

*Manus kongressrapport pr. 12. 10.14*

## **PRIVATE HERALDRY AND THE CONSTITUTION DOCUMENT OF 17 MAY 1814**

*By Hans Cappelen*

### **Summary**

*The situation in Norway regarding private persons' coats of arms can be analysed by the 111 seals from the delegates to the Constitutional Assembly in 1814. The delegates were from different social groups and from different regions of Norway. Their signatures and seals are placed on the Constitution Document.*

*To be analysed is (1) the contents in the coats of arms, (2) the styles of the arms, (3) the law of arms and (4) the delegates' use of personal arms. My conclusions are*

- (1) Most arms are complex and/or have a rather naturalistic content.*
- (2) The styles in the arms are classicism, rococo and baroque.*
- (3) No law prohibited the many self-assumed arms.*
- (4) Arms were used by governmental officials, the clergy, the military and the businessmen, but not by the farmer delegates.*

### **Introduction**

There is no mention of private persons' armorial achievements - coats of arms - in the Norwegian Constitution. Indirectly, however, coats of arms are mentioned in the last part of the Constitution Document of 17 May 1814; there the delegates declare that the Constitution was resolved and confirmed with "our hands and seals". In many of these 111 delegates' seals we can see coats of arms. Because some of the seals are identical, the number of unique seals is 105. Of the unique seals 36 include regular coats of arms, 17 have some heraldic elements only and 52 contain letters, allegories and similar figures.

Are these armorial seals typical of Norwegian private heraldry at that time? Well, we might conclude that they are to some extent representative because the delegates and their seals were from several regions of Norway, excluding the most northern part, and from different social groups of Norway. But was it typical that no farmer delegates had arms in their seals? What we know is that coats of arms were used in seals by some Norwegian farmers from the 18<sup>th</sup> century.<sup>1</sup> These farmers were prominent men in their home districts. The 1814 farmer delegates came from similar levels of society, but they had no arms in their seals.

How representative is the heraldry we see in the armorial Constitution seals? What about the contents of the coats of arms: the ordinaries and charges in the shields, and the figures in the crests? We see little difference between these seals and other armorial seals from the 18<sup>th</sup> and early 19<sup>th</sup> centuries.<sup>2</sup> How typical are the varying historical styles in the seals from 1814? We know the same

---

<sup>1</sup> Krag 1942-1955 Vol. II pp. 1-19, Cappelen 1969 p. 21 and p.30, and Cappelen 2010 pp. 10-11.

<sup>2</sup> Arms from seals are in Krag 1942-1955 Vol. I and many seals are in Nissen & Aase 1990.

styles from several sources, but the frequency of baroque and rococo early in the 19<sup>th</sup> century is not systematically examined.<sup>3</sup>

What was the knowledge of heraldry in Norway? Coats of arms were well-known in 1814, but no heraldic text-book had then been printed in Norway.<sup>4</sup> Many heraldic books existed but they had been printed in other countries before 1814. Norwegians had acquired such books; e.g. the encyclopaedia of Danish-Norwegian noble families and their arms.<sup>5</sup> Even Norwegian book collections had foreign heraldic books at that time.<sup>6</sup>

### Contents of the arms in the seals

The delegates' coats of arms have many types of charges and many combinations of figures. They show us several heraldic traditions and customs that we do not practice today.

We start with the old and famous heraldic "law of tincture", *no metal on metal, nor colour on colour*. This rule is followed only in a few arms in the seals. In most of the seals we see no tincture at all, because they have no hatching indicating the tinctures. Among the few 1814 seals with tincture hatching, we can look at the seals with family arms from the two officers and brothers Sibbern because their arms follow the tincture rule. The Sibbern shield is party per pale in two fields and engraved by hatching in azure and or. However, no hatching can be seen on the two stars in the first field or the three snakes in the second field because these figures are too small.



1. *Colour and metal indicated by the hatching method: horizontal lines for blue (azure) and dots for gold (or). Arms with coronet and rococo style used by major **Valentin Sibbern** (1779-1853). The other seal with helmet and crest was used by engineering officer **Arild Sibbern** (1785-1863). His seal is in the older baroque style, but he was the younger brother of Valentin! Are the seals from inherited signets? We do not know and the seals have no monograms to identify the first owners.*

<sup>3</sup> Løvenskiold 1974 pp.5-6 has a continuous series of Løvenskiold seals 1717-ca. 1900, and Nissen & Aase 1990 p. 47 has a series of Norwegian Christie seals from 1792 and some other photos of seals.

<sup>4</sup> The first heraldic text-book printed in Norway was Schwach 1842.

<sup>5</sup> Lexicon 1782-1813 with many Norwegian families included.

<sup>6</sup> Books on heraldry in French, German (i. a. J. C. Gatterer: *Abriss der Heraldik*), Swedish and Latin, are listed in the old catalogue of the library in Oslo katedralskole (Oslo Cathedral School).

