

The Albrechts of
Rothenburg ob der Tauber
1493-1806

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Nicholas Albrecht



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Introduction

For over a thousand years there has stood a town above the Tauber River on the north-east edge of modern-day Bavaria in Germany. Its distinctive red roofs by the river gave the town its name – Rothenburg ob der Tauber (meaning red fortress above the Tauber) – and its medieval architecture remains, to this day, a monument to the families who built it.

The story of one such family, the Albrechts, is so intimately intertwined with the history of Rothenburg it is impossible to separate the two. Overarching this is the history of Western civilisation from the late medieval period through to the early modern period. The Albrechts, like the other patrician families who governed the city, shared in its fate and fortunes over the centuries. As citizens, soldiers, scholars and councillors, they guided and shaped their city but were, in turn, shaped by it as well. The story focuses on the period between the beginning of the reign of Maximilian I (Holy Roman Emperor) in 1493 and ends with the fall of the last Holy Roman Emperor, Francis II, in 1806.

The book traces the rise of the Albrecht family from citizens to patricians and, due to the politics of Europe, their decline. It follows the Albrecht family through this period, focusing on the family line from Eucharius Albrecht to Christoph Friedrich Albrecht (see Appendix I). One of the remarkable features of the Albrecht family from Rothenburg is the education each generation received, preparing them to understand and excel in the world they lived. Through Dr Thompson's translations, we see how the Albrechts were at the forefront of some of the great movements that shaped Western society.

Nicholas D Albrecht

June 2018

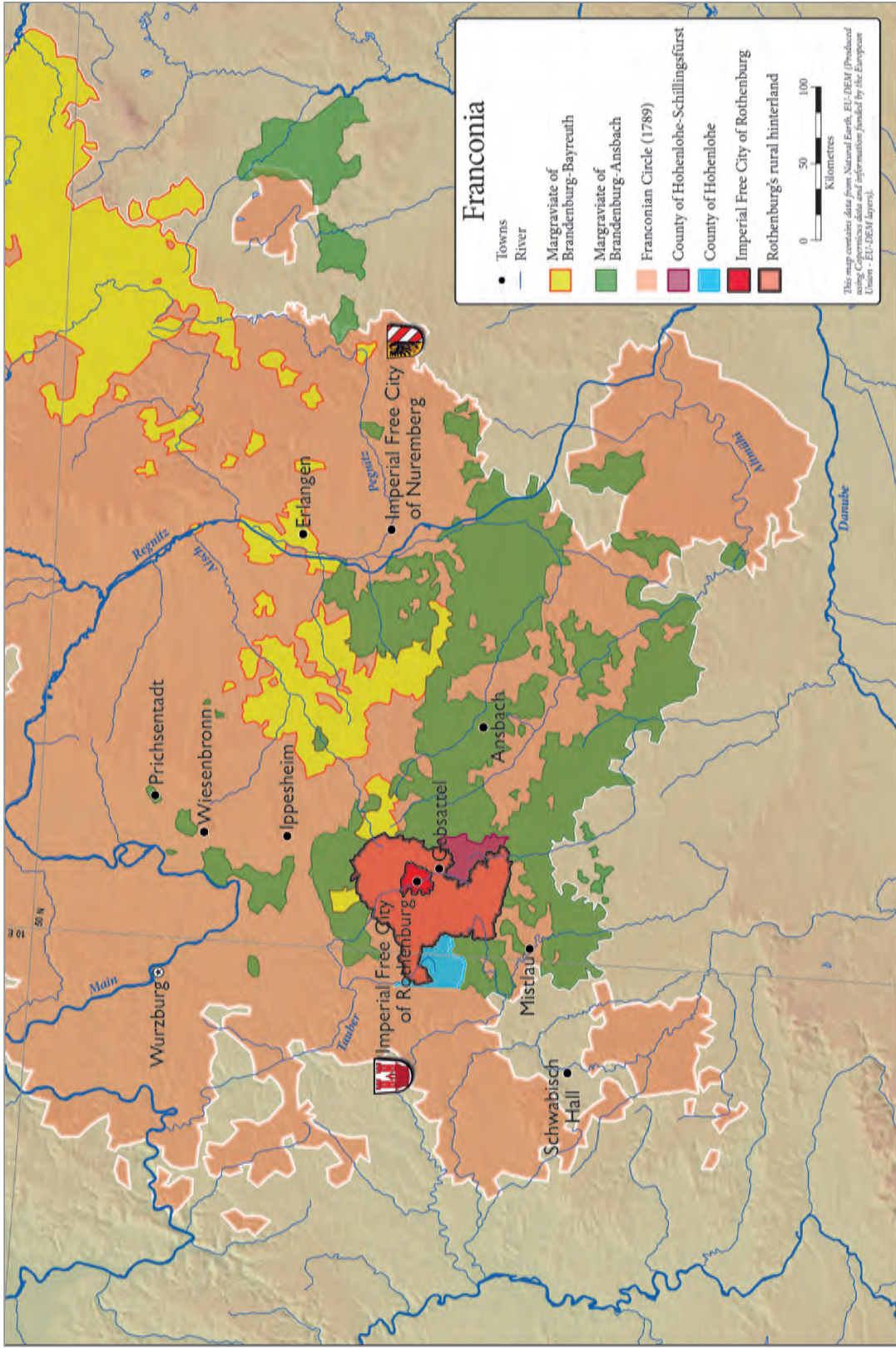
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Map of the Holy Roman Empire. Tim Nolan.



Map of Franconia. Tim Nolan.



Prospect of Rothenburg ob der Tauber, 1648.
https://commons.wikimedia.org/wiki/File:Rothenburg_Tauber-1648-Merian.jpg

1

Citizen Eucharius Albrecht and The Reformation, 1493-1522

In 1493, Frederick III, the Holy Roman Emperor, died,¹ and his son Maximilian, who had been crowned the King of the Romans² by Frederick III to shore up his right to inherit the position of Holy Roman Emperor for the Habsburg family, became the head of the Holy Roman Empire.

The emperor, along with the seven electors – the Archbishops of Cologne, Mainz and Trier, the King of Bohemia, the Count Palatine of the Rhine, the Duke of Saxony and the Margrave of Brandenburg³ – shared with the powerful imperial cities such as Rothenburg ob der Tauber⁴ the power and politics of the Holy Roman Empire. Within the imperial cities, a small patrician class prevailed; this was the political set-up until the early 19th century when Napoleon brought an end to the Holy Roman Empire, including the power base of the patricians. In Rothenburg ob der Tauber, located in the Franconian region in modern-day southern Germany (66 kilometres due west of Nuremberg and 48 kilometres due south-east of Würzburg), the Albrecht family was one of the great patrician families that exercised control over this imperial free city.⁵

By 1493, the Habsburgs had created an empire thanks to strategic marriages that dominated the map of Europe. Within the Holy Roman Empire, the emperor wielded power and influence to different degrees in different areas. The major threat to the Holy Roman Empire during these times was that posed on its eastern borders by the Ottoman Empire, after the fall of Constantinople in 1453. On the western borders, the growing

1 Maximilian I, king and co-ruler with his father Frederick III after 1486; sole ruler from 1493; and emperor 1508–19. Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 19. Appendix 2 lists the Holy Roman Emperors 1493–1806.

