Eric, Erick, Erich, etc.) so for simplicity’s sake I have chosen to use Eric. When necessary I have also included other sources that I have used to find out for example titles or the age of a party.
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<td>17580210</td>
<td>resolution date Joh. Öhrman.</td>
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<td>17580223</td>
<td>Anders Andersson.</td>
</tr>
<tr>
<td>29</td>
<td>17580223</td>
<td>resolution date Julpa bönderna; 17580209 Johan Mattsson, Johan Hansson.</td>
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<td>17580120</td>
<td>Carl Broman Simonsson; 17561206 promissory note signed Dan. Barkman.</td>
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<td>17580128</td>
<td>Anders Mattsson; 17520218 promissory note signed Gert Olsson; 17580224 Anders Mattsson.</td>
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<td>17580216</td>
<td>Lars Ersson; 17550627 promissory note signed Brita Ersdotter; hearing notation 17580313.</td>
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<td>17580131</td>
<td>Carl Ersson.</td>
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<td>17580307</td>
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<td>42</td>
<td>17580224</td>
<td>Hedvig Börstell; 17550527 contract signed Hedvig Börstell, Per Jönsson.</td>
</tr>
<tr>
<td>45</td>
<td>17580315</td>
<td>Lars Andersson; Other documents in ULA, LV, Lka I, D IV a:25, 17580228 Eric Olofsson, 17580225 expense bill signed Eric Olofsson.</td>
</tr>
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<td>47</td>
<td>17580309</td>
<td>Gustav Adolf Wiman.</td>
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<td>48</td>
<td>17580309</td>
<td>Isaac Ekman.</td>
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<td>49</td>
<td>17580316</td>
<td>Catharina Decker.</td>
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<td>51</td>
<td>17580321</td>
<td>P. L. Björman; separate but in the same volume: 17580225 Magnus Stockenborg.</td>
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<td>52</td>
<td>17580227</td>
<td>Ar. Bergström; 17580320 (date for signature) Sara Bóssekur; 17580313 service receipt signed Samuel Tillaeus; 17580314 Jac. N. Christiernin.</td>
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<tr>
<td>58</td>
<td>17580322</td>
<td>Carl Cronstedt; 17550904 court record from Norrbo district court.</td>
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<tr>
<td>59</td>
<td>17580130</td>
<td>Dillman.</td>
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<tr>
<td>60</td>
<td>17580224</td>
<td>And. Winberg.</td>
</tr>
<tr>
<td>63</td>
<td>17580410</td>
<td>Lars Eriksson, Lars Olofsson; 17580307 agreement signed Eric Hammarlind; D IV a:25, 17580415 Daniel Hansson; Later in D IV a:25, 17580323 Daniel Hansson.</td>
</tr>
<tr>
<td>68</td>
<td>17580413</td>
<td>Olof Olsson; D IV a:25, 17580407 Per Andersson.</td>
</tr>
</tbody>
</table>
96 17580520 Timme; Later in the volume: 17580713 Westbeck.

98 17580321 Jonas Norman.

103 17580519 Daniel Danielsson; 17580417 Alexander Öhman; 17570919 Promissory note signed Daniel Danielsson; D IV a:26, undated comments signed Alexander Öhman.

113 17580612 Segebaden.

114 [?]0614 Bengt Andersson. The register confirms the case is from 1758, see ULA, LV, Lka I, B II:1, 17580614.

115 17580502 Gustaf Roberg; 17580428 auction minutes signed Gustaf Roberg; AD, Västerås rådhusrätt och magistrat, AII:36, 17580724, Bild-id: v719054.b2410.

117 17580617 Pär Andersson, Jan Pärsson.

119 17580513 Lars Olofsson; 17580623 hearing notation.

121 17580626 (resolution date) Per Andersson; undated expense bill signed Per Andersson; 17580514 service receipt signed Jan Pärsson; 17571112 promissory note signed Petter Hafström; Another document in ULA, LV, Lka I, D IV a:27, 17580531 Per Andersson; 17580605 Pet. Hafström.
| 122 | 17580527 Lars Larsson; 17580608 Anders Ersson; 17580629 hearing notation signed Nils Zellén. |
| 123 | 17580209 Christina Eriksdotter; 17580302 Brita Matsdotter, Anders Matsson; undated comments signed Kerstin Erssdotter; AD, Sevalla församling, C:2, 17580517. |
| 127 | 17580316 Lars P. Hedendahl; 17580509 Per Andersson. |
| 128 | 17580630 Johan Bredenberg. |
| 131 | 17580525 Anders Persson. |
| 132 | 17580712 Anders Åberg; Another document in ULA, LV Lka I, D IV a:26, 17580815 Nils Lindman; Later in ULA, LV, Lka I, D IV a:26, 17580110 Nils Linman. |
| 133 | 17580320 Eric Jansson; 17580401 Jan Jansson; 17570128 promissory note signed Jan Jansson; undated expense bill signed Eric Jansson; 17580619 Eric Jansson. |
| 135 | 17580309 Lars Brodin, Nils Nilsson; 17540510 bill signed Lars Brodin, Nils Nilsson; undated response signed Sven Segelberg; undated comments signed Lars Brodin, Nils Nilsson. |
| 137 | 17580714 Mats Rungberg; directly after Rungberg’s letter but separate in the volume: 17580706 Eric Ersson. AD, Torstuna församling, A I:3, 31; A I:4a, 19; Generalmönsterrullor – Livregementet till häst 800 (1759), Östra Västmanlands kompani, n:o 70 (Bild-id: v375771.b1640); RA, Torstuna häradsrätt, F II:3, n:o 127 (Bild-id: U0000195_00136). |
| 139 | 17580609 Sperling. |
| 140 | 17580721 Bengt Fortelius. |
| 143 | 17581014 (date for order to serve the document) Lars Weström; 17470328 bill signed Nils Ersson; 17581016 service receipt signed Ingemar Nilsson. |
| 145 | 17580724 Petter Björkman. |
| 146 | 17580614 Lindström; 17580701 Nils Tunström. |
| 147 | 17580620 Eric Ersson Korp; 17580717 Lars Larsson; 17470228 court record from Skinskatteberg district court. |
| 150 | 17580805 (date noted by archivists) a file containing certificates in the case. Later in the same volume: 17580720 Per Jonsson. |
| 152 | 17580814 Ol. Ersson et al. |
| 155 | 17580826 Per Forsberg; Later in the volume: 17580914 Johan Hansson. |
| 160 | 17580829 Magnus Joh. Lundh, P. Leyel. |
| 162 | 17580509 Hans Larsson Hägerlind; 17580620 Hans Hägerlind; 17580805 Abrah. Gother; 17580719 service receipt signed Anders Ersson. AD, Munktorsps församling, A I:4b, 177. |
| 163 | 17580824 Hans Hägerlind. This file lay in 1758 Case 162. |
168 17580811 Eric Österborg; 17580824 Anders Nilsson; undated comments Eric Österborg.