Ten other Constitution seals with arms also have hatching only on the field and not on the quite tiny charges.<sup>7</sup> From other sources we know that charges in several of these arms violate the tincture rule,<sup>8</sup> even though the rule was well known in foreign heraldic literature at that time. One thing was the rule, another thing was the reality: even royal letter patents of nobility did not always follow the rule, as in the Anker family arms granted in Danish-Norwegian letter patents of 1778 and 1790 with an anchor sable in a shield gules.<sup>9</sup>

A rather striking violation of the tincture rule is seen in the coat of arms of army captain Palle Fleischer. His shield is party per bend sinister, engraved gules and azure. It has a big letter F across the partition, so it might be described as “partly a coat of arms”, if we do not accept letters as charges. Heraldic literature today warns against letters as charges, at least in Northern Europe, but letters were acknowledged in a Swedish heraldic text-book of 1747.<sup>10</sup> On the Norwegian Constitution Document there are seals with one, two or three letters as charges in the shields.<sup>11</sup> The owners of these seals had different professions and many had university education. It is likely that they had at least some heraldic knowledge and that they accepted letters as charges in shields.



2. *An arrow only in the oval shield of pastor **Fredrik Schmidt** (1771-1840). No helmet but two palm-branches in saltire as crest. Shield surrounded by trophies and a garland. His monogram F S on the compartment. Seal in a classicism style. Motto FIDE SECURUS (Safe in faith).*

In modern Norwegian municipal heraldry, it is a rule that the shield shall have only one charge or ordinary, but the same charge or ordinary can be repeated, typically three of the same kind.<sup>12</sup> This strict rule is in accordance with early heraldry.<sup>13</sup> The reason behind the rule is that such simple arms are more easily recognized at a distance. That was not important or respected in the seals of 1814 or in other arms from the 18<sup>th</sup> century and the first half of the 19<sup>th</sup> century. A majority of the 1814 arms

<sup>7</sup> The businessman Jørgen Aall, chamberlain Anker, judge Gustav Blom, bailiff Johan Collett, major Just Ely, army captain Peter Motzfeldt, colonel Daniel Petersen, army captain Eilert Ramm, count Herman Wedel Jarlsberg and judge Gregers Wulfsberg.

<sup>8</sup> Cappelen 1969: in the shields of Aall (p. 51), Anker (p. 52) and Motzfeldt (p. 169). There are some small borderlines between metal and colour in the shields of Ramm (p. 183) and Wedel Jarlsberg (p. 222).

<sup>9</sup> The arms in Thiset 1904 p. 11, Cappelen 1969 pp. 52-53 and Nissen & Aase 1990 p. 27.

<sup>10</sup> Uggla 1747 p. 71 and fig. 274, Fox-Davies/Brooke-Little 1909/1969 p. 212: “Letters ... are scarcely common”; and Grandjean 1919 pp. 164-165: “Letters only as an exception”.

<sup>11</sup> Merchant and iron works owner Henrik Carstensen, county sheriff Jens Erichstrup, army captain Fleischer, army captain Richard Floer, army captain Jacob Lange, pastor Hans Nysom, pastor Lars Oftedahl, manager Nicolai Schejtli and professor Georg Sverdrup.

<sup>12</sup> Trætteberg 1930 p. 16 and Cappelen & Johannessen 1987 p. 38.

<sup>13</sup> Uggla 1747 p. 127, Edmondson 1780 Vol. I p. 170 and Fox-Davies 1904 on several plates.

have more than one kind of charge. Only a few of the arms follow the “only one rule” strictly: army captain Ole Holck with a chevron of bricks, first lieutenant Frederik Heidmann with two crescents addorsed, chamberlain Severin Løvenskiold with a rampant lion, army captain Peter Prydz with a goat’s head, and pastor Fredrik Schmidt with an arrow. Two arms have one kind of charge but with naturalistic surroundings: judge Blom with three tulip plants and dean Jens Stub with a tree stump - all these figures are growing from the earth in both shields.

An exception from the only one rule, today as well as earlier, is when arms are marshalled.<sup>14</sup> We say “marshalled” when there is some special reason to have more than one field in a shield; especially fields with two or more combined arms. The 1814 seals of dean Hans Midelfart and army captain Eilert Ramm have shields parted with fields from the father’s and the mother’s arms.<sup>15</sup> We have a shield with two quarters as a royal grace in the seal of count Herman Wedel Jarlsberg. Arms had been granted in 1684 to his ancestor, Gustav Wedel, a Danish-Norwegian general and immigrant.<sup>16</sup> His shield has Danish flags through a coronet in the second and fourth quarter.