2 The King of the Romans title was used for the heir apparent to the Holy Roman Empire, similar to the Prince of Wales title. The Holy Roman Empire was an elective monarchy; no person had the right to the succession. Therefore, the King of the Romans was used to heavily influence the succession. The emperor was crowned on the election carried out by the seven electors.

3 The Margrave of Brandenburg's family had lands in the Franconia region. This came about in 1415 when Emperor Sigismund vested Frederick (of the Hohenzollern dynasty, formerly the Burgraviate of Nuremberg), with the hereditary title of the Elector of Brandenburg.

4 At times Rothenburg will be used instead of the full name Rothenburg ob der Tauber.

5 Rowlands, Alison. *Witchcraft Narratives in Germany – Rothenburg, 1561–1652*. P. 3.

conflict between the Habsburgs and France added a further dimension of external threat.⁶

In the same year, Maximilian began preparations for a crusade against the Ottomans. By 1495, at a meeting of the Reichstag (parliament) at Worms⁷, Maximilian I's enthusiasm for a crusade against the Ottoman Empire took second place, as issues in Italy provided opportunities for him to be formally crowned by the Pope. However, the Reichstag did not think it was in their interest to pay for external excursions. To finance his political ambitions, Maximilian had secured large loans from rich patrician families from the Upper German areas (southern Germany including Franconia and Swabia) including names such as Jakob Fugger from the Imperial Free City of Augsburg.

By 1500, there were some sixty-five imperial cities. The largest was Cologne, with 30,000 inhabitants; Nuremberg had over 20,000.⁸ Rothenburg had around 6,000 inside the city walls and another 14,000 in its surrounding areas. Rothenburg was an influential and well-off Imperial Free City.

The population in the City of Rothenburg was dominated by craftsmen and their households; however, the city council was dominated by an urban patriciate which made money from rent as opposed to trade.⁹ During these times, the patrician elite who ruled Rothenburg through the city council, attracted the likes of Tilman Riemenschneider¹⁰, who produced some impressive woodcarvings of religious stories, such as *The Last Supper*, that are revealed in St Jacob's church.¹¹

In 1493, in the Imperial Free City of Rothenburg ob der Tauber, Eucharius Albrecht (likely his second marriage), married Margaretha Strauss, the daughter of Rothenburg senator Stephan Strauss. Eucharius had two recorded children, Georg Albrecht and Kilgan (Gilg) Albrecht. Records also show that in 1506, Eucharius Albrecht purchased a vineyard in Rothenburg territory.¹² This purchase is significant as it shows Eucharius Albrecht implementing the strategic objective of the urban patricians of owning the land around the city. Rothenburg councillors gradually acquired a hinterland which became the fourth largest rural territory governed by a Free Imperial City, covering 400 square

6 Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 29.

7 Worms is a city in Rhineland-Palatinate, situated on the Upper Rhine. There were over a hundred imperial diets held at Worms, including that of 1521 which ended with the Edict of Worms, in which Martin Luther was declared a heretic.

8 Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 41.

9 Rowlands, Alison. *Witchcraft Narratives in Germany – Rothenburg, 1561–1652*. Pp. 3–4.

10 Tilman Riemenschneider, born about 1460 and died 1531 a poor man after being beaten and tortured by the peasants during the peasant uprisings in the 1520s. He spent most of his time in Würzburg. He was one of the most prolific sculptors during the transition period between late Gothic and Renaissance.

11 Along with the town hall, the double towers of St Jacob's dominate the skyline of Rothenburg. The double tower on the church represents the church's two masters – the Teutonic Order and the city council. By the start of the 15th century, the Teutonic Order had left the city. Huth, Thomas. *Rothenburg – Scenes of a City*. Pp. 69–72.

12 Bräuer, Siegfried & Kobuch, Manfred. *Thomas Müntzer Correspondence*. Volume 2. Thomas Müntzer edition. Critical Complete Edition. P. 22.

kilometres. The council oversaw the protection of the rural hinterland with hedges, ditches, gates and towers.¹³

Scholars have identified that the Albrecht family resided in the Würzburg or Herbipoli (Latin name) diocese before they settled in Rothenburg ob der Tauber.

Eucharius Albrecht was born in Ippesheim (close to Neustadt an der Aisch, in Middle Franconia) around 1461. It is recorded that he became a citizen of Rothenburg in 1488.¹⁴ Citizenship of an Imperial Free City conferred both political rights and communal responsibilities. The civic oath thus included not only a pledge of obedience to authority, but also expressions of loyalty to the city and a promise to protect the community from harm.¹⁵

A 'Johannes Alberti Monetary de Herbipoli' was enrolled in Leipzig University in the summer of 1462.¹⁶ Johannes was ordained as a deacon in 1471 and a priest in 1474 in Merseburg.¹⁷ In the records of Merseburg, he was registered in the name of 'Johannes Monetarius' or 'Monetarij'.¹⁸ According to these records, Johannes Alberti is descended from a family of mint masters. The University of Leipzig also has a strong link with the Albrecht family, for Johannes Alberti was not the only Albrecht who attended Leipzig. The enrolment register has Georg Albrecht (Eucharius's son) at Leipzig in 1513 and 1514. It is likely that Johannes was a great uncle to Georg.¹⁹ However, Georg soon left and went to Wittenberg University.²⁰

Although not mentioned directly, Eucharius Albrecht's health was the main topic in a letter sent to his son Georg Albrecht in either 1518 or 1519.²¹ The letter was delivered to Georg by Thomas Müntzer who was a tutor for Georg at Wittenberg University. The letter is from Dorothea Albrecht who had married Eucharius's second son, Glig, and is therefore Georg's sister-in-law.

[In the hand of an unknown writer]

My friendly greetings dear Georg. From the depth of my heart I pity your poverty. However, you should not blame your problems on your father and me. Dear Georg, Mr Thomas

13 Rowlands, Alison. *Witchcraft Narratives in Germany – Rothenburg, 1561–1652*. P. 4.

14 Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

15 Tlusty, B. Ann. *The Martial Ethic in Early Modern Germany*. P. 12.

16 (Enrolment register Leipzig 1, 232 B 79) from Bubenheimer, Ulrich. *Thomas Müntzer, Herkunft und Bildung*. P. 171.

17 Merseburg is a town in the modern-day south German state of Saxony-Anhalt on the River Saale, approximately 14 kilometres south of Halle.

18 Buchwald, Georg (ed.): *Die Matrikel des Hochstifts Merseburg 1469 bis 1558*. 4, 28; 8, 23).

19 Bubenheimer, Ulrich. *Thomas Müntzer, Herkunft und Bildung*. P.170.

20 Leipzig University was founded in 1409 and is the second oldest in Germany. Wittenberg University was established in 1502 and is now known as the Martin Luther University of Halle-Wittenberg.

21 *Determination of date*: The letter was written in the period after Georg Albrecht's enrolment in Wittenberg on 28 September 1517. The year in which it was written is not definite but sometime before Oculi Sunday (the third Sunday in Lent) (see line 10). Müntzer's biography allows for such a journey in 1518 (Oculi on 7 March) or 1519 (Oculi on 27 March).