169 17580614 Jac. N. Christiernin; 17580610 bill signed Jac. N. Christiernin.

170 17580913 Catharina Norberg; AD, Munktorp församling, C:3, Brudefölk 1758, 17580330.

171 17580913 Abraham Gother; 17580915 Daniel Brosell; Later in the same volume: 17580815 Daniel Brosell.

173 17580920 (date of the order to serve the document) Per Persson; 17581103 service receipt signed Magn. Hagberg. The file is wrapped by a paper with an overcrossed *charta sigillata* 2 öre.

176 17580927 Ekendahl, Hinr. Moraus; Later in the same volume: 17580922 Daniel Ramén.

178 17580912 Lennman & Cruus; undated expense bill signed Lennman & Cruus.

182 17580824 Anders Mattsson.

183 17580926 Åke Lindblad; 17581005 Mats Jansson; 17580501 promissory note signed Mats Jansson.

184 17580918 Johan Olsson; [?]1019 service receipt signed Anders Larsson.

186 17580814 Abrah. Gother. This file lay in 1758 Case 171, in the letter 17580815 Daniel Brosell.

189 17580919 Ingebor Larssdotter; 17581021 Per Persson; 17581018 witness statement signed Anders Ersson et al.

191 17580531 Joh Hedman; 17570910 bill signed P. Forsberg; 17580722 Johan Matson; undated comments Johan Hedman.

194 17581019 Olof Olsson Dubbel; 17581021 Eric Persson; 17581102 Olof Olsson Dubbel.

198 17580321 E. W. Swedenstierna.

199 17580713 Agnes Lemke; 17580726 Eric Hammar.

202 17581123 (date of approval) Per Persson; 17580716 minutes from the parish council.


205 17581211 (resolution date) Christina E. von Bysing; 17581103 Christina E. von Bysing; 17581110 Per Persson; 17581122 certificate signed Per Mattsson et al.; 17581211 Per Persson; 17581211 certificate signed Joh. Mostedt. Just before the file but separate lay a few certificates related to the case.

207 17581204 Court record from Yttertjurbo district court.

208 17581211 Pell Persson, Johan Andersson, Jan Jansson, Mats Andersson.

212 17581221 Olof Andersson et al.

218 Undated petition signed Anna Ersdotter, soldaten Lars Grönbergs hustru; 17580826 letter signed Hultberg; A previous petition can be found in ULA, LV, Lka I, D IV a:27, 17580602 Anna Ersdotter.

219 Undated petition signed Anders Andersson et al. This petition lay in 1758 Case 218, where the letter from Hultberg confirms it is from 1758.

222 17580814 Abrah. Gother; 17580816 hearing notation signed Nils Zellén.

223 17580824 Laur. Gran, undated and unsigned expense bill.

224 17580309 Anna Persdotter.

226 17580309 Maria Schutzhalter; undated bill signed Christian Fredr Misch; undated response signed Christoffer Jansson; 17580614 Joh. Henr. Dinclau et al.

227 17580325 Lars Sjöstedt; 17580623 B. Johan Brauner; 17580406 service receipts signed B. Joh. Brauner, Maria Charlotta Ahlomb; 17580221 assignation signed Maria Charlotta Ahlomb.

229 17580712 Magdalena Säf; 17580804 Eric Ersson, Per Ersson, Eric Larsson, Per Andersson.

231 17581020 J. M. Schagerström.

233 17580309 Christ. Winter.

234 17580323 Dan. Westholm.

235 17580407 S. Widbecker; 17580417 E. Hammar, 17580407 expense bill signed S. Widbecker.

236 17580407 S. Widbecker; 17580407 expense bill signed S. Widbecker.

237 17580412 Margareta Walström.

240 17580708 Johan Henrich Westmark.

241 17580822 Sven Wikman; ULA, LV, Lka I, D IV a:27, 17580911 Johan Abrahamsson; Undated comments signed Sven Wikman.

242 No. 145 (date hard to see due to a tear) Johan Henrik Westmark; 17580918 Carl Morin; undated response Olov Jacobsson; 17580912 (date of signature) Brommius; 17580913 minutes from a hearing.


244 17581027 Brita Maria Wickert.

ULA, LV, Lka I, D IV a:27.

249 17581113 Johan Tegnaeus; 17521010 promissory note signed A. Hirschleidt, Sophia Helena von Rosen; 17581125 Sophia Helena von Rosen.

Subheading in volume: Överblivna rotars ansökningar

250 17580118 Anna Larsdotter.

252 17580424 Bengt Stenbom et al.

253 Undated Eric Ersson.

254 Undated wrapping; 17580510 Anders Jansson, Per Persson, Eric Persson.

255 17580518 Eric Ersson.

256 17580622 Per Andersson.

257 17580705 Eric Olsson, Olof Olsson.
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<td>17580804</td>
<td>Johan Eriksson, Anders Eriksson, Eric Johansson; 17580802 bill signed Eric Billberg.</td>
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<td>17580818</td>
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<td>17580907</td>
<td>Jan Ersson et al.</td>
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<td>261</td>
<td>17580908</td>
<td>(date of order to serve the document) Johan Tott.</td>
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<td><strong>Subheading in volume: Överblivna mål Lit C</strong></td>
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<td>263</td>
<td>17580411</td>
<td>H. A. Christiernin; 17580516 Anders Lövring.</td>
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<td>264</td>
<td>17580501</td>
<td>Jacob Crom; undated expense bill signed Jacob Crom; 17580523 Olof Ersson et al.</td>
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<td>265</td>
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<td>Jac. M. Christiernin; 17571208 promissory note signed J. P. Forsman.</td>
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<td>17580819</td>
<td>Croning; 17580830 Joh. Söderström; 17570821 contract signed O Croning, Joh. Söderström.</td>
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<td>P. N. Christiernin.</td>
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<td><strong>Subheading in volume: Överblivna mål Lit B</strong></td>
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<td>268</td>
<td>17580815</td>
<td>Daniel Brosell; undated comments Daniel Brosell.</td>
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<td>269</td>
<td>17580818</td>
<td>Daniel Brosell. This file lay in 1758 Case 268.</td>
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<td>270</td>
<td>17580415</td>
<td>Elisabeth Westman.</td>
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<td>271</td>
<td>17580518</td>
<td>Brita Olsdotter.</td>
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<td>17580322</td>
<td>Carl Algren; 17580104 promissory note signed Johan Sahlan.</td>
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<td>278</td>
<td>17581125</td>
<td>Lars Persson; 17570917 promissory note signed Carl Flostedt; 17581215 Lars Pärson.</td>
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<td>279</td>
<td>17581206</td>
<td>Anders Johansson; 17581109 service receipt signed Mats Andersson; ULA, LV, Lka I, D IV a:28 17590320 or 17591120 (resolution date) Johan Andersson in Gullbo.</td>
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<td><strong>Subheading in volume: Överblivna mål Flera sökanden</strong></td>
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<td>281</td>
<td>17580220</td>
<td>Anders Larsson, Anders Nilsson, Jakob Andersson et al.</td>
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<td>17580109</td>
<td>Mats Ersson, Eric Jansson.</td>
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<td>285</td>
<td>17580223</td>
<td>Anders Larsson, Jan Andersson, P. Larsson et.al.</td>
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<td>17580519</td>
<td>Anders Mattsson, Per Larsson, Eric Andersson et al.</td>
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<td>290</td>
<td>17580705</td>
<td>Bya män i Hafmyra.</td>
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<td>291</td>
<td>17580719</td>
<td>Olof Mårtensson, Christina Johansdotter.</td>
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<td>293</td>
<td>17580811</td>
<td>Olof Mattson, Jonas Jansson, Johan Mattsson.</td>
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<td>294</td>
<td>17580928</td>
<td>Eric Andersson, Göran Andersson, Jan Jansson et.al.</td>
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<td><strong>Subheading in volume: Överblivna mål Lit N</strong></td>
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<td>296</td>
<td>17580105</td>
<td>W [?] Neuman.</td>
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<td>297</td>
<td>17580320</td>
<td>Joh. Norsteen.</td>
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<td>299</td>
<td>17580816</td>
<td>Nils Jansson; 17580825 Olaus Arell.</td>
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Subheading in volume: Överblivna mål Lit M