Three of the Constitution seals have arms with more than two fields and are self-assumed. The arms were assumed either by the armigers themselves or by an ancestor: army captain Jacob Lange parted in three fields, dean Midelfart parted and the second field quartered, and pastor Hans Jacob Stabel quartered with an escutcheon over all.



3. *Shield parted in three; naturalism in the 1<sup>st</sup> and 3<sup>rd</sup> fields, lady Justice and letters JL in the 2<sup>nd</sup> field, traditional crest but no helmet or mantling. Seal of army captain **Jacob Lange** (1767-1825).*

Naturalistic motifs and landscapes are banned today in new arms from Northern Europe, but they were popular in the 18<sup>th</sup> century.<sup>17</sup> In 1747, mountains, valleys, rocks, stones, hills and landscapes were even expressly accepted as charges by the Swedish heraldic writer Uggla.<sup>18</sup> Many arms in the Norwegian seals of 1814 have landscapes or other naturalistic figures. Examples are: pastor Jacob Darre with a deer emerging from trees, commodore Jens Fabricius with an anvil under two arms

<sup>14</sup> Edmondson 1780 Vol. I p. 178, Fox-Davies/Brooke-Little 1909/1969 p. 402, Trættemberg 1930 p.16 and Trættemberg 1967 p.32.

<sup>15</sup> Cappelen 1969 pp. 169 and 183 and Nissen & Aase 1990 p.115 for Ramm.

<sup>16</sup> Thiset 1904 pp. 307-308, Cappelen 1969 pp. 41 and 222 and Nissen & Aase 1990 p. 149.

<sup>17</sup> Fox-Davies/Brooke-Little 1909/1969 p.69: “execrable as we now consider such landscape heraldry”. Some 18<sup>th</sup> century Norwegian examples in: Krag 1942-1955 Vol. I pp. 22, 55, 71, 77, 88 and 113 etc., and in Nissen & Aase 1990 pp. 24, 28, 36, 50, 77, 141 and 152 etc.

<sup>18</sup> Uggla 1747 p.69.

holding hammers, judge Arnoldus Koren with a mountain, some trees and cornstalks, county governor Hilmar Krohg with i. a. a tree under the sun and judge Lauritz Weidemann with a man standing in a landscape. Many of the figures are growing from the earth, growing from or standing on mountains or rocks, standing on a stump or other naturalistic combinations of figures.

It is debatable whether helmets are parts of the content in coats of arms or a question of style and taste only. What we know is that some special helmets were exclusively for special positions of rank, according to royal orders during the age of absolutism in Denmark-Norway.<sup>19</sup> The helmets are barred and also called "helmets with grilles" and "open helmets". In several countries from the 17th century onwards this type of helmet was considered to be a privilege for the nobility.<sup>20</sup> In 1679 a Danish-Norwegian royal order allowed a barred helmet for all the government officials.<sup>21</sup> In Sweden "barred helmets are for nobles and closed helmets are for common men", as Uggla wrote in 1747.<sup>22</sup> To what degree was a "barred helmet rule" followed in Norway in 1814? We can see barred helmets in the Constitution seals with arms of government officials, the clergy and the military. A barred helmet is also in the seal of the wholesaler and landowner Didrich von Cappelen who was not in the royal list of ranks. Three other businessmen delegates, Jørgen Aall, Henrik Carstensen and Gabriel Lund, had no helmet at all in their seals. A closed helmet without bars, on the shield, is only found in the seal of pastor Stabel, so that might have been just a question of style.

What about coats of arms with shield and crest but no helmet? Could this have a specific meaning or was it merely attributable to style and taste? Perhaps it was influenced by the same style in the contemporary British coats of arms?<sup>23</sup> Whatever the case, we can see such arms without helmets in five of the 1814 seals.<sup>24</sup> A different but well-known heraldic usage was to have the shield with a coronet of rank instead of a helmet and crest. We can see this in the seals of count Wedel Jarlsberg, major Just Ely and major Valentin Sibbern.

Several figures are on the borderline between having a stable content and exhibiting a varying style in coats of arms. One borderline figure is a bordure with nails' heads as in the 1814 seal of judge Gustav Blom<sup>25</sup>. Another borderline phenomenon is when the helmet has the crest on a wreath, also called a "torse".<sup>26</sup> This is considered to be good heraldry today,<sup>27</sup> but it was not frequent in 1814. The majority of the armorial seals on the Constitution Document have no wreath. Even today many reproductions of private persons' arms have no wreath between helmet and crest.

---

<sup>19</sup> Grandjean 1919 p. 168 and Bartholdy 1971 p. 595.

<sup>20</sup> Edmondson 1780 Vol. I p.183, Schwach 1842 pp. 162-163, Fox-Davies/Brooke-Little 1909/1969 p. 238, and Bartholdy 1971 p.595.