Müntzer visited me himself and explained his business. Don't worry about it, no harm has been done. Dear Georg, you should know that your father is very unwell and will not get better, unless God shows some special mercy. I and your father had been wanting to tell you for a long time ... Dear Georg, you told your brother Michael that you wanted to come on the Sunday before mid-Lent. Dear Georg, if you leave it so long I'm truly worried that you will no longer find him alive, so it would be good if you could come earlier with your brother, together with Kilgan. He has found a girlfriend and is madly in love, so I've heard. Dear Georg, if you can't come, let us know that you won't be coming, and God forbid, if the worst should happen, don't blame me and your father. As there is no one with your father apart from Martin and Lorenz²², Martin would be very happy if you could come; if not, then may God give you good health. May God also give you a good night. I have to lie down.

I have written my best + + + + +

From me Dorothea Albrechtin²³

During this time at Wittenberg University, Martin Luther nailed his theses to the doors of the All Saints in Wittenberg on 31 October 1517. Georg Albrecht had enrolled at Wittenberg University one month before this historic event.

One of the key supporters of Luther, and a 'revolutionary' in his own right, was Georg Albrecht's tutor, Thomas Müntzer (who was one of the subjects and delivered the above letter). Of interest, Müntzer, like Albrecht, was also descended from a family in which the profession of mint master was represented.²⁴

In spring 1517 in Wittenberg, Müntzer met with Luther and became involved in great discussions which preceded the postings of Luther's *Ninety-five Theses*. At this time, Wittenberg University had become the home for Bible-centred theology and humanist philological study. Luther was therefore responsible for the early Reformation²⁵

22 Martin is likely to be Dorothea's second husband or soon-to-be husband (as Glig Albrecht had died early). While Lorenz was a brother-in-law of Eucharius, he was married to Magdalane Struss. Bräuer, Siegfried & Kobuch, Manfred. *Thomas Müntzer Correspondence*. Volume 2. Thomas Müntzer edition. Critical Complete Edition. P. 23.

23 It is likely that Dorothea Albrecht was Eucharius's daughter-in-law, as Georg's younger brother, Glig, had married a Dorothea Hoffmann. Glig and Dorothea were also parents of Kilgan. It is likely Eucharius married three times, firstly to someone who was mother to Georg and Glig, then Margaretha Strauss, in 1493, and at a later time Ursula Tann. It looks as if this letter was written between the marriages of Strauss and Tann. Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

24 Bubenheimer, Ulrich. *Thomas Müntzer, Herkunft und Bildung*. P. 171.

25 The Reformation was the great split in the Western church in the 16th century, producing a permanent division between Roman Catholicism and Protestantism. The precipitating event was Luther's action in challenging Rome by nailing a list of '95 theses' to the church portal at Wittenberg in 1517. The main effect of the Reformation was to undermine the spirit of obedience to any clerical authority, which paved the way for the development of modern science and philosophy. Thus, the humanist efforts of the Renaissance were able to grow into a permanently secular movement of intellectual enquiry, which has lasted ever since. From *Collins Dictionary of Philosophy*, Vesey G & Foulkes, P. P. 250.

movement, and he and other scholars at Wittenberg were influential in the development of the Humanist movement.^{26 27}

This event, undoubtedly one of the most significant in history, was played out in front of Georg Albrecht. Soon another significant historical moment was to take place – this time Eucharius Albrecht would have an active role.

In the meantime, however, Eucharius Albrecht survived the health scare that Dorothea Albrecht outlined in her letter to Georg Albrecht.²⁸ The Albrechts had now established a foothold in the ruling circles; however, they had not reached the top echelons. Both Georg and his younger brother, Gilg, were tanners, while Eucharius was a butcher, but the family had land and was well educated. This focus on education would enable future Albrecht family members to have a greater influence in the decision-making of the Imperial Free City.



²⁶ Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 184.

²⁷ The humanism movement was an intellectual movement that brought out one central feature of the Renaissance: a reevaluation of man and human affairs, as against the god-centred speculations of the Middle Ages. The movement began in 14th-century Italy and spread with the Renaissance. The thinkers in this tradition stressed the value of liberty and tolerance, existing authorities and to initiate the scientific revolution of the 16th century. This general outlook has followers who call themselves humanists to this day. From *Collins Dictionary of Philosophy*, Vesey G & Foulkes, P. P. 137.

²⁸ Georg Albrecht married Barbara Hufnagl (who died in 1563). Their children: Georg, who married Magdalena Waldmann; Leonhard, who died at a young age; Apollonia, born 1555 and married Matthias Donn on 5 August 1573; and Ursula, born 17 May 1569, who married Georg Heid. From Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

2

The Peasants' War and Lutheranism in Rothenburg, 1522-1555

During the early 16th century, political, religious and economic instability dominated western and central Europe. The Reformation, along with a new emperor, Charles V, created a sense of change that sowed the seeds for this instability by challenging the status quo. In 1522, the Knights' Uprising²⁹ swept through Franconia; however, this had little direct impact on Rothenburg. What did have an impact on Rothenburg and its surrounding areas was the Peasants' War.

The height of the uprisings were in the spring of 1525, and many authorities now chose to negotiate with the peasants. In Rothenburg, Eucharius Albrecht played a leading role as head of a committee set up by the council to negotiate with the peasants. The committee agreed to inform the people of Rothenburg of the peasants' issues. Albrecht had a role in being a 'messenger' for the committee.

Albrecht, Sayler and many others who had read the new material, preached in the city of Rothenburg, on the market, in the alleyways, in the cemeteries and elsewhere, and told everybody who wanted to listen about the new material they had read in books containing statements which were directed against the authorities. A big crowd of men and fellows listened and added their opinions and complaints. They were vociferous and swore, expressing threats and outrage towards the authorities. This was all done quite obviously and in plain view, but it was allowed and tolerated, despite the warnings and admonitions of many who were aware of it.³⁰

However, the stakes were raised further when a letter came through from the peasants' leader, Hanns Hollenpachen, a priest from Lewzenpronn. The letter states that

29 The Knights' Uprising, or Knights' Revolt, was led by a number of mainly Protestant sympathetic knights, whose economic power was in dramatic decline due to high interest rates, low land values and the rise in economic power of the patrician families in the Imperial Free Cities. This, along with the decline of common law and rise of Roman law, reduced their rights. Finally, the use of a classic knight in battle being replaced by better military technology left the knights in a desperate position.

30 Baumann, Franz Ludwig. *Sources for the History of the Peasant War of Rothenburg ob der Tauber*, 1878. P. 11.

the city of Rothenburg should assist the peasants' cause and help with their demands, as it was only right and proper – they were all brothers, and it would be in the Christian spirit. The city fathers should get back to them within two days. If not, and if the city didn't oblige, the letter clearly threatened that the peasants (200 of them) were armed with long spears and two cannons, and it would be better to reach an agreement.³¹

Albrecht then wrote the following to Hanns Hollenpachen:

Friendly greetings to start with. Dear Mr Hanns! I received a letter yesterday whose response I should actually direct at the whole community here etc. But I must tell you that I can't do this and it also doesn't behove me, because I am a citizen here and I am sworn to the committee. I also must fear for my life and limb. Additionally, if I show outrage or inspire it or wanted to do it, it would be against the gospel, which serves peace and consensus. After all, the council and the committee and a whole community are in agreement with each other. Therefore, I cannot and won't comply with your request. So, please excuse me and relieve me from this responsibility. I will serve you in a brotherly way and you will find me willing to assist and serve you in some other way.