300 17580406 Margta Andersdotter.

301 17580408 Mårten Andersson.

302 17581221 Mats Isacsson; 17571022 promissory note signed Eric Jansson.

Subheading in volume: Överblivna mål Lit R S

303 17581025 Sam. Röding; 17581116 Olof Bengtsson, Eric Svensson.

304 17581109 (date of order for the document to be served) Britta Andersdotter. This file lay in 1758 Case 303.

Subheading in volume: Överblivna mål L O A Ö

306 17580406 Olof Gabrielsson.

307 17580424 Mårt. Ludvig Örnsköld; 17570307 promissory note signed Gabriel Ersson.

308 17580627 Olof Svensson.

309 17580727 Olof Mårtensson; 17580801 Joh. Wessing; 17580810 Olof Mårtensson.

310 17580706 Mathias Runberg.

311 17580811 Eric Österborg.

313 17581018 Anders Orsten; 17581118 Anders Orsten.

314 17581221 Olof Eriksson, 17581219 expense bill signed Olof Eriksson.

Subheading in volume: Överblivna mål Lit L

315 17580615 Jonas Ehrenhielm.

318 17580830 Ad. Fred. Lindfelt.

319 17580920 Lars Larsson.

320 17580721 Lars Larsson, 17580806 service receipt signed Anders Ersson. This file lay in 1758 Case 319.

Subheading in volume: Överblivna mål Lit H

321 17580131 Anders Hernod; 17580121 curriculum vitae signed And. Er. Hernod; 17540321 letter of recommendation signed Stårneld.

325 17580426 Joh. Heydman.

Subheading in volume: Överblivna mål Lit J


Subheading in volume: Överblivna mål Lit K

332 17580216 Kerstin Ingemarsdotter; 17570323 promissory note signed Olof Andersson; AD, Munktors församling, A I:4b, 9.

334 17580831 (date of the order to serve the document) J. Kiellberg.

ULA, LV, Lka I, D IV a:28

337 17581013 (date of the order to serve the document) W. J. Neuman.

338 17590111 Anders Mårtensson; undated comments signed G.G. Hollsten; 17581124 G. G. Hollsten.

340 17590119 Hans And. Hassel.
17581218 Per Boberg Petersson; 17580831 promissory note signed Jan Hansson.

17580728 Per Ersson, Eric Ersson.

17581014 Carl Carlsson Wulff; 17500602 promissory note signed Er Ehrenhielm. AD, Storkyrkoförsamlingen, FbReg:3, 480, 485.

17580919 Eric Larsson; 17590305 (annotation date), response signed Jonas Cronstedt.

17581222 Carl Jacobsson.

17580629 Pär Ersson et al.

17580714 Lars Nilsson.

17590410 Joh. Lenning; 17580224 E. Ersson Berg; 17580216 Eric Pärsson.

17581121 Helena Bergström; 17590320 Letter from governor Friesendorff to district judge Wallvik; 17581216 (date of signature) Joh. Schvan.

17580302 Joh. F:son Rothof.

17590517 Anna Andersdotter; 17580414 Eric Sohlberg; undated comments Anna Andersdotter; Later in ULA, LV, Lka I, D IV a:28 17580406 Anna Andersdotter.

ULA, LV, Lka I, D IV a:29

ULA, LV, Lka I, D IV a:103

25 No. 1 Carl Carlsson Schmidt; 18020412 promissory note signed Johan Brostedt.

42 18030113 Lars Larssons änka och barn, Per Larsson.

49 No. 26 Carl Larsson; 18000426 promissory note signed Johan Matson.

50 No. 98 Fredric Borgman.

65 18030125 (resolution date) Anders Andersson; 18011205 promissory note signed Olof Ekman.

67 18030110 Lars Ersson. The number of the file (No. 22) is hard to see due to a tear.

71 No. 67 Lars Larsson.

72 No. 56 J. G. Nordström; 18030113 bill signed J. G. Nordström.

76 No. 86 Gustaf Reuterholm.

79 No. 158 Anders Lindqvist; 18030311 contract signed Anders Lindqvist, Brita Jansdotter.

80 No. 161 Lars Larsson.


84 18030207 (resolution date) Petter Gadd, Jan Andersson.

85 18030203 Carl Larsson.
86 18030203 Per Jansson.
88 18030203 Jan Jansson.
94 No. 174 And. Andersson; 18030211 service receipt signed Eric Jansson.
95 18030210 Christina Joh. Wangel; No. 45 E. W. Svedenstierna.
96 No. 2 Nils Olofsson.
101 18030212 Eric Löfberg; ULA, LV, Lka I, D IV a:104, 18030406 J. N. D. Liljeström.
107 No. 20B Ant. H. Groen; 18021119 promissory note signed Anders Bruse.
109 18030217 Georg Billberg; Later in the volume: No. 145 Lars Hagström.
110 No. 87 Gustaf Reuterholm.
114 No. 115 Olof Hansson.
117 No. 64 Er. Dan. Leffler; 18030207 Anders Olofsson.
119 No. 33 Anders Björkgren.
121 No. 15 Jonas Persson; undated and unsigned bill; 18030120 Eric Menlös.
129 No. 133 P. Schmidt; 18030214 Olof Reinh. Alander; undated comments P. Schmidt.
130 No. 82 W. S. Tideström.
131 18030220 P. O. Billmansson.
139 No. 267 Eric Jansson; 18030315 C. M. Jansson, Eric Olsson.
140 No. 42 Lars Jansson.
143 No. 252 Olof Olson; 18030306 service receipt signed Olof Jansson.
145 No. 220 J. F. Hultberg. For Hultberg’s socioeconomic status, see 1803 Case 173.
152 No. 137 Per Larsson.