<sup>21</sup> Grandjean 1919 p. 168, Cappelen 1969 p. 29, Bartholdy 1971 p. 595 and Nissen & Aase 1990 p. 16.

<sup>22</sup> Uggla 1747 p.92.

<sup>23</sup> Fox-Davies 1904 pp. 295-296 and i. a. fig. 87, 197, 235, 431, 789 and 790 etc. and Grandjean 1919 p. 175.

<sup>24</sup> Seals of wholesaler Jørgen Aall, judge Wilhelm Christie, army captain Lange, pastor Schmidt and justice Wulfsberg.

<sup>25</sup> In Cappelen 1969 p. 66 the Blom shield is without the bordure. But there is a regular heraldic bordure in the arms of Aall (p.51) with charges in the bordure, and Anker (p.52) with a plain bordure and no nail heads as in the 1814 seal of Peder Anker.

<sup>26</sup> Seals of wholesaler Jørgen Aall, judge Blom, judge Christie, bailiff Collett, dean Midelfart, colonel Petersen and engineering officer Arild Sibbern.

<sup>27</sup> Fox-Davies/Brooke-Little 1909/1969 p. 277: "crests must be upon, or must issue from, a wreath, a coronet or a chapeau".



4. *Barred helmet with coronet and a star as crest in the seal used by both the judges **Carl Adolph Dahl** and **Christian Adolph Diriks**.*

A coronet of rank on top of the helmet, and under the crest, exists in a few 1814 armorial seals. The chamberlains Peder Anker and Severin Løvenskiold had one on their helmets because it had been granted in their royal patents of nobility.<sup>28</sup> A self-assumed coronet appears on the helmet in the two identical seals and arms of the city judges Carl Adolph Dahl and Christian Adolph Diriks. Why did they have this little coronet? I believe that all the figures in the arms must have been of some significance to at least one of the judges. The figures are symbols for justice and for government officials: in the shield stands Justitia, the crest is a star and the supporters are an anchor and a crane in its vigilance. These figures – including the little coronet – must have been seen and wanted by one or two of the judges themselves.

#### **Styles of the arms in the seals**

Generally speaking, the art styles during the 18<sup>th</sup> and 19<sup>th</sup> centuries were quite naturalistic. We can see naturalistic styles in all the Norwegian Constitution seals, but these styles also vary quite considerable: from baroque, to rococo and ending with classicism as the most modern style in 1814



**Bremanger 1986**



**Flatanger 1990**



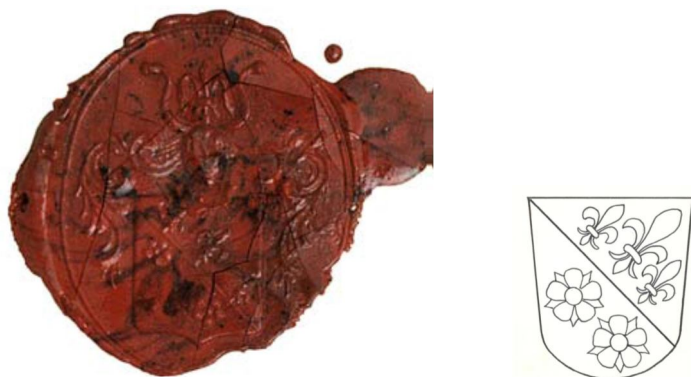
**Folldal 2010**

5. *Some Norwegian municipal arms approved in Royal Decrees: Modern both in content and style.*

A style very different from naturalism is seen today in the Norwegian national coat of arms and in the modern Norwegian municipal arms. Today these arms are reproduced normally in a two-dimensional

<sup>28</sup> Thiset 1904 pp. 11 and 183, Cappelen 1969 pp. 53 and 161 and Løvenskiold 1974 p. 6.

style without perspective and shade-lines.<sup>29</sup> This two-dimensional style was not used in 1814. We must look into the sources from the first centuries of heraldry to find this style more frequently used in arms. When medieval warriors had strictly stylized charges painted on their shields, it was easier for them to be recognized and identified in tournaments and other battle-fields. From the 16<sup>th</sup> century onwards, we find that arms were mainly used as decorations and by then the naturalistic styles had become common and popular.



6. *Baroque style is in the seal of judge **Lars Johannes Irgens** (1775-1830). Family arms with shield, barred helmet, no wreath but crest with a fleur-de-lis between two typical German-Nordic buffalo horns (vesselhorn). The shield is in a modern drawing from *Norske slektsvåpen* (1969) p. 133.*

In Norway we use *baroque* to indicate a style that was common in the seals from the 17<sup>th</sup> century and till about 1750. The mantling is elaborate and consists of acanthus leaves on stems. The acanthus mantling has an almost identical design on the two sides of the shield but it is reversed on the one side. Of the armorial seals from 1814 as many as eleven are still in the baroque style.<sup>30</sup> They might be from rather old signets, but they might also reflect a conservative attitude to arms from the artists and the armigers themselves. At least one of these baroque seals, from the wholesaler Cappelen, had been used by his father who lived from 1734 to 1794 and had the same Christian name as his son.<sup>31</sup> Also several monogram and allegorical seals are in the baroque style.