Dated on the Thursday after Easter [20 April] in the year etc. 25. at Rothenburg³²

The likes of Fugger³³ helped fund the authorities who now started to plan the destruction of the peasants and their leaders. The Margrave of Brandenburg-Ansbach had the duty to protect the Free Imperial City of Rothenburg ob der Tauber. The margrave was one of the largest landowners in the Franconia area and a member of the House of Hohenzollern. The senior line of the family held the Elector of Brandenburg title and territory³⁴, while the younger line held the Margrave of Brandenburg-Ansbach title and territory in Franconia that bordered Rothenburg. At the coronation of Charles V³⁵, the Margrave of Brandenburg's close ties to the imperial family were visible, where the margrave's nephew Casimir was given the honour of being the 'First Cutter' at the coronation dinner.

31 Ibid., p. 224.

32 Ibid., p. 217.

33 The Peasants' War highlighted the opposite drivers of two key players: one, Fugger, was the arch-capitalist, and the other, Müntzer, the arch-communist. They later became heroes of the competing systems during the Cold War. West Germany put Fugger on a postage stamp, and East Germany put Müntzer on a five-mark bill. Steinmetz, Greg. *The Richest Man Who Ever Lived – The Life and Times of Jacob Fugger*. P. 207.

34 The Margrave of Brandenburg (the senior line) would ultimately inherit the Kingdom of Prussia. Prussia was the driving force of the unification of Germany in 1871, with Wilhelm II the last Kaiser of Germany and King of Prussia (abdicated in 1918) the head of the Hohenzollern family.

35 Charles V succeeded his grandfather Maximilian in 1519. The electors chose Charles V over the kings of France and England. In 1530, Charles V was crowned by the Pope, the last time a Holy Roman Emperor received a papal coronation. Charles V's reign ended at his death on 27 August 1556. Charles V was also monarch of Spain (accession in 1516), therefore in 1519, Charles V ruled over 40% of all Europeans. Wilson, Peter. *Heart of Europe – A History of the Holy Roman Empire*. P. 165.

Casimir, the Margrave of Brandenburg-Ansbach, took a leading role in the war against the peasants.

Even Luther, who would originally have been sympathetic to this movement, believed the peasants and their leaders had become too revolutionary. This included the role Müntzer, who had now turned away from the Lutheran mainstream, played. Müntzer had become more removed from Luther, as he believed Luther had compromised his ideas too much with the Catholic authorities. Along with a vicious condemnation of Müntzer, Luther encouraged the authorities to take an uncompromising stance: If the rebels persisted in refusing talks, they must be killed 'like mad dogs'.³⁶

At Rothenburg, Casimir won his first victory over the peasants and left the city with a rich booty. Contemporary reports claim that the market squares of Rothenburg were dyed red with the blood of the beheaded rebels. With the intervention of Casimir, the Margrave of Brandenburg-Ansbach, in Rothenburg ob der Tauber, and victories in Würzburg and elsewhere, the Peasants' Revolt collapsed.

In Würzburg, Tilman Riemenschneider (the famous woodcarver) was caught supporting the peasants and paid a heavy price.³⁷ Other powerful families also paid with their lives after supporting the peasants, including the knight Florian Geyer.³⁸ Thomas Müntzer died in 1525 at the height of the Peasants' War, where he became a leader of the peasants' uprising. He was captured after the Battle of Frankenhausen³⁹, tortured and executed.

The challenge posed to the ruling elites of the imperial cities⁴⁰ obliged them to take control of religious reform. This led to governing styles of increasingly 'aristocratic' patrician elites and territorial princes who were shaped by the trauma of 1525 and the consequent need to maintain control.⁴¹

In 1544, at Speyer, the Reichstag met and voted to support Charles V against France

36 Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 224.

37 Legend has it that both of his hands were broken during the torture, which ended his artistic career.

38 The Geyers and Grumbachs were a powerful Franconian dynasty – Wilhelm von Grumbach, of the cadet (junior) line of the dynasty, was born in 1503 and educated in Würzburg. He distinguished himself on the authorities' side in the Peasants' War and fought in the decisive battle at Rothenburg ob der Tauber, in which his brother-in-law, Florian Geyer, the knight who had assumed leadership of the Franconian peasants, was killed. Florian Geyer had been a guest at the court of King Henry VIII in England in 1512 and 1513. Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. Pp. 390–91.

39 Bad Frankenhausen is a town located in modern-day Thuringia, close to the border with Saxony-Anhalt. On 15 May 1525, it was the location of one of the last great battles of the Peasants' War.

40 Despite the religious divide among them, and despite the friction between some of those who turned Protestant and the emperor, the imperial cities also maintained their cooperative solidarity. They were able to promote their collective interests in the Reich and managed to establish their representation at the Reichstag, finally achieving a full vote in 1648. Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 249.

41 Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 239.

(victory for Charles at Guelders).⁴² In return, the Protestants got an extension of the religious truce. Also, Charles V and Ferdinand⁴³ addressed the main grievance of the imperial cities: the erosion by the princes of their rights to participate in the Reichstag. Charles V reconfirmed the rights of the Imperial Free Cities.⁴⁴

In 1544, 27 years after Georg Albrecht had been in Wittenberg, when Martin Luther nailed the *Ninety-five Theses* to the cathedral door and signalled the beginning of the Reformation, Lutheranism officially became the official religion of Rothenburg ob der Tauber.⁴⁵ This was also the time the council was to formally take control of St Jacob's Church from the Order of the Teutonic Knights.⁴⁶ It should be noted that the emperors of the Holy Roman Empire – the Habsburgs – were strongly opposed to the Reformation and remained strongly Catholic. Ultimately, the patrician class owed its status and its future to the protection of the Catholic Holy Roman Emperors. Influenced by the recent turmoil around the Peasants' War, and the Reformation, the Rothenburg council developed a strategy of not attracting imperial attention. The policy of quiet caution to remain on good terms with the emperor can be seen, for example, in the slow and legalistic nature of Rothenburg's move to Lutheranism.⁴⁷

Meanwhile, Eucharius Albrecht's daughter in-law, Dorothea Hoffmann, who had three children⁴⁸ with Gilg Albrecht, had now married Hanns Martin. It was the third child, Kilian (mentioned in the letter to his Uncle Georg), who was to reach the ruling elite.



42 The Guelders Wars were a series of conflicts in the low countries between 1502 and 1543.

43 Ferdinand's was elected King of the Romans in January 1531 and Holy Roman Emperor (1558–64) after Charles V's death on 27 August 1556. The brothers approached imperial politics from different geographical perspectives: Charles from the low countries and Ferdinand from Austria. Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. Pp. 284–85.

