



Volume 1. From the Reformation to the Thirty Years War, 1500-1648
An Abbot Negotiates with his Rural Subjects – Weingarten (Upper Swabia) (1432)

The Imperial Abbey of Weingarten, a Benedictine foundation, was among the richest abbeys in the southern German lands. Its abbot, an Imperial prince, ruled over some 306 square kilometers of plough land, woods, and vineyards that stretched from the Allgäu (today southwestern Bavaria) to halfway down the northern shore of Lake Constance. The abbey's history was punctuated by struggles between the prince-abbot and his rural subjects, the political outcome of which was a parliamentary state in whose governance the subjects enjoyed a high level of participation. This document from December 9, 1432, represents a stage in this political evolution. It summarizes the outcome of a meeting during which mediators under royal authority negotiated between the abbot and his subjects. The meeting was held in the town hall of the Imperial city of Ravensburg. The negotiations concerned the regulation of crucial everyday matters: death duties, the security of land leases, and the subjects' legal status.

We, the undersigned Markwart von Königsegg, Provincial Commander in Alsace of the Teutonic Order, Jakob Truchseß von Waldburg, and Haupt zu Pappenheim, hereditary marshal of the Holy Roman Empire, announce openly and proclaim to all who may read this document, or hear it, [our decisions] concerning the dispute, conflict, and quarrel that has arisen between the honorable, clerical lords, Lord Johann Blarer, Abbot of Weingarten, and his monks, on the one side, and their tenants,¹ on the other. For this reason, the ever august prince and lord, Lord Sigismund, King of the Romans, ever Conserver of the Empire and our most gracious lord of Bohemia, Dalmatia, and Croatia, wrote to us under his royal seal to command us and empower us to call both aforementioned parties to a meeting, and to compose them by arbitration or by legal decision – as is set out clearly in the king's letter.

Whereupon we called both aforementioned parties to appear before us concerning their dispute, for which purposes we announced and fixed a meeting here at Ravensburg, that is, the day of this document.

And when both parties appeared before us, we sat down here in the city hall of Ravensburg and heard the advocates for both parties and [heard] the letters they wished to have read to us. Afterwards, we negotiated that both parties would, voluntarily and in good will, place their quarrels in our hands. And then the aforementioned Abbot Johannes and his monks, in the presence of the honorable clerical lords, Abbot Martin of Rot and Abbot Johann of the Mindere

¹ Here called “poor folk” – trans.

Au bei Ravensburg, both of the Premonstratensian order, and many other honorable, good folk who were there, took their oaths from me, the aforementioned Jakob Truchseß, and gave their promises. Then the aforementioned poor folk, who are serfs of the abbey of Weingarten, also gave their oaths before me, Jakob Truchseß, and, with their fingers raised, swore to God and the saints. Both sides swore that however we would judge and rule between them, they would regard it as just and legal, and that they, for themselves and their heirs and successors forever and for all eternity, would steadfastly, loyally, truly, and continuously hold to it and stick with it, and that they would never act against it, or allow anyone else to do so, either secretly or openly, in any way.

[1] Then we three judges unanimously announced to them that notwithstanding all ill will, disputes, and quarrels, and every hostile word or deed that has passed between the parties or been suspected of those related to them, that this is a complete and settled legal matter, and shall be regarded as such, by them and by everyone. And the aforementioned lord, the abbot, and his monks shall not punish the poor folk for any deeds, but they shall be gracious lords to these folk. And these same poor folk shall be loyal and true to the aforementioned lord and the abbey, untroubled by this past quarrel and without any deception.

[2] Further, we unanimously conveyed to them that charters produced by the aforementioned Lord Abbot and his monks, including all charters of liberties from the Roman emperors and kings, plus the judgment concerning the property at Hagenau, which was issued by the late Schwarzenburg, and others, justices of the royal court of our most gracious lord, the king – which were read to us – shall remain in effect.