The rococo style was common in Norway from about 1750 to about 1800. Four armorial seals on the Constitution have this style: army captain Fleischer, county governor Krohg, major Valentin Sibbern and professor Sverdrup. Their shields are mostly asymmetric with shell-like curves – the “rocaille”. One shield is on an elaborate compartment (Valentin Sibbern) and one has a garland with flowers besides the shield (Krohg). Two of the rococo seals have plants or leaves near the shield (Fleischer and Sverdrup). A number of the 1814 monogram seals are in the rococo style and some have rocaille curves almost like a shield.

<sup>29</sup> Cappelen & Johannessen 1987 p. 38. The same style is in all the newly designed shields for the family arms in Cappelen 1969. Some Swedish examples are in Raneke 1990 pp. 75-76.

<sup>30</sup> Seals of wholesaler Cappelen, bailiff Peder Cloumann, pastor Darre, colonel Diderik Hegermann, first lieutenant Fredrik Heidmann, army captain Enevold Høyum, judge Lars Irgens, dean Midelfart, army captain Motzfeldt, engineering officer Arild Sibbern and pastor Stabel.

<sup>31</sup> Nissen & Aase 1990 p. 43 and Bjønnes 2014 p. 185

**Krohg**

7. Seal in rococo style and a parted shield with almost a landscape in the 2<sup>nd</sup> field. Family arms with shield, barred helmet and a dove with an olive-branch as crest, for county governor **Hilmar Meincke Krohg** (1776–1851). The shield is in a modern drawing from *Norske slektsvåpen* (1969), p. 149.

The modern style in 1814 was classicism, also called neoclassicism. It was inspired by the excavations started in Pompeii and Herculaneum in the 18<sup>th</sup> century. Some figures from classical antiquity were used already in the renaissance age, such as the ladies Fortune and Justice. We find these figures in the arms of wholesaler Cappelen, merchant Carstensen and the judges Dahl and Diriks.

The classicism style which was modern in 1814 is reflected primarily in the mantling around the shield. This mantling is made of flower garlands with ropes. The garlands come out from the helmet and are often placed like a rather square form, hanging down with one garland at each side of the shield. The delegates' seals show us that the garlands were popular with people from different professions and from different regions of Norway.<sup>32</sup>



8. Classicism style with garlands as mantling in the seal of army captain **Peter Blankenborg Prydz** (1776-1827). Shield with a goat's head as charge, barred helmet and three flowers in a pot as crest. The shield is in a modern drawing from *Norske slektsvåpen* (1969), p. 183.

Having no mantling at all became common in Norway during the first decades of the 19<sup>th</sup> century. The arms consisted then of the shield with helmet and crest, no mantling and with an open space at the sides of the shield and helmet. The same simplification is, however, used in some heraldic books

<sup>32</sup> Seals of judge Blom, merchant Carstensen, commodore Fabricius, army captain Floer, army captain Holck, judge Koren, dean Midelfart, dean Oftedahl, army captain Prydz, appeal court president Rogert, pastor Schmidt, dean Stub, army captain Georg Wasmuth, judge Weidemann and judge Wulfsberg.



and manuscripts from the 17<sup>th</sup> and 18<sup>th</sup> centuries.<sup>33</sup> In 1814 no mantling also had become modern in seals and decorations. The armorial seals with no mantling might indicate that the signets were rather new at that time. We have such arms in a few of the seals.<sup>34</sup>

### The law of arms in Norway 1814

Other countries had legislation in 1814 governing the content, the assumption and the use of coats of arms. In Norway, however, there were few relevant statute laws and I don't know any law courts precedents. A kind of customary law may have existed, but it might just as well have been an established tradition only, e. g. the fact that people did not take the arms of others without any special reason.

Was the right to bear arms open to everybody, and were self-assumed coats of arms accepted in Norway at that time? An answer is that only three of all the 111 seals on the Constitution have officially recognized arms that had been granted in royal letter patents: Anker in 1778, Løvenskiold in 1739 and Wedel Jarlsberg in 1684.<sup>35</sup> Nevertheless; could it have been a formal prohibition against self-assumed arms in the Norwegian Code (*Norske Lov*) of 1687 article 1-2-9, which is copied from article 1-2-11 of the Danish Code of 1683?<sup>36</sup> These articles state i. a. that "the nobility are those persons who, with their children and descendants, are exclusively entitled to bear noble shield and helmet". When we look at the nearby articles in these laws, we can see that articles 1-2-9 and 1-2-11 are more likely to be understood as concerning the special venue (personal jurisdiction) for nobles.<sup>37</sup> If the wording of the two articles was meant to be a legal definition of nobility, it is almost worthless because it has a circular definition; using "noble" to define "nobility".