44 Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 304.

45 Ten years after Henry VIII separated the English Church from Rome.

46 Rublack, Ulinka. *Gender in Early Modern Germany History*. P. 93.

47 Rowlands, Alison. *Witchcraft Narratives in Germany – Rothenburg, 1561–1652*. P. 63.

48 Heinrich Albrecht; Johann Albrecht, who married Apollonia; and Kilian Albrecht.

3

Coat of Arms and the Forst family, 1555-1618

At the Reichstag at Augsburg in 1555⁴⁹, religious peace was agreed between the Catholics and Lutherans. Between 1555 and 1618, peace largely ruled in the Holy Roman Empire.⁵⁰

The political calendar in Rothenburg started annually on 1 May, when the city council was elected. There were five burgomaster, or mayors, who presided over the council for a six-month period on a rotational basis. This group, along with the senators, was known as the Interior Council.⁵¹

The ceremony of the oath-day was a standard institution in all Free Imperial Cities like Rothenburg. Typically, the outgoing burgomaster presided over the ceremony. The civic oath was read aloud, and the citizens then swore obedience and loyalty to the city and the incoming council.⁵²

Rothenburg was situated in a part of the Holy Roman Empire where lordship rights over land and people were extremely fragmented and often the subject of competing claims. This meant that, even by the 16th century, and even though the Rothenburg council had achieved its aim of becoming the dominant power within the hinterland, a thousand hinterland inhabitants were still the subjects of foreign lords, owing their land-rents and dues to them rather than to Rothenburg.⁵³

One such area was the village of Gebstättel on the Tauber River, about three kilometres south of Rothenburg. The village had been the property of the monastery of Comburg near Schwäbisch Hall (around 70 kilometres south-west of Rothenburg) at least since the 12th century, but the responsibility for protection of the village had officially passed to Rothenburg by the 15th century. Gebstättel consisted of around 85 households,

49 During this Reichstag, Ferdinand received a letter from Charles announcing his immediate abdication. The Peace of Augsburg 1555 reinforced the status of the Reichstag as the key representative and decision-making body. Ferdinand I and his successors presided over regular meetings, with eleven sessions between 1556 and 1608. Post-1555, the Reichstag sat in three colleges or curia – electors, princes and imperial cities. Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493-1648*. P. 355.

50 In 1558, Ferdinand was elected as emperor and in 1562, Maximilian elected King of the Romans.

51 Appendix 3 provides a list of those who held office in Rothenburg in 1767.

52 Tlustý, B. Ann. *The Martial Ethic in Early Modern Germany*. P. 11.

53 Rowlands, Alison. *Witchcraft Narratives in Germany – Rothenburg, 1561-1652*. P. 4.

whose residents lived under this divided legal authority. About a dozen of the households belonged to Rothenburg subjects, and the rest were the subjects of Comburg.⁵⁴

Kilian Albrecht (grandson of Eucharius Albrecht) had become the sheriff of Gebstattel, then bailiff of Gebstattel on 17 April 1555. This is the first account of a member of the Albrecht family holding an administration type role.

Of more significance, in 1565, Kilian Albrecht was the first Albrecht to be elected to the interior council and therefore part of the ruling elite of Rothenburg. Kilian Albrecht was a carpenter assistant, 1556 a juryman master, 1557 a so-called master. He also held the title of senator, and he died on 10 February 1574.⁵⁵

It is this link between Gebstattel and Comburg that must have connected the Albrecht and Forst families. Kilian Albrecht's son Leonhard⁵⁶, who became a member of the Exterior Council in Rothenburg, married Maria Magdalena Forst on 17 August 1596, a daughter of Michael Forst the bailiff and Vogt⁵⁷ of Comburg⁵⁸. The Forst family had become wealthy, owning a mill, a public house and farmland, as well as acting as the local bank, offering credits to many of the locals.

It is around this time that Leonhard Albrecht and his father-in-law, Michael Forst, formed a close relationship. Firstly, it looks as if the two families worked on similar coats of arms.

In 1605⁵⁹, the Albrecht coat of arms was granted to Leonhard Albrecht. This is listed in J Siebmacher's *Large and General Coat of Arms Book*:

Albrecht, Leonhard received a grant of arms by Franz Rasso Gotthard, Dr. jur. utr.⁶⁰, imperial secretary and comes palat.⁶¹ At Comburg on 9 August 1605. – Shield; Quartered in red and gold. Quarters 1 and 4 show a silver standing unicorn. In quarters 2 and 3 are

54 Tlustý, B. Ann. *The Martial Ethic in Early Modern Germany*. Pp. 224–25.

55 Epitaph of Georg Albrecht, 1666, Rothenburg and Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

56 Also spelt/known as Leonard or Leonhardt.

57 An imperial *vogt* (*Reichsvogt*) was an officer of the king, who served as administrator and judge of a subdivision of royal property, or of a royal abbey. The seat of an imperial *vogt* was often at an imperial city. When the imperial cities gained more independence, the office was split into city *vogt* (*Stadtvogt*) for the cities, and land *vogt* (*Landvogt*) for other areas. The offices of city *vogts* were usually bought by the imperial cities by the late Middle Ages, which led to the independence of the cities.

58 Near Schwäbisch Hall.

59 The Holy Roman Emperor at the time was Rudolf II. He was elected King of Hungary in 1572, King of Bohemia, and the King of the Romans in 1575. His succession to the Imperial Crown in 1576 at the age of 24 was smooth. Rudolf II moved the seat of government to Prague from Vienna. He was known as a patron of the arts and a collector of curiosities. He died on 20 January 1612 aged 57. Matthias I, Rudolf II's younger brother, became Holy Roman Emperor and reigned between 1612 and 1619.

Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 346.

60 The Doctor of Both Laws (*Doktor beider Rechte*), awarded as *Dr. jur. utr.* (*Doctor juris utriusque*), is rare, since it means considering both Civil Law and Canonical Law.

61 *Comes palatinus Caesareus* = Count Palatine.

3 diagonal bars. Crest: The unicorn is rising between two buffalo horns, the right one is divided into black and gold, the left one into silver and red.



Albrecht coat of arms, 1605.

https://commons.wikimedia.org/wiki/File:UBHD_Cod_Sal_IX_58_030v_Albrecht.jpg

This is also noted in the College of Arms in London.⁶² Michael Forst's coat of arms was very similar. It is still not known if they had been designed at a similar time, or if the Forst coat of arms copied the Albrecht coat of arms, or vice versa. Nonetheless, this does show the very strong link between the two families. No evidence can be found of an official grant of arms for the Forst family.