[3] Further, in order that the aforementioned Lord Abbot and his monks of Weingarten and their serfs shall remain at peace and without conflict for all future time, and so that they shall stand by and support one another, we three have unanimously decided and announce as follows. When a person departs his community by death and leaves no children, or if the children have been manumitted, then the abbey shall claim a fine, namely, the person's best garment, the one that he wore on "Proud Monday" to church and on the street; and also as head tax the best animal from the livestock, plus one-third of the entire estate left by the deceased. Excepted from this shall be all iron implements, and all wagons, carts, and plows – which are needed for cultivation – because these should properly remain with the farm.

[4] If a person dies and leaves heirs who are not manumitted, the abbey shall claim a fine and head tax only, as specified above, and all the rest of the property shall go to the heirs.

[5] Further, we three have unanimously decided that if a person, man or woman, dies unmarried, the abbey shall claim the fine, the head tax, and a third of the estate, as specified above. The rest shall go to the heirs.

[6] Further, we three have unanimously decided that if a man dies, and if he was married to a woman belonging to another lord, and if he had not compensated the abbot and the monks, the

abbey shall claim a fine of the best garment, a head tax of the best animal, and one-half of the entire estate he left behind, including both real and personal property.

[7] If a woman who belongs to the abbey dies and leaves behind a husband who does not belong to it, the abbey shall claim a fine of the best garment, the one she wore on "Proud Monday" to church and on the street, plus a third of the entire estate she left behind, except for the iron implements, wagons, carts, and plows, which ought to remain on the farmstead. The remainder shall go to her heirs.

[8] Further, we three have unanimously decided that if someone has voluntarily bought his freedom from, or sold it to, the abbey, and if he has documents to that effect, the aforementioned Lord Abbot and the monks of Weingarten shall, upon being shown these documents, be content with the situation as documented.

[9] Further, we three have unanimously decided that if one or several persons who occupy lands of this abbey act against our judgment and these articles or refuse to obey any of them, that if this be proven, from that moment on their properties and lease shall revert to the abbey of Weingarten, and the abbot and the monks may then dispose of them as they think best for the abbey. And in this they shall receive protection from the Imperial bailiff [*Landvogt*] in Swabia.

[10] If anyone who is not a tenant of the abbey acts against our judgment and any of its articles, or fails to obey this letter, where this is proven the Imperial bailiff in Swabia shall fine them 20 Ravensburg measures of oats, which shall be paid immediately and in full. Further, all rights of such folk who have acted against this judgment shall revert to the aforementioned Lord Abbot and the monks of Weingarten, who shall produce their charters and privileges to document their rights. And the Imperial bailiff in Swabia shall protect the abbot and the monks in this matter.

[11] Further and lastly, we three have unanimously decided that if it should happen that one or more of the aforementioned serfs of the abbey becomes disobedient to the abbot and the monks of Weingarten, and refuses to obey their will, whether once or several times, and when this is known, such folk shall not enjoy the protection of our judgment. In that case, the aforementioned Lord Abbot and the monks might repossess all their rights from such persons, according to their charters and ancient custom. And the Imperial bailiff in Swabia shall protect the abbot and the monks in this matter.

Further, because matters that are not written down or fixed by charters may easily be forgotten, therefore, for the permanent preservation of an authentic record of what we have decided, we, the aforementioned Markwart von Königsegg, Provincial Commander in Alsace of the Teutonic Order, Jakob Truchseß von Waldburg, and Haupt zu Pappenheim, hereditary marshal of the Holy Roman Empire, have voluntarily placed our seals on this letter, without prejudice to us and our heirs. Two identical copies of it have been prepared and given to the two parties.

This happened, and this letter is dated, on Tuesday before the feast of St. Lucy the virgin [December 9], in the year of Our Lord 1432.

Source of original German text: Peter Blickle and André Holenstein, eds., *Agrarverfassungsverträge. Eine Dokumentation zum Wandel in den Beziehungen zwischen Herrschaften und Bauern am Ende des Mittelalters*. Stuttgart, 1996, pp. 34-37.

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Thanks to Peter Blickle for this text.