



Volume 2. From Absolutism to Napoleon, 1648-1815
Electoral Agreement of King and Emperor Leopold I (July 18, 1658)

The Electoral Agreement of King and Emperor Leopold I of July 18, 1658, further strengthened the territorial princes' domestic political authority and practical sovereignty. With this agreement, the emperor rejected the territorial estates' authority to levy and administer taxation independent of the territorial princes. The agreement also effectively prevented subjects from appealing to the Imperial Chamber Court [*Reichskammergericht*] against their princes and annulled individual privileges deemed offensive to the princes.

[. . .]

The Third Article

The king will (1) allow all estates in the Holy Roman Empire their dignities, rights, etc.; (2) not suspend anyone who has attendance and voting rights at the Imperial Diet; (3) confirm the regalia, privileges, and good customs of those mentioned in 2; (4) annul those [of them] that were granted before or at the peace treaty, and thereafter disapproved of; (5) not free any of his subjects from subordination, taxes, etc.; (6) not allow the territorial estates [*Land-Ständen*] (except the territorial lords) to take control of territorial taxes, establish convents, or free themselves from their dues; (7) not hear them, if the territorial estates or subjects would desire to appeal to the Imperial Aulic Council [*Reichs-Hof-Rath*] or Chamber Court [*Cammer-Gericht*], but instead direct them to appear before their territorial lords; and (8) declare as null and void all surreptitiously gained privileges, etc., not least suits and mandates from the Imperial Aulic Council and Chamber Court.

III. Third, we shall and will in all ways leave intact the majesties, religious and secular dignities, rights, jurisdiction, and power and authority of the German nation, the Holy Roman Empire, and the electors (as its foremost members), in keeping with the Golden Bull (especially Article 13), as well as those [majesties, religious and secular dignities, etc...] of the other princes, prelates, counts, lords, and estates, including the free imperial knights, each according to his rank and status, without contradiction or hindrance from us or anyone else. We shall and will suspend or exclude no member of the Imperial Diet who customarily attends and votes and takes part in imperial committees without prior consultation with the electors, princes, and estates, and without the acquiescence thereof. We shall and will confirm and validate (following appropriate claim, and without any refusal or delay), and as elected Roman King, also take care, safeguard, and protect the estates' (including the aforementioned imperial knights') regalia and authority,

liberties, privileges, credit and jurisdiction, also the traditions and good customs regarding water and land, as they have been hitherto, or have been in practice. We shall and will grant no one a contradictory privilege; and because some were granted before or during the war, and were disapproved of or disagreed upon at the end of the war, we shall and will dismiss and void them entirely, and hereby dismiss and void them. We will and shall not (or allow others to) exempt or free nobles and subjects (and other residents who owe duties or submission to territorial lords) from the rule and jurisdiction (also the customary taxes, tithes, and other normal burdens and dues owed to higher authorities) of the electors and estates (including the free imperial knights), either under the pretext of feudal lordship or any other claim. We will and shall not allow or approve that the territorial estates (except the territorial lords) take control over territorial taxes, their collection, their expenditure, or their auditing, or that they (without their territorial princes' prior knowledge and acquiescence) found and maintain convents, or that they incite disobedience against the explicit resolution of the most recent Reichstag that all electors, princes, estates, noblemen, and subjects are bound to aid in the maintenance of various critical fortresses, places, and garrisons of the empire, and in the preservation of our and the Holy Empire's Chamber Court in Speyer. In the event that somebody from the territorial estates or a subject would desire to appeal to us or seek something from us or our Imperial Aulic Council or the aforementioned Chamber Court regarding one or another of the aforementioned matters, then we have held and will continue to hold that such [a petition or complaint] will not simply be heard, but, instead, in accordance with the law, will be rejected and [the complainant] directed to appear before his prince and lord. We will and shall declare to be null and void and dismiss before thorough investigation [*prævia summaria causæ cognitione*] any and all [such petitions or complaints] before they are heard, in addition to [any petition or complaint] contrary to third party justice. We will and shall also declare to be null and void and dismiss before thorough investigation any surreptitiously obtained privileges and exemptions, including all their clauses, declarations, and confirmations. We will and shall also declare to be null and void and dismiss before thorough investigation all suits, mandates, and decrees that were made [contrary to the Imperial Statutes] at our Imperial Aulic Council or Chamber Court in Speyer against the territorial princes and the authorities without previously requesting in writing and hearing their version.

Source of original German text: *Wahl-Capitulationes, Welche mit denen Römischen Käysern und Königen / Dann des H[eiligen] Röm[ischen] Reichs Churfürsten / Als dessen vordersten Gliedern und Grund-Säulen / seit Carolo V. her [...] auffgerichtet / vereiniget und verglichen [Electoral Agreement, with which the Roman Emperors and Kings/ Then the Electors of the Holy Roman Empire/ As its Foremost Members and Pillars / Reached since Charles V [. . .]/ Compiled and Compared*]. Edited by Christoph Ziegler. Frankfurt: Hocker, 1711, pp. 204-07.

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