Forst, folio 16, small achievement. Not executed in colour. Shield horizontally divided. A jumping unicorn is in the upper field and three diagonal bars in the lower one. Frog-mouth helmet with crest and mantling. The crest displays two buffalo horns and a jumping unicorn in between. Maria

⁶² Aken Lippert Albright is recorded in a largely discontinued series known as Foreign Arms Volume I, 101. This includes a certificate from the Municipal Archivist at Rothenburg ob der Tauber in Bavaria dated 10 July 1923 (see Appendix 4), which states that Aken Lippert Albright was the son of Gottwald Heinrich August Albrecht (born 22 May 1838), who died in 1901 at Sillery, Constantia, Cape of Good Hope (see Appendix 5), the son of Friedrich Theodor Albrecht (born 16 October 1801) and that they were direct descendants of Leonard Albrecht of the Eusser Roth in Rothenburg (died 19 January 1613) to whom arms and a crest were granted by Franz Rasse Gotthard, Imperial Secretary by Imperial Authority. No pedigree was registered but Aken Lippert Albright, his father and grandfather are stated in the certificate from the Municipal Archivist to be entitled to bear the Armorial Bearings.

Magdalena, daughter of the Comburg bailiff in Mistlau, Michael Forst, 1596, married to Leonhard Albrecht.⁶³

Michael Forst was the bailiff⁶⁴ for the Dean of Comburg, based in the village of Mistlau⁶⁵ and the Vogt of Absberg. He had two daughters – Eva and Maria Magdalena – from his first wife Sophie. Eva, the older, was the wife of Lienhard Schumm, who inherited the mill at Mistlau. Maria Magdalena, the younger, married Leonhard Albrecht of Rothenburg in 1596, and, in a second marriage, a member of the Bezold family, also from Rothenburg. Maria Magdalena died aged 56 in 1634 and was buried in Rothenburg. Her year of birth was therefore 1578.

History shows that the Forst family was known mainly because of a trial of Michael Forst's second wife Anna⁶⁶, who came from Rothenburg and still had real estate there and also brothers. She came to Mistlau in 1589, presumably for her marriage. It is therefore likely that Leonhard (or members of the Albrecht family) would have known this stepmother-in-law and her family.

In 1605, after Michael Forst's death, a fierce dispute over the inheritance began. As so often happened around this time, there was conflict between the Dean of Comburg and the Count of Hohenlohe over who had legal authority. The issue was around 3,000 guilders that had not been declared in the inheritance.

In August 1605, the Hohenlohe office in Neuenstein, wrote to the *Vogt* of Kirchberg⁶⁷ (who reported to the Count of Hohenlohe) about what they had heard: the miller in Mistlau had died, and the widow and his heirs had under-declared the existing assets by a few 1,000 guilders and she was penalised for this. Then the widow would have had to swear an oath of disclosure. Despite that, suddenly 2,500 guilders appeared, which the Dean of Comburg confiscated personally from the mill and imposed a fine of 1,000 guilders on top of this. Count Hohenlohe, however, had the point of view that they had the authority in Mistlau and therefore should have the right to the outstanding inheritance tax.

The *Vogt* of Kirchberg, Georg Conrad, who was also (helpfully) a godparent to one of Michael and Anna Forst's children, was instructed to sort matters.

63 Borchardt, Karl & Siebmacher, Johann. *Patrizier und Ehrbare: Die Wappen im Geschlechterbuch des Johann Friedrich Christoph Schrag (1703–1780) zu Rothenburg ob der Tauber*. Pp. 14–15.

64 Bailiffs were responsible for the collection of taxes and execution of orders of the authorities towards the community or individual subjects. They were appointed by the ruling authorities.

65 Mistlau is south-west of Rothenburg.

66 With his second wife, Anna, Michael Forst had three daughters. The oldest, Barbara, was married in or before 1608 to Johann Christoph Geyer, son of Hans Geyer (from the same family that produced the knight, Florian Geyer, who had assumed leadership of the Franconian peasants during the Peasants' War. The other two daughters, Anna and Anna Maria, were still children at the time and lived at home with their mother. Frohner, Ulrich. *The Miller's Wife's Perjury – A case of tax evasion in 1605 and its consequences*. Presentation delivered 7 Dec 2015 at Kirchberg.

67 Kirchberg was the neighboring village to Mistlau.

The *Vogt* of Kirchberg had the miller's wife arrested and was then ordered to further interrogate her and prepare a written report. This interrogation took place the following Monday, on 3 February 1606. The miller's wife stated the following for the record:

1. When the inheritance was being divided, it turned out that the assets were much greater than stated in previous assessments. Therefore, Comburg authorities had seized promissory notes worth 3,000 guilders and told the heirs to divide the rest appropriately, in harmony, and peacefully.
2. The miller's wife had also retrieved a further 1,500 guilders from a little chest, on Schumm's insistence. These were also seized by the Comburg authorities, for reasons unknown to her, and credited to her inheritance.
3. Schumm continued to pester her until she went to Comburg and swore an oath to declare all assets.
4. Furthermore, she had kept silent about 2,000 guilders which were in Rothenburg that she eventually had brought here. These were seized by the Dean of Comburg in Mistlau and given to the *Stift*.⁶⁸ She didn't know for what reason and to what end. However, she was told to pay her two sons-in-law 400 guilders each from her own assets. This included Lienhard Schumm and Leonhard Albrecht.
5. Besides that, the *Vogt* of Comburg in Mistlau had announced a fine of 1,000 guilders for perjury. But this had not been collected yet.⁶⁹

In the meantime, those who were petitioning to mitigate the fine included the bailiff and the whole community of Mistlau (4 March 1608): Hans Geyer, father of Johann Christoph Geyer, Anna's third son-in-law (4 March 1608); Georg Seiferheld and Johann Christoph Geyer in a letter to the countess (5 March); Georg Seiferheld, Michael Klor and Christoph Geyer in a letter to the count (8 March 1608).

The decision from Count Hohenlohe was a fine of 1,000 guilders, which was then paid.⁷⁰ During this trial, Leonhard and Maria Magdalena Albrecht did not involve themselves. The reality was that Anna was a stepmother (-in-law) and she had also

68 Comburg was a *Stift*, an ecclesiastical estate within the Holy Roman Empire, with the rank of an imperial state.

69 Frohner, Ulrich. The Miller's Wife's Perjury – A case of tax evasion in 1605 and its consequences. Presentation delivered 7 Dec 2015 at Kirchberg.

70 Most of this information on the trial and its outcomes has come from Frohner, Ulrich. The Miller's Wife's Perjury – A case of tax evasion in 1605 and its consequences. Presentation delivered 7 Dec 2015 at Kirchberg.

recently remarried. However, this marriage between Leonhard and Maria Magdalena provided the Albrecht family with more wealth and greater status.

The marriage also produced a son, Georg Albrecht, born on 8 August 1603.

In the citizenship oath of 1605, the citizens of Rothenburg pledged not only to maintain weapons and armour, but also, for those who had firearms, to keep them clean, in good repair and accompanied by sufficient lead and tinder.⁷¹

Rothenburg was now drifting to war, the city hosted a key meeting of the newly formed Protestant union⁷² which rejected the idea of enlisting Henry IV (King of France) as a member.

However, by mid-1609, the Catholic League had been set up under the leadership of Duke Maximilian of Bavaria. Rudolf II was unable to stem the tide of division, and by 1619, Ferdinand II had organised Count Tilly as the commander for the Catholic League. Tilly was soon to have a lasting impact on the city of Rothenburg and the Albrecht family.

On 19 January 1613, Leonhard Albrecht died, leaving a wife and nine-year-old son.