ULA, LV, Lka I, D IV a:104
159 18030302 Olof Andersson.
160 No. 13 Per Pål Åhlin; 18030218 power of attorney signed Per Pål Åhlin.
163 No. 156 Gustaf Reuterholm.
164 No. 189 Jan Jansson; 18030212 service receipt signed Lars Ersson; 18030218 Lars Ersson.
166 No. 14 Johan Ersson; 18010313 promissory note signed Joh. Eric Höök.
169 No. 130 Johan Persson; undated bill signed Joh. P. S; 18030203 Jan Mattsson; undated comments signed Joh. Persson.
173 No. 39 Mats Carlsson, Eric Carlsson.
174 No. 24 Eric Andersson; 17840626 promissory note signed Nils Nilsson.
175 No. 139 Christina Johansdotter.
176 No. 237 Olof Olsson.
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<td>No. 3 Eric Jönsson; 18030310 Per Persson; 17980101</td>
<td>promissory note signed Per Persson.</td>
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<td>185</td>
<td>No. 225 Lars Jansson.</td>
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<td>187</td>
<td>18030217 J. Bedoire; 18030301 (date of signature) Christina Andersdotter.</td>
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<td>No. 202 Per Forsberg; 18030124 bill signed Per Forsberg.</td>
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<td>No. 221 C. A. Rangel; 18030303 (date of signature) Jan Hansson, Christina Ersvdotter.</td>
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<td>No. 60 A. Zetterström; 18030414 P. Schmidt.</td>
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<td>No. 259 Lars Olofsson; 18030307 communication receipt signed O. Romström.</td>
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<td>No. 212 Olausson; 180303[?] service receipt signed Jan Jansson.</td>
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<td>No. 40 Jan Persson; 18030127 Olof Martensson.</td>
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<td>212</td>
<td>No. 181 H. Ch. Cederborg, Lars Almberg.</td>
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<td>215</td>
<td>No. 141 Carl. Gust. Svedberg et al.</td>
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<td>216</td>
<td>No. 201 Per Forsberg; undated bill signed Per Forsberg.</td>
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<td>218</td>
<td>18030324 Per Persson; Later in the same volume: No. 71 Anders Andersson; 18030102 promissory note signed Per Persson.</td>
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<td>222</td>
<td>No. 143 J. Waller; 18030404 (date of signature) Olof Hammarbeck.</td>
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<td>223</td>
<td>No. 154 Lars Olof Björklund.</td>
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<td>226</td>
<td>No. 141 Catharina Hedmark; 18030311 Eric Jansson.</td>
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<td>18030328 Anders Persson, Christina Scherfs; No. 142 Johan Andersson.</td>
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<td>No. 43 N. Pahl; 18030323 Mats Sjöström.</td>
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<td>No. 244 Johan Lunman; 18030317 Johan Lunman; 18030307 Johan Ersson.</td>
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<td>No. 175 Jan Larsson; 17960315 promissory note signed Jan Jansson.</td>
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<td>No. 35 Isac Stenman.</td>
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<td>240</td>
<td>No. 16 Peter Jansson; 18030308 (date of signature) Lars Persson.</td>
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<tr>
<td>242</td>
<td>No. 67 Eric Andersson.</td>
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<td>247</td>
<td>No. 237 Jan Ersson.</td>
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<td>249</td>
<td>No. 184; 18030404 service receipt signed Per Sahlin. AD, Västerås domkyrkoförsamling, A 1 a:8, 9, 124.</td>
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<td>255</td>
<td>No. 150 C. E. Arpi.</td>
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<td>259</td>
<td>No. 136 J. Humble; 18030404 Joh. Wallmo; undated comments J. Humble.</td>
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<td>260</td>
<td>18030412 Catharina Olsdotter, Olof Carlsson</td>
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<td>264</td>
<td>No. 274 Jan Andersson. The response in the file, dated 18030528 signed Jan Ersson concerns both No. 274 and</td>
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<tr>
<td>No.</td>
<td>Petitioner/Details</td>
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<td>330</td>
<td>Petitioner: Per Borfeldt. No petition found.</td>
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<tr>
<td>275</td>
<td>Per Jansson.</td>
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<td>21</td>
<td>Olof Wristedt.</td>
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<tr>
<td>152</td>
<td>Anders Andersson</td>
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<tr>
<td>148</td>
<td>Johan Eric Korg’s widow; date of signature: And. Jansson.</td>
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<tr>
<td>31</td>
<td>Lars Jansson.</td>
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<td>120</td>
<td>Anders Andersson; date of signature: Olof Olsson.</td>
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<tr>
<td>310</td>
<td>Per Persson; date of signature: Johan Borgström.</td>
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<tr>
<td>312</td>
<td>Per Persson; date of signature: Lars Jansson.</td>
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<tr>
<td>242</td>
<td>Anders Bengtsson; unsigned and undated bill.</td>
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<tr>
<td>233</td>
<td>And. H[?]ellberg Sam:son</td>
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<td>207</td>
<td>Bergström; date of signature: Jan Andersson.</td>
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<td>242</td>
<td>Anders Söderling; date of signature: Per Häggeström.</td>
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<td>242</td>
<td>Anders Söderling; date of signature: Per Ersson.</td>
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<td>242</td>
<td>Mats Persson.</td>
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<td>312</td>
<td>Olof Zachrisson.</td>
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<td>153</td>
<td>Anders Andersson.</td>
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<td>168</td>
<td>Anders Låstbom; date of signature: Hans Fernsten.</td>
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<td>174</td>
<td>Anders Låstbom.</td>
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<td>168</td>
<td>Anders Låstbom; date of signature: Johan Andersson.</td>
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<td>168</td>
<td>Anders Låstbom; date of signature: Nils Nilsson.</td>
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<td>350</td>
<td>Lars Olofsson.</td>
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<td>314</td>
<td>Olof Jansson; date of signature: Anders Persson.</td>
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<td>46</td>
<td>Anders Mattsson, undated bill signed And. Mattsson.</td>
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<td>157</td>
<td>Gustaf Reuterholm.</td>
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<td>391</td>
<td>Lars Jansson; date of signature: Joh. Tunberg.</td>
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<td>231</td>
<td>Anders Söderling.</td>
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<td>229</td>
<td>Anders Söderling; date of signature: Per Häggeström.</td>
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<td>179</td>
<td>Eric Jansson; date of signature: Per Ersson.</td>
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<td>288</td>
<td>Mats Persson.</td>
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<td>130</td>
<td>Anders Låstbom; date of signature: Anders Persson. AD, Västerås domkyrkoförsamling, A I a:8, 9, 124.</td>
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</table>
346  No. 173 Anders Låstbom; 18030401 service receipt signed Hindrik Jansson.