As mentioned above, Danish-Norwegian royal regulations granted certain privileges to counts, barons, untitled nobility and government officials.<sup>38</sup> The regulations declared that some special coronets and helmets were to be exclusively for those groups. But none of these royal regulations forbid self-assumed arms.

A pretentious and unusual coat of arms is found in the seal of major Just Henrik Ely. His shield is surrounded by a mantle hanging from a count's coronet. This sort of coronet was a privilege for counts and persons of similar rank during absolutism. Major Ely had no such rank and must have ignored the royal privileges. His family had used the arms with coronet and mantle for generations in Norway, ever since 1748<sup>39</sup>. A different coronet, for the untitled nobility, is in a royal letter patent to his father's cousin in 1783.<sup>40</sup> Why is it a count's coronet in the arms of Just Ely? It could be because

<sup>33</sup> No mantling in Lexicon 1782-1813.

<sup>34</sup> Seals of bailiff Collett, judge Dahl (=Diriks), chamberlain Løvenskiold, colonel Petersen and army captain Ramm.

<sup>35</sup> Thiset 1904 pp. 11, 183 and 307-308.

<sup>36</sup> Schwach 1842 p. 131 referred to these two Norwegian and Danish law articles and wrote: "where there is nobility it is a privilege for the nobility to have shields with charges and helmets with crests, in their signets and on their belongings".

<sup>37</sup> According to Bartholdy 1971 pp. 592-596, and I agree with him. However, some law dictionaries of the 19<sup>th</sup> century interpreted the articles as meaning that the nobility comprised those persons who were entitled to use shield and helmet.

<sup>38</sup> Grandjean 1919 p. 168.

<sup>39</sup> Ekkje 1985 p. 68.

<sup>40</sup> Thiset 1904 p. 75.

his great-grandfather in 1749 had been promoted from colonel to major general and then became equivalent to a count.<sup>41</sup>

Some of the armorial seals on the Norwegian Constitution Document have arms belonging to families that the delegates cannot prove any descent from: Aall with arms from Hall, an English family with a somewhat similar name,<sup>42</sup> Anker with arms from the Swedish noble family Anckar (the arms look like but are not identical),<sup>43</sup> Ely with arms from an English family Elliott<sup>44</sup> and Holck with arms from the Danish noble family Holck.<sup>45</sup> These men, or their ancestors, claimed to have reasons for adopting other families' arms. Lieutenant Heidmann had another special reason: his seal includes the arms of the Norwegian family Sommerschild, because his mother was of that family.<sup>46</sup>



9. First lieutenant **Fredrik Heidmann** (1777-1850) used the family arms of his mother, Dorothea M. née Sommerschild. No monogram in the seal; inherited signet? Complete coat of arms in baroque style with an oval shield.

A peculiar case is the two identical seals and coats of arms of the city judges Dahl and Diriks. The two men were not related to each other, and one of them must have assumed the coat of arms. Probably it was Dahl, because Diriks and his descendants later did use another coat of arms with three crescents in the shield.<sup>47</sup> Evidently, the two judges had no objections to self-assumed arms.

Dahl and Diriks used the same signet, but they were not alone doing that: other delegates did the same, but not with armorial seals. The situation must have been that these delegates had not brought a signet with them to the Constitutional Assembly. To seal the Constitution was so important to them that they loaned a signet from another delegate. Then they simply ignored the fact that the symbols and other motifs in the seals were not their own. But how necessary was it to have the seals on the Constitution Document? Well, one learned delegate, customs attorney Christopher Omsen, from the capital Christiania, only signed and did not seal. All the other 111 delegates wanted to have both signatures and seals on the Constitution Document. So even if the seals were not necessary

<sup>41</sup> Ekkje 1985 p. 68 and Bjønnes 2014 p. 244.

<sup>42</sup> Edmondson 1780 Vol. II, An Alphabet of Arms, for Hall (of "Northale and Kynesley") and Cappelen 1996 p.453.

<sup>43</sup> Thiset 1904 p. 11 and Raneke 1990 p. 256.

<sup>44</sup> Edmondson 1780 Vol. II, An Alphabet of Arms, for Elliot (of Suffolk), "Granted by patent 1614", Ekkje 1985 p. 65 and Bjønnes 2014 p. 244.

<sup>45</sup> Thiset 1904 p. 124 and Nissen & Aase 1990 p. 77.

<sup>46</sup> Cappelen 1969 p. 208, Nissen & Aase 1990 p.134 and Bjønnes 2014 p.239.

<sup>47</sup> Cappelen 1969 p.88.

from a legal point of view, this use of seals followed old traditions and enhanced the solemnity of signing the new Constitution.