⁷¹ Tlustý, B. Ann. *The Martial Ethic in Early Modern Germany*. P. 20.

⁷² After the Riechstag (parliament) on 3 May 1608, a protestant union had formed, led by the Count Palatinate of the Rhine. This union included sixteen imperial cities. Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. Pp. 422 & 423.

4

War and Mayoralty, 1618-1648

Epitaph for a just one,
this is the Christian funeral sermon about the beautiful inscription,
which God the Holy Ghost has made himself through the prophet Isaiah, chapter 56,
on the grave of all God-fearing Regents who departed this world
through an early but peaceful death.

From the respectable conduct of the sad funeral of the former noble,
lawful, erudite, caring and sage gentleman

Georg Albrecht

from this Imperial Free City of Rothenburg ob der Tauber.

Highly regarded former mayor, land Vogt, Ober-Steurer, member of the consistory and
scholarcha, who peacefully passed away to God on Monday, 5 February of this year 1666
and was finally laid to rest on Friday, 9 February with Christian ceremonies.⁷³

The above is from the introduction of the epitaph of Georg Albrecht. Georg Albrecht's education, along with his family background, was critical to his success that culminated in being mayor three times (1658, 1660 and 1663). Georg's family background included another family of influence in Rothenburg, the Bezold⁷⁴ family. Georg was only nine when his father Leonhard passed away, and Georg's mother⁷⁵ Maria Magdalena remarried, to Bernhard Betzold (member of the Interior Council). Johann Betzold (a former mayor) facilitated the marriage between Georg and Susanna Husel.⁷⁶ They married on 19 June 1626. Johann Betzold would become the godfather of Georg's oldest son, named Johann Georg Albrecht, who was born on 25 February 1629.

73 Epitaph of Georg Albrecht, 1666, Rothenburg.

74 The Bezolds, like the Albrechts, migrated to Rothenburg in the late 15th century. They also, like the Albrechts, traded as tanners and became a prominent patrician family in Rothenburg. Bezold also spelt as Betzold. Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

75 Maria Magdalena Betzold (previously Albrecht and born Forst) died in her 56th year on 1 October 1634.

76 Susanne's father Conrad Husel was a member of the Interior Council, her mother Maria Salome was the stepdaughter of the former mayor, Georg Nusch.

Georg's education started at the German school and, on advice of the headmaster, he was sent to the Latin school, where he completed his studies.

After this he went to University of Altdorf⁷⁷ (Nuremberg); on 2 June 1621, he moved to the world-famous University of Strasbourg⁷⁸ where he very industriously read Thucydides' and Schönborner's political theories under Professor Bernegger⁷⁹, and other courses in politics and law, as is shown by many of his own manuscripts. Due to his diligence, he also wrote a beautiful political-legal discourse '*De Judiciorum Cura Politica*' in 1624.

Dr Geoff Thompson of the University of Auckland summarises the dissertation as follows:

This doctoral treatise, submitted for examination at the academy in Strasbourg sometime in May 1624 is significant not so much for its uniqueness (many similar treatises were submitted around the same time) but for what it can tell us about the mindset of the author, given his geopolitical situation in an academic institution a mere six years after the outbreak of the Thirty Years War, and some 107 years after Luther had kick-started the Protestant Reformation with his ninety-five theses.

The Thirty Years War was caused by the incumbent Holy Roman Emperor, the Catholic Ferdinand II, attempting to curb Protestantism within his borders, thereby upsetting the fragile balance that had previously existed between Protestant and Catholic states within the empire. At the time the thesis was submitted, the Catholics held the upper hand (the tide would not turn in the Protestants' favour until 1630). Strasbourg, a member of the German Protestant League until its enforced dissolution by Ferdinand in 1621, remained a Protestant bastion, as evidenced by the Strasbourg Academy's head, Matthias Bernegger, a staunch Protestant although also, interestingly, a committed pacifist. It is in this context, a Europe deeply divided between Protestant and Catholic belief systems, that Georgius Albrecht's legal treatise must be read and understood, as it explains many of the underlying tensions in the piece that betray the author's attempts to juggle his exposition to suit the precarious and volatile times in which he was writing. Essentially, Georgius' thesis advocates the complete secularisation of the legal process, but with a Catholic emperor holding all the political cards, what the author has to say must be tempered ...

77 The University of Altdorf was in a small town outside Nuremberg. It was founded in 1578 and closed in 1809.

78 The university emerged from a Lutheran humanist German gymnasium founded in 1538 in the Free Imperial City of Strasbourg. It was transformed to a university in 1621 and elevated to the ranks of a royal university in 1631. The Lutheran German University still persisted even after the annexation of the city by the French King Louis XIV in 1681 but mainly turned into a French university during the French Revolution.

79 Matthias Bernegger (1582–1640). Bernegger is known for his translations of Justinus and Tacitus. Bernegger was a regular correspondent of Johannes Kepler (famous astronomer and mathematician to emperors Rudolf II, Mathias and Ferdinand II. These two were leaders in thought around rationalistic science. Whaley, Joachim. *Germany and the Holy Roman Empire Volume I: Maximilian I to the Peace of Westphalia 1493–1648*. P. 542.

In summary, the author establishes the judicial system as a discreet pillar of state (along with the Senate and Public Office) open to everyone to correct injustice; it emphasises the necessity for trained advocates, worthy judges and able court officials; discusses the difference between criminal and civil law, and whether the latter should fall under the legal process at all; considers the function of prisons and the treatment of prisoners; questions the legitimacy of torture; debates which crimes are capital and how capital punishment should be carried out; touches on non-capital forms of punishment; establishes behavioural guidelines for the ideal judge; de-stigmatises the role of executioner; stipulates the physical location in which justice should be carried out; seeks to define a 'code of conduct' for both judicial officials and litigants to prevent cases from dragging out or disintegrating into brawls; and, finally, highlights the crucial role played by testifying under oath.

Remembering that the author is writing at a curious historical nexus, in which legal authority rests ultimately in the hands of a staunchly Catholic emperor, the reader cannot help but feel that Georgius Albrecht is, in a way, 'hedging his bets'. Whereas he is equally scathing of both Anabaptists (sections IV and LXIX) and, less openly, papists (section XV) – many of the criticisms of ancient Roman law could also be construed as a veiled criticism of papist involvement in the judicial system – the author is careful to generalise his remarks when advocating that 'Christians' in general, but specifically 'clerics', be excluded from the legal process entirely (section IV). Nevertheless, he is emphatic that all judgements 'originate with God' (section IV), and even goes on, later in the thesis, to suggest that physically attaching a law court to a religious institution or building lends it an additional air of solemnity and excites a fear of the Divine (section LX). On the other hand, Georgius Albrecht openly disparages the use of holy relics (a Catholic predilection) for lending legitimacy to oath-taking. In this case he sides with the Protestant French for refusing to swear once the renewed treaty between the Swiss and Henry IV of France had been touched with the arm of Saint Anthony; 'for what relevance,' asks the author, 'did the arm of Saint Anthony have to sacred matters?' (section LXX).