349  No. 111 Sven Rindström.

351  No. 315 Johan Persson.

354  No. 181 Anders Olsson; 18030413 Anders Jönsson.

355  No. 89 Jan [unreadable], undated and unsigned expense bill.

359  No. 74 Henr. Ekström; 18030329 A. Zetterström; 18030409 Henr. Ekström; 18021231 bill signed Henr. Ekström.


362  18010321 promissory note signed Anders Johansson; 18030418 service receipt signed Anders Lindström. These were the only documents in the file. On the front page there is a notation that the case was resolved 18030511.

367  No. 342 Carl Eric Wulff; 18030506 Carl P. Öhman.

370  No. 343 Anders Frimodig.

371  No. 265 Jan Andersson.

375  No. 246 Eric Svensson; 18030316 Abraham Persson.


378  No. 27 Lars Jansson; 18021025 promissory note signed Eric Jonsson.

384  18030520 Jan Persson; 18030320 Per Jansson; No. 52 Johan Persson.

387  No. 427 L. Lundbäck.

390  No. 182 Anders Olöfsson; 18030413 Mats Jansson.

391  No. 251 Fr. Ekman; 18030326 Zimmerman.

393  No. 481 Anders Persson.

394  18030428 J. F. Asplind; No. 233 Jonas Felix Asplind; 18030419 Eric Larsson, Cajsas Jansdotter.

396  No. 360 Anders Andersson.

404  No. 356 Catharina Vretström; 18010202 promissory note signed Magnus Jacobsson.

409  No. 146 L. G. Hollsten; 18030517 Ol. Österlund, Anna Brita Ahlström. The joint promissory note can be found in ULA, LV, Lka I, D IV a:104., no. 2 (petition signed Olof Arborelius). In that file, the promissory note is dated 17981114, signed Olof Österlund, Anna Brita Ahlström.

413  No. 314 Greta Ersdotter.

414  No. 434 And. Lagrelius; 18030523 (date of signature) Maria Marg. Dinclau.

416  18030531 (resolution date) Olof Larsson.

418  18030531 (resolution date) Jan Andersson.

430  No. 213 Per Andersson.

433  No. 399 P. Schmidt.

434  18030518 M. Lindgren; No. 76 Mag:s Lindgren; 18030405 Casper Nettelblad; 18030422 Casper Nettelblad.
| No. 324  | Per Tilléus. |
| No. 300  | A. Enoch Söderquist. |
| 18030607 | Olof Olofsson; No. 287 Per Danielsson; 18030407 service receipt signed Olof Olofsson. |
| No. 503  | Anders Låstbom; 18030528 service receipt signed Per Sahlin Ersson. AD, Västerås domkyrkoförsamling, A I a:8, 9, 124. |
| No. 433  | Per Persson. |
| No. 548  | And. Ekholm; 18030629 service receipt signed Per Samuelsson. |
| No. 577  | Eric Mosse. The number can be hard to see, but the document is dated 18030613. |
| 18030603 | L. G. Hollsten; No. 468 L. G. Hollsten. |
| 18030615 | Eric Jansson, Jan Bengtsson, Eric Mattsson et al. |
| No. 518  | Lars Jansson. |
| No. 518  | Lars Jansson. |
| No. 532  | Anna M. Bouman; 18030614 (date of signature) Lars Persson; AD, Västerås Lundby församling, F:II 1803, No. 13. |
| No. 553  | Jan Andersson. |
| No. 63   | Olof Jansson; 18030416 (date of signature) Olof Jansson. |
| No. 401  | P. Schmidt. |
| 18030620 | L. F. Näf; 18030924 Olof Jansson et al. |
| No. 388  | P. Larsson. |
| No. 549  | Anders Jansson. |
| 18030629 | Elisabeth Gålborn. |
| No. 280  | Christian Gålborn, 18030601 expense bill signed Christian Gålborn; No. 397 Christian Gålborn; 18030601 Per Nilsson. |
| 18030702 | E. Persson; No. 618 Anna Matsdotter. |
| No. 571  | Johan Ersson; 18030620 service receipt signed Lars Persson. |
| No. 569  | Lars Ersson. |
| No. 570  | Lars Ersson; 18020929 promissory note signed Jan Persson. |
| 18030623 | Catharina Andersdotter; No. 625 Per Olofsson, Carl Persson, Eric Ersson. |
| 18030705 | Er. Gust. Sohlberg; No. 642 Er. Gust. Sohlberg; 18030628 Per Waslien. |
| No. 216  | Isac Weström, Anders Andersson, Eric Matsson; undated and unsigned expense bill. |
| No. 460  | And. Ekholm. |
| No. 560  | Olof Olsson. |
| No. 600  | Olof Olsson. |
| No. 617  | Anders Dahlbom. |
| No. 430  | J. F. Hultberg; 18030617 Per Persson; 18030623 (date of signature) J. F. Hultberg. |
No. 517 Lars Jansson; 18030606 Hans Jansson.

No. 602 Nils Andersson; undated comments signed Nils Andersson.

18030628 J. P. Carlström; No. 579 And. Jansson, Lars Mattsson.

No. 728 Margareta Forsberg.

No. 267 E. Hambn; 18030621 Hans Olofsson; 18030716 E. Hambn.

No. 678 Carl Odelberg.

No. 147 Abraham Persson, Anders Jansson.


No. 322 Jan Andersson; 18030517 Jan Andersson; 18030505 Lars Persson.

18030719 Alexander Casimir; No. 697 Olof Gräberg et al.

No. 734 Sven Svensson.

18030705 Lars Jansson; No. 611 Jonas Andersson.

No. 658 Sam:l Svederus & co.

No. 551 And. Öström; No. 410 Anders Öström; 18020621 contract signed Enoch J. Söderquist.

No. 645 Carl Danielsson.

No. 708 Hans Persson; 18030723 Hans Hansson, Christina Persdotter.

No. 538 B. J. Herkepaus.

18030804 (resolution date) Carl Eric Wahlström; 18030704 Carl Eric Wahlström; No. 580 Brita Ersdotter.

No. 690 Casten Lyckon; 18030102 promissory note signed A. Kihlberg.

18030712 Olof Olsson; No. 635 Olof Olsson.

No. 510 J. M. Tillman.


No. 799 Margareta Larisdotter.

No. 944 Alex[?] Öhman Nilsson; undated letter just after the first, signed Alex[?] Öhman Nilsson; ULA, LV, Lka I, D IV a:107, 18031015 page with signature missing.

18030825 Lars Eldström; No. 424 Lars Eldström; 18001213 contract signed Lars Eldström, Anna Persdotter, Per Persson.

No. 730 Olof Olsson.

No. 806 J. G. Nordström.

No. 627 Lars Ersson; 18030816 Anders Ersson.

18030831 (resolution date) first page is a notation from a hearing; No. 464 Fredrik Lindborg; 18030525 Anders Jansson, undated expense bill signed Fredric Lindborg.

ULA, LV, LKa I, D IV a:107

No. 888 Martin Ramsten.
607 18030713 Carl Larsson; No. 73 Carl Larsson; 18030402 witness statement signed E. Ersson.