It is a fact that almost all the coats of arms in the Constitution seals are self-assumed. This fact leads us to the conclusion that it was not illegal in Norway at that time to assume new personal arms without permission or consent from any authorities. The conclusion seems reasonable even though there is no seal with a coat of arms from any farmer delegates, and there were no delegates and seals from the most northern parts of Norway.

A certain legal protection against the misuse of other peoples' arms existed in Norway in 1814. But the protection was reserved for the nobility and it was a privilege granted in the royal letter patents of nobility. The standard phrasing in the 18<sup>th</sup> century letter patents signed by the kings, was that the family members from now on were "to be noble, their shield, crest and armorial achievement to bear and use. That We ..... by Our grace will enforce and protect. Forbidding all and sundry ... that to hinder and in any way obstruct, which will be under Our ..... greatest disgrace".<sup>48</sup> This citation is from the letter patent of 1739 to chamberlain Løvenskiold's grandfather.

A punishment for the forgery of seals also existed in 1814, according to the Norwegian Code of 1687 article 6-18-6. But this article covered the forgery of any personal seal and not only of the armorial seals.

### **Delegates' use of personal arms**

Who were the 36 delegates who had unique and traditional coats of arms in their seals on the Constitution? They were: Three nobles (they were also government officials), 14 military, 5 clergy, 14 government officials (3 of them nobles), 3 businessmen/merchants and no farmers. In addition comes what I call "partly coats of arms" when the shields have letters and a helmet on the shield, as in the case of professor Sverdrup, army captain Fleischer and manager Schejtli. Three other arms have shields with letters, no helmet but some other more or less heraldic figures over or around the shield: merchant Carstensen, sheriff Jens Erichstrup and army captain Floer. A shield with a monogram as charge and nothing more in or outside the shield is the motif in the seal of merchant Gabriel Lund. Somewhat similar to letters in regular shields, are the ovals with letters in several monogram seals. The ovals are surrounded by garlands and a flower basket or a bowknot, a compartment, an altar or other figures. They might look a little like coats of arms, but not enough to be called "partly coats of arms".

The farmer delegates had no arms in their seals. Three of their seals are, however, partly influenced by heraldry because they have the owners' monograms under coronets: farmer Sywert Eeg (on a double monogram), farmer and quartermaster Petter Johnsen Ertzgaard (with the same seal as midshipman Petter Johnsen) and the wealthy farmer Christopher Hoen. They used the coronets with no protests from anybody, as far as I know. A few other seals of farmer delegates have motifs somewhat like house marks<sup>49</sup> and some farmers' seals exhibit symbolic allegories<sup>50</sup>.

---

<sup>48</sup> Moe 1847 pp. 111-112.

<sup>49</sup> Bjønnnes 2014 p. 257: Ole Rasmussen Apeness, Omund Bjørnnsen Birkeland, Tollef Olsen Huvestad, Zacharias Mellebye, Jon Hansen Sørbrøden and Ole Knudsen Tvedten.

<sup>50</sup> Bjønnnes 2014 p. 259: Ole Olsen Amundrød and Christopher Borgersen Hoen.



10. Coronet on a double monogram self-assumed by the farmer **Sywert Eeg** (1757-1838). The coronet has palmetto leaves in a baroque style. Branches on each side of the monogram look almost like a shield.

We don't know why some delegates who had family coats of arms did not use them in their seals on the Constitution. They probably did so intentionally but it is possible that they also owned another signet with a coat of arms which they did not bring with them. Or maybe these delegates had signets of the small, rotating kind, with three sides, and preferred to use the monogram side on the Constitution? The sides in such signets were usually with a monogram on one side, a coat of arms on another side and an allegory on a third side. Delegates who did not use their family arms were a few wealthy men, several judges, priests and military officers.<sup>51</sup> From other sources we know that their families used coats of arms.<sup>52</sup> Two delegates used seals with elements from their family arms: army captain Fleisher used a dog from the shield as supporter and professor Sverdrup used a crest like his family crest with an arm in armour.<sup>53</sup>



11. Army captain **Palle Rømer Fleischer** (1781-1851) differentiated his family arms by a big letter *F* instead of a running dog and three stars in the shield. The dog as a single supporter and the shield in a typical rococo style. The family arms shield is from *Norske slektsvåpen* (1969), p. 97.

<sup>51</sup> Iron works owner Jacob Aall judge Diriks, judge Christian Magnus Falsen, judge Andreas Heiberg, pastor Hieronymus Heyerdahl, judge Christian Horneman and lieutenant colonel Fredrik Stabell.

<sup>52</sup> Their family names and arms are shown in Cappelen 1969 with references to the sources for each family coat of arms.

<sup>53</sup> A Sverdrup coat of arms is in Krag 1942-1955 Vol. I, p. 74. Fleischer and Sverdrup family arms are in Cappelen 1969 pp. 97 and 211, and in Nissen & Aase 1990 pp. 58 and 140.

Wealthy people in Norway in the 18<sup>th</sup> and 19<sup>th</sup> centuries used their coats of arms in many ways, similar to the usage in other countries. In addition to arms in the seals, the delegates or other members of their families had arms on painted portraits (Anker, Løvenskiold and Wedel Jarlsberg), coach doors (Cappelen and Wedel Jarlsberg), glass engravings (Anker, Collett and Wedel Jarlsberg), church equipment and walls (Cappelen and Løvenskiold), funeral monuments (Cappelen and Wedel Jarlsberg), ex libris (Anker and Collett) etc., etc.

## LITTERATURE AND REFERENCES

- 1) Bartholdy, Nils G.: «Adelsbegrebet under den ældre enevælde. Sammenhængen med privilegier og rang i tiden 1660-1730», *Historisk Tidsskrift*, Vol. V No. 3, Copenhagen 1971, p. 577-650 (Bartholdy 1971)
- 2) Bjønnes, Anders m.fl. (redaktører): *Eidsvollsmennene – Hvem var de?* Oslo 2014 (Bjønnes 2014)
- 3) Cappelen, Hans: *Norske slektsvåpen*, Oslo 1969 and 2. Edition 1976 (Cappelen 1969)
- 4) Cappelen, Hans and Johannessen, Knut: *Norske kommunevåpen*, Oslo 1987 (Cappelen & Johannessen 1987)
- 5) Cappelen, Hans: «Våpensegl og slektspapirer fra Skiens-distriktet», *Norsk slektshistorisk tidsskrift*, Vol. 35, Oslo 1996, p. 445-463 (Cappelen 1996)
- 6) Cappelen, Hans: «Heraldikk i slektsforskning», *Slekt og data*, No. 1, Oslo 2010 p. 6-19 (Cappelen 2010)
- 7) Edmondson, Joseph: *A Complete Body of Heraldry*, Vol. I and II, London 1780 (Edmondson 1780)
- 8) Ekkje, Kolbjørn: «Er slekta von Ely ei grein av Eliotfamilien frå Cornwall?» *Heraldisk Tidsskrift* Vol. 6 No. 52, p. 65-72, Copenhagen 1985 (Ekkje 1985)
- 9) Fox-Davies, Arthur Charles: *The Art of Heraldry. An Encyclopædia of Armory*, London 1904 reprint 1986 (Fox-Davies 1904)
- 10) Fox-Davies, Arthur Charles: *A Complete Guide to Heraldry* (1909), revised by J. P. Brooke-Little, London 1969 (Fox-Davies/Brooke-Little 1909/1969)
- 11) Grandjean, Poul Bredo: *Dansk Heraldik*, Copenhagen 1919 (Grandjean 1919)
- 12) Krag, Hans: *Norsk heraldisk mønstring fra Frederik IV's regjeringstid 1699-1730*, Vol. I and II, Drøbak 1942 - Kristiansand S 1955 (Krag 1942-1955)
- 13) *Lexicon over adelige Familier i Danmark, Norge og Hertugdømmerne*, published from 1782 to 1813, Copenhagen (Lexicon 1782-1813)
- 14) Løvenskiold, Axel and Løvenskiold, Herman L.: *Slekten Løvenskiold gjennom 300 år i Norge*, Oslo 1974 (Løvenskiold 1974)
- 15) Moe, Bernt: «Om de i Norge for Tiden værende adelige Familier», *Tidsskrift for den norske Personalhistorie*, Christiania (=Oslo) 1847, p. 77-168 (Moe 1847)
- 16) Nissen, Harald and Aase, Monica: *Segl i Universitetsbiblioteket i Trondheim*, Trondheim 1990 (Nissen & Aase 1990)
- 17) Raneke, Jan: *Svensk adelsheraldik*, Malmø 1990 (Raneke 1990)
- 18) Schwach, Conrad Nicolai: *Udsigt over de tre nordiske Rigers Myntvæsen fra de ældste Tider til nuværende, samt Grundris af Heraldiken*, Christiania 1842 (Schwach 1842)
- 19) Thiset, A. and Wittrup, P.L.: *Nyt dansk Adelslexikon*, Copenhagen 1904 (Thiset 1904)

- 20) Trætterberg, Hallvard: *Fylkesmerker. Forslag fra Norges Bondelags fylkesmerkenevnd*, Oslo 1930 (Trætterberg 1930)
- 21) Trætterberg, Hallvard: *Borg i segl, mynt og våpen*, Oslo 1967 (Trætterberg 1967)
- 22) Uggla, Carl: *Inledning til Heraldiken*, Stockholm 1747 and new edition Gothenburg 2011 (Uggla 1747)