613 No. 224 And. Jacobsson; 18000427 promissory note signed Per Samuelsson; 18030430 Per Samilsson.


616 No. 815 Olof Sahlberg; 18030907 Olof Larsson.

620 No. 552 Johannes Jönsson; 18030812 Johannes Jonsson; 18030608 Eric Olsson.

623 No. 669 Samuel Norlund.

627 18030831 Mathias Dicksell; No. 601 Matias Deczell; 18021027 contract signed Mats Persson, Brita Persdotter; 18030802 Per Mattsson; 18030801 letter signed Mats Persson, Brita Persdotter.

628 No. 781 Joh. Schön; 18030820 Anton Ramenius.

629 No. 750 Er. Dan. Leffler; 18030824 Lars Fernsten.

630 18030920 Per Ersson; No. 885 Anna Ekendahl.

631 No. 702 And. Persson; undated notation of payment on the promissory note. For Anders Persson’s title, see AD, Altuna församling, AI:7, 38.


636 18030520 Christina Johanna Wangel; No. 144 Eric Wilh. Swedenstierna; 18030222 Torstuna district court record.

639 No. 884 J. F. Hultberg; 18030922 (date of signature) Jan Hansson, CED dotter.

640 No. 883 J. F. Hultberg; 18030515 promissory note signed Jan Hansson; 18030922 (date of signature) Jan Hansson, CED dotter.

643 No. 900 J.F. Hultberg; 18030905 power of attorney signed Dygdig M. Reuterholm.

645 No. 797 W. Tideström; 18030905 J. G. Hellberg.

647 No. 704 Anders Moreen; 18030813 And. Moreen.

648 No. 703 Sara Maria Örnsköld, Joh. Er. Göransson.


653 No. 889 L. G. Hollsten; 18031001 Anders Andersson.

657 No. 950 Fred. Ekman.

658 No. 899 J. F. Hultberg.

659 No. 909 L. G. Hollsten; 18030824 power of attorney signed B. M. Stackelberg.

660 No. 852 J. F. Hultberg.

662 No. 948 J. F. Hultberg.

664 No. 840 J. F. Hultberg; 18030919 [?] Österlund.

666 No. 5[?] Anders Ersson. The number of the case or incoming date is difficult to see due to a tear. On the document is noted a resolution date: 18031006; 18030907 Anders Ersson; 18030601 Per Ersson.

670 No. 990 Eric Persson; 18031019 Maria Greta Weström.
<table>
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<tr>
<th>No.</th>
<th>Description</th>
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<tr>
<td>679</td>
<td>No. 662 Sam:l Swederus; 18030720 Sam:l Swederus.</td>
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<td>681</td>
<td>No. 780 And. Ekholm.</td>
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<td>683</td>
<td>18031019 F. Ridderstolpe.</td>
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<td>684</td>
<td>18030825 P. Schmidt; 18030630 Lars Tiblin; No. 389 P. Schmidt.</td>
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<td>686</td>
<td>No. 831 P. Schmidt.</td>
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<td>688</td>
<td>No. 1043 Jöns Andersson.</td>
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<tr>
<td>692</td>
<td>18031026 Lars Isaksson, Per Olofsson.</td>
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<td>694</td>
<td>18031027 (resolution date) notation of GA staff; undated response that starts on the first page in the file signed Anders Andersson; 18030714 Emanuel Weström; 18030728 Joh. Persson; No. 652 Joh. Persson.</td>
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<td>695</td>
<td>No. 873 Anders Gåli; 18030921 service receipt signed Eric Hjulberg.</td>
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<td>697</td>
<td>No. 894 Lars Ersson; 18020401 promissory note signed Anders Åndrake.</td>
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<td>18031027 Elisabeth Nyman.</td>
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<td>699</td>
<td>No. 854 J. F. Hultberg; 18030912 Samuel Samuelsson; List of sold objects dated 17960618.</td>
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<td>No. 547 J. G. Bröms.</td>
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<td>No. 437 Per Gustafsson.</td>
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<td>704</td>
<td>No. 920 And. Öström.</td>
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<td>706</td>
<td>No. 644 Christopher Wigren; 18030712 Johan Hällberg; 18031018 expense bill signed Christopher Wigren.</td>
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<td>708</td>
<td>No. 25 Magdalena Grave. 18030905 minutes from inspection. AD, Västerfärnebo församling, A I:15, 37.</td>
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<td><strong>ULA, LV, Lka I, D IV a:108</strong></td>
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<td>712</td>
<td>No. 1087 Maria Persdotter.</td>
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<td>No. 1012 J. F. Hultberg; 18031029 (date of signature) Gustaf von Duben, E. S. S. Duben.</td>
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<td>717</td>
<td>18031103 And. Aronander.</td>
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<td>722</td>
<td>18031029 Herman Franck.</td>
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<td>729</td>
<td>18031108 (resolution date); undated comments signed And. Fernström.</td>
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<td>No. 1097 Lars Ersson.</td>
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<td>18031109 (resolution date) Mats Persson; No. 180 Eric Ekbom; 18030307 Johan Abrahamsson; 18030913 Eric Ekbom.</td>
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<td>No. 114 Grönander; 18021028 unsigned bill.</td>
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<td>740</td>
<td>18031112 Christoffer Ersson; No. 1056 Per Andersson; No. 820 Per Andersson.</td>
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<td>742</td>
<td>No. 929 W. Tideström. For Tideström’s title, see 1803 Case 645.</td>
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<td>743</td>
<td>No 634 unsigned wrapping with resolution date 18031115; 18030702 Jan Ersson.</td>
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<td>745</td>
<td>18030908 And. Ekholm; 18030709 Eric Thurin; No. 670 And. Ekholm.</td>
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<td>748</td>
<td>18030917 (date for an order to have a hearing); No. 28 Olof Andersson; 18030331 Anders Andersson.</td>
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<tr>
<td>749</td>
<td>18031119 (resolution date). The first page in the file shows a promissory note dated 18030806 signed Lars Olofsson and an expense bill dated 18031110 and signed C. Lundholm.</td>
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<td>No. 1089 L. Westerdahl; 17990225 promissory note signed Jan Lejdström, Stina Jevert.</td>
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<td>No. 1144 Anders Persson.</td>
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<td>753</td>
<td>18031101 Samuel Norlund.</td>
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<td>754</td>
<td>No. 864 Anders Andersson; 18010417 contract signed Anders Andersson, Johan Ersson et al.; 18030716 Eric Köpseus.</td>
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<td>755</td>
<td>18031123 (date of approval) Court record from Våla district court. The court session was held 18031005.</td>
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<td>No. 934 E. Hedman.</td>
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<td>No. 1132 L. G. Hollsten.</td>
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<td>767</td>
<td>18031018 Johan Jansson; No. 890 Christina Groth; undated letter Isak Wikström.</td>
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<td>No. 1116 Per Forsberg.</td>
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<td>777</td>
<td>No. 470 J.P. Schenström; 18030530 Anders Andersson.</td>
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<td>No. 1145 P. Schmidt; 18031122 (date of signature) Anna Maria Rungren, Henr. Rungren.</td>
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<td>18031208 Johan Schön; No. 81 Johan Schön.</td>
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<td>808</td>
<td>18031221 P. O. Billmansson.</td>
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<td>18031221 Anders Larsson.</td>
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<td>811</td>
<td>No. 1283 Abraham Jansson.</td>
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<td>812</td>
<td>No. 1289 Jan Andersson; 18040109 Anders Andersson.</td>
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<td>813</td>
<td>No. 1290 Christina Graaf.</td>
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<td>815</td>
<td>18030526 And. Andersson; 180311[?] Per Gustafsson; No. 362 Per Gustafsson.</td>
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<td>816</td>
<td>No. 699 J. Fr. Alm; 18030718 Jan Danielsson.</td>
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<td>819</td>
<td>Copy of a petition dated 16 May, signed M. Mannerstrale.</td>
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<td>825</td>
<td>UL A, LV, Ika I, D IV a:109</td>
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<td>828</td>
<td>18040102 Petter Hellberg; No. 1213 A. Enoch Söderquist.</td>
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<td>830</td>
<td>18031221 (date of signature) Er. Gust. Sohlberg.</td>
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<td>836</td>
<td>No. 1167 Anna Andersdotter.</td>
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<td>No. 1188 Per Elof Strangh.</td>
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<td>No. 1243 Eric Mosse; 18031223 Anders Andersson.</td>
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<td>No. 294 Anders Ericsson.</td>
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<tr>
<td>882</td>
<td>18040204 witness statement signed Abrah. Leverin; 18031006 passport issued in Carlskrona.</td>
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<td>888</td>
<td>No. 1278 Jacob Jacobsson, Maria Catharina Jacobsson; 18040102 Petter Hellberg; 18040128 Jacob Jacobsson.</td>
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<td>891</td>
<td>No. 1240 J. M. Schenström.</td>
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<td>898</td>
<td>18040201 Eric Ersson; No. 1252 Eric Ersson.</td>
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<td>917</td>
<td>No. 271 And. Larsson.</td>
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<td>949</td>
<td>No. 256 P. Schmidt; 18030507 Brita Persdotter, Abraham Olsson; undated comments signed P. Schmidt.</td>
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<td>No. 1025 And. Ekholm; 18031201 Er. Hedberg.</td>
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<td>966</td>
<td>18031222 Jo. Fr. Brantingsson; No. 1157 Anna Hedvig von Tiesenhausen.</td>
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<td>980</td>
<td>No. 1216 Jan Jansson; 18040121 Carlström; Undated comments Jan Jansson.</td>
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<td>No. 651 Anna Jansdotter; 18030629 service receipt signed Joh. Abr. Westander.</td>
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<td>989</td>
<td>18040419 A. Hebbe; No. 1122 And. Hebbe; 18040305 (date of signature) Carl Jansson, Anna Olsdotter.</td>
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<td>No. 812 J. G. Nordström.</td>
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<td>1006</td>
<td>18030825 Zach. Sjöberg et al.</td>
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<td>1007</td>
<td>18040804 (resolution date) Magnus Annderstedt, Susanna Leverin, Eric Annerstedt; No. 1108 Johan Alfström.</td>
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<td>1008</td>
<td>No. 498 Anders Låstbom.</td>
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<td>1009</td>
<td>No. 441 Anders Andersson; 18030531 Carlström; 18040516 Anders Andersson.</td>
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ED 1040; 18380310 excerpt from the Fellingsbro district court record including an application from Lars Olsson.

ED 1053; 18360808 promissory note signed Anders Ytterberg.

ED 1084; 18380521 Reutermark.

ED 1098; 18380501 (date of signature) Amalia Duvall, J. F. U. Duvall.

ED 1103; 18380505 (date of signature) Amalia Duvall, J. F. U. Duvall.

ED 1104; 18380509 service receipt signed Johan Johansson.

ED 1135; 18380523 (date of signature) Lars Larsson.

ED 1143; 18380516 (date of signature) J. F. U. Duvall, Amalia Duvall.

ED 1153; 18381231 the GAV’s decision; 18380526 C. Karlén; 18380517 P. E. Lundman.

ED 1153; 18380530 Anders Ersson.

ED 1187; undated and unsigned expense bill.

ED 1201; undated expense bill signed C. J. Öjermark.
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| 1877 | ED 1877 | 18380818 service receipt signed Lars Jansson.
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<td>contract signed C. G. Ågren, J. P. Bäckelin.</td>
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<td>J. P. Scherdin.</td>
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<td>contract signed W. E. Lundwall, Eva Elisabet Bohnsack.</td>
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<td>Anna Christina Örn.</td>
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<td>1964; 18381002</td>
<td>expense bill signed Wilhelm Törnbuske.</td>
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<td>1981</td>
<td>1981; 18380916</td>
<td>(date of signature) Jacob Andersson, Anna Isaksdotter.</td>
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<td>response Carl Johan Åberg.</td>
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<td>2022; 18381004</td>
<td>Per Ersson; 18380823 Per Ek.</td>
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<td>825</td>
<td>No. 47 pag 360</td>
<td>J. E. Wulff. The first letter is followed by ED 2023 and after that case, follows documents in ED 825.</td>
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<td>contract signed Gustaf Engström, 18381010 expense bill signed S. Bäckström.</td>
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<td>2144; 18381022</td>
<td>Joh. Sundberg.</td>
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2319  ED 2319; 18381022 (date of signature) P. E. Åberg.
2331  ED 2331; 18380726 bill signed L. Bomans änka; 18381019 Hedda Lov. Gezelius.
2345  ED 2345; 18350725 contract signed Eric Andersson, Carl August Carlsson.
2348  ED 2348.
ULA, LV, Lka I, D IV a:550
2439  ED 2439; 18380825 (date of signature) C. F. Decker.
2440  ED 2440.
2467  ED 2467.
ULA, LV, Lka I, D IV a:551
2505  ED 2505.
2511  ED 2511; 18381231 the GAV’s decision; 18380508 Anders Odin, Anna Lisa Hilfert.
2576  ED 2576; 18380704 (date of signature) Carl Lindqvist.
ULA, LV, Lka I, D IV a:552
2614  ED 2614, attached note of charta sigillata.
2688  ED 2688.
ULA, LV, Lka I, D IV a:554
2860  ED 2860; 18381224 expense bill signed Lars Bomans änka.
2866  ED 2866; 18380910 Jan Jansson, Eric Jansson, Mats Jansson et al.
2868  ED 2868; 18381228 expense bill signed L. Bomans änka.
2869  ED 2869; unreadable date, signed C. F. Decker.
1839
ULA, LV, Lka I, D IV a:555
1    ED 1; 18380831 E. Lindström.
10   ED 10; 18381110 receipt of payment signed P. E. Lundberg.
ULA, LV, Lka I, D IV a:556
102  ED 102; 18381220 Anders Jansson.
104  ED 104.
124  ED 124; 18380817 Lars Olsson; 18380601 Lars Olsson; 18380629 Carl G. Alström.
ULA, LV, Lka I, D IV a:557
254  ED 254.
275  ED 275.
277  ED 277; undated expense bill signed Lars Larsson.
ULA, LV, Lka I, D IV a:558
378  ED 378; 18391005 the GAV’s decision; 18390222 Anders Persson et al.; 18381205 Stina Larsdotter. Directly after the file was another file in the same case, see especially the first letter, ED 378, signed B. Gv. HaussWolff.
ULA, LV, Lka I, DIV a:559
422 ED 422.

460 ED 460; 18380724 Anders Olsson.

474 ED 474; 18380625 contract signed Lars Persson, Catharina Fredriksson.

ULA, LV, Lka I, D IV a:560

501 ED 501; 18380815 Per Larsson, Catrina Andersdotter.

ULA, LV, Lka I, D IV a:561

632 ED 632; 18380920 Eric Mattsson.

682 ED 682.

695 ED 695.

696 ED 696.

ULA, LV, Lka I, D IV a:563

827 ED 827; 18340402 contract signed Eric Jansson, Anders Andersson; 18381218 Anders Andersson.

868 ED 868; 18390417 (date of signature) And. Hjulström; 18390403 Gustava Sophia Bergmark.

ULA, LV, Lka I, D IV a:564

950 ED 950; 18381115 Mats Isaksson, Carin Jansdotter; 18381024 (date of signature) C. F. Decker; 18390403 expense bill signed Lars Bomans änka.

953 ED 953; 18380623 G. Holmgren; 18380529 G. Malmberg.

ULA, LV, Lka I, D IV a:565

1086 ED 1086.

ULA, LV, Lka I, D IV a:566

1160 ED 1160; 18360227 contract signed Catharina Selén, Catharina Forsell, Lars Andersson.

ULA, LV, Lka I, D IV a:567

1244 ED 1244; 18381205 C. Ridderstolpe; 18381030 Lars Gertz.

1247 ED 1247.

1292 ED 1292.

ULA, LV, Lka I, D IV a:568

1351 ED 1351; (?)0410 expense bill signed Carl Håfdell.

ULA, LV, Lka I, D IV a:570

1593 ED 1593; 18380112 expense bill signed J. O. Persson.

ULA, LV, Lka I, D IV a:571

1613 ED 1613; 18380704 Johan Holm.

1663 ED 1663; 18381015 service receipt signed And Persson; 18390506 (date of signature) C. F. Decker.

ULA, LV, Lka I, D IV a:574

1981 ED 1981; 18381126 (date of signature) P. O. Torgren.


ULA, LV, Lka I, D IV a:580

2535 ED 2535.
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<td>AB 40; 18800127 expense bill signed C. G. Larsson.</td>
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<td>AB 41; 18791107 transport signed Eric Jansson.</td>
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<td>AB 42; 18800121 service receipt signed Lars Eric Olsson.</td>
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<td>AB 44; 18800118 service receipt signed A. Jansson.</td>
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<td>AB 48; 18800128 service receipt signed Fredrik Eriksson.</td>
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<td>AB 58; undated expense bill signed J. Norén.</td>
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<td>AB 59; 18800201 service receipt signed C. Eriksson.</td>
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<td>AB 63; 18800123 Anders Persson.</td>
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<td>AB 72; 18800112 A. Eriksson.</td>
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<td>AB 98; 18800301 Ax. Lundgren; 18800213 Herman Uddén; 18490622 contract signed Gust. Hallenberg.</td>
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<td>AB 100; undated transport signed N. Nilsson.</td>
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<td>AB 107; undated expense bill signed J. G. Roth; 18790501 power of attorney signed Augusta Olivia Åkerblom et al.</td>
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<td>AB 112; undated expense bill signed Johanna M. Carlsson and S Carlsson; 18760404 contract signed A. G. Örnberg.</td>
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<td>AB 115; 18800216 service receipt signed And. Danell.</td>
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<td>AB 120; undated expense bill signed Albert Müntzing.</td>
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<td>AB 124; 18800331 (date of signature) Jan Jansson.</td>
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| 336 | AB 5; undated transport signed Eric Ersson. |
| 340 | AB 9; 18801123 Per Eric Nording; 18801121 service receipt signed Henri Persson. |
| 341 | AB 10. |
| 346 | AB 17; 18800410 service receipt signed Jan Olsson; 18800417 Johan Olsson. |
| 347 | AB 18; 18810103 letter signed Eric Mattsson. |
| 348 | AB 20; 18801216 A. P. Bergmark; expense bill signed Cari Larsson; 18801126 Cari Larsson. |
| 350 | AB 23; 18801206 service receipt signed L. A. Vibäck. |
| 353 | AB 28. |
| 361 | AB 59. |
| 362 | AB 64; 18810316 expense bill signed J. O. Lundell. https://sok.riksarkivet.se/bildvisning/Folk 819005-004. |
| 364 | AB 79; undated expense bill signed A. J. Deurell; 18801126 copy of petition signed A. J. Deurell. |
| 366 | AB 95. |

**ULA, LV, Lka II, D VII:7**
ULA, LV, Lka II, D VI:1

369 AB 114.

371 AB 138.

ULA, LV, Lka II, D VI:2

374 DB 4/204.

377 DB 3/213; 18800306 G. Gustafsson; 18800121 C. E. Wallquist.

378 DB 13/214.

381 DB 9/213.

382 DB 6/213.

385 DB 2/213.

387 DB 14/214; 18800407 Jan Andersson.

388 DB 15/214.

389 DB 20/214.

390 DB 22/214.

391 DB 21/214; 18800602 Anders Gustaf Ersson; 18800507 O. G. Timm.

395 DB 5/201; 18800330 J. Matthisen.

396 DB 11/214; 18800301 A. G. Barkman, Maja Greta Barkman.

397 DB 17/214; 18800402 service receipt signed E. Buske.

402 DB 8/206; 18800412 (date of signature) C. E. Essén. For the petitioner’s title, see https://sok.riksarkivet.se/bildvisning/Folk_819018–036.

405 DB 10/214; 18800301 A. G. Barkman, Maja Greta Barkman.


407 DB 18/214; 18800611 Anna Bengtsdoter; undated expense bill signed Brita Ersdotter.

408 DB 34/215.

409 DB 29/215.

411 DB 28/215; 18800722 Erik Larsson.

418 DB 24/215; 18800710 J. A. Källberg.

421 DB 36/215.

422 DB 26/215; 18800715 J. P. Broström; 18800626 C. F. Andersson.

423 DB 35/215; 18801011 service receipt signed L. A. Pettersson.

425 DB 1/204.

427 DB 16/207; 18801030 Jan Andersson.

429 DB 40/216; 18801116 P. J. Johansson; 18801102 K. A. Wilander.

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