What comes across strongly is the author's desire to professionalise the judicial process. But again, especially when discussing the high end of the judicial pecking order, he must tread carefully, as it is a central function of the emperor's power that Albrecht is advocating delegating to judges who (although he stops short of saying it) are more qualified for the job than the emperor (see especially section VIII). The author is also adamant that princes themselves are not above the law (section IX). This advocacy for professionalisation reappears many times during the course of the thesis, not least when denigrating those who see the legal process as a platform for self-aggrandisement or lining their own pockets by deliberately prolonging trials (section XXVI).

Where it concerns prisons and torture, the author comes across as very humanitarian. He sees prisons as ‘houses of correction’ rather than places of punishment (sections XLI–XLIII) and, in all but the most serious of cases, suggests that capital punishment be avoided if at all possible (sections XV, XVI, XXIII, XLVII). Similarly, Georgius Albrecht is no great fan of torture and questions whether it has any place at all in the political and legal system (section XLIV).

In summary, what the thesis promotes is a secularised and fully professional legal system. It is proposed by a man who has very humanitarian tendencies (possibly influenced by Matthias Bernegger himself) but one, however, who is fully aware of the contemporary political environment, and who must therefore pay lip service to divine considerations and be cautious about how he words the diluting of regal and/or political judicial power by delegating it to an autonomous body, fully trained to cope with the complexities involved.⁸⁰

Georg Albrecht’s dissertation is heavily influenced by Jean Bodin⁸¹, who had a preference for strong and centralised state government (in the case of France, that of a king) over papal influence in political affairs and the sectarianism that engenders, especially in the wake of the Protestant Reformation. As expected, religion also features heavily in the dissertation; for example:

All judgements and acts originate with God. The book of Genesis is brought in as precedential evidence with the Fall of Adam as the example: God himself, by his own example, set a predefined order that must be observed when making judgements. First he summoned the ‘first parents’ with his own voice ‘Adam, where are you?’ which is the summons to defend a case. Next follows the accusation (the charge), then the proof of the crime being committed is presented. After this is the response to the charge along with any attempt by the accused to deflect the allegation onto another. The prosecuting opinion, however, in this case prevailed and the indictment was prepared, which was expulsion from paradise, a punishment which the angels, as God’s ‘deputies’, carried out. Christ is also cited as an example who, when he was slain by a pontifical servant, was on the receiving end of severe injustice, and had to appeal to an order of legitimate justice instead (presumably to his Father from the cross). The Apostle Paul’s appeal to Caesar is

80 This summary of Georg Albrecht’s dissertation was written by Dr Geoff Thompson, Honorary Research Fellow, Department of Classics and Ancient History, University of Auckland. 2017.

81 Jean Bodin (1529–96). Sovereignty assumed its modern definition through the response of Jean Bodin to the civil wars in his native France after 1562. Bodin expounded the view that sovereignty was indivisible and could not be shared either with groups or individuals within a country or those outside it. Wilson, Peter H. *Heart of Europe – A History of the Holy Roman Empire*. P. 171.

given as a further example. It is, therefore, vital that law courts are established in states so that through them anyone can, by following the correct and legitimate process, follow proceedings that concern both things owed by him as well as allowing him to protect and defend the things legitimately acquired by him.⁸²

During Georg Albrecht's time of studies in Strasbourg (1621–25) and from an excursion to Tübingen⁸³ in August 1625, we know many of his acquaintances whom Georg Albrecht collected in his 'book of friends'⁸⁴, which include:

Sheet 9: Strasbourg, 27/9/1625: Marcus Florus, professor of eloquence at the university.

Sheet 12: Strasbourg, 26/9/1625: Dr theol. Johann Schmidt, professor.

Sheet 16: (no place specified) June 1624: Antonius Wolf, D. (= doctor?), Imperial Palatine, Saxon, Hessian, and Strasbourg Council.

Sheet 17': Strasbourg, 26/9/1625: Thomas Wegelin, professor.

Sheet 20: Strasbourg, 21/5/1624: Georg Christoph Walther, 'Rothenburgo-Francus', shortly before his departure from Strasbourg (1601–56, famous lawyer, legal advisor in Rothenburg).

Sheet 24: Strasbourg, 12/9/1625: Johannes Renger, doctor of both laws; Albrecht's relative and compatriot (1580–1640: from Rothenburg; since 1617 lawyer and procurator of the Strasbourg Council).

Sheet 25: Strasbourg, 20/9/1623: Georg Sigismund Renger, Georg Albrecht's relative (1596–1667; from Rothenburg; died in Windsheim; studied law in Altdorf and Strasbourg). Including a pretty drawing (girl in lavish traditional dress accompanied by the motto: My first hope is God, my second one a beautiful girl).

Sheet 27: Strasbourg, 5/9/1621: Dr jur Jakob Synzsius, legal advisor in Rothenburg (he did his doctorate in Strasbourg in 1621, was then accepted in Rothenburg as legal advisor on 20/8/1621 and died in his 35th year in Rothenburg on 20/3/1626). Accompanied by a two-line chronostichon (= metric verse in Latin in which the letters I, V, X, C, D and M are emphasised by capitalising them and added up as Roman numerical values which usually results in a year) which gives the years 1621 (appointment to legal advisor) and 1626 (death).

82 Translated from Georg Albrecht's discourse '*De Judiciorum Cura Politica*' in 1624, by Dr Geoff Thompson, 2017.

83 Tübingen is a traditional university town, about 125 kilometres east of Strasbourg. The town became Lutheran in 1535.

84 In February 1969, the 'Alt-Rothenburg' association acquired the album of Georg Albrecht of Rothenburg from an antiquarian bookshop in Cologne. The album, in landscape format (cover 19.5 x 15.5 centimetres) has recently been carefully restored and is very beautifully bound (totally in parchment with golden borders on the front and back covers) with the inscription in golden letters in the front: 'Liber Amicorum' = Book of Friends. It is inserted in a new slipcase. It contains 70 pages, many of which are blank. Some sheets have entries on the front and the reverse, but usually only on the front.

Sheet 28: Strasbourg, 7/9/1621: Jeremias Betzold, Georg Albrecht's relative (was at the Rothenburg *Gymnasium* 1606–17, apparently student in Strasbourg in 1621). Accompanied by a pretty gouache painting which shows a young man in a baroque-Roman knight's armour who is fleeing from the alluring charms of a mermaid hovering above the water.

Sheet 31: Strasbourg, 27/9/1625: Isaac Fröreisen (law), Dr theol. and professor.

Sheet 35: Tübingen, 25/8/1625: Henricus Bocer, consultant for fief tribunals and professor.

Sheet 36: Strasbourg, 10/8/1623: Matthias Bernegger (1582–1640); famous polymath and professor in Strasbourg; corresponded amongst others with the Rothenburg mayor Johann Georg Styrzel).

Sheet 38: Strasbourg, 27/9/1625: Georg David Lochamer (Locamerus), Dr jur. (law) and professor.

Sheet 40: Tübingen, 29/8/1625: Dr theol. Jakob Reihing, professor.

Sheet 40': Strasbourg, 27/9/1625: Dr jur. Caspar Birschius from Hagenau, professor.

Sheet 41: Strasbourg, 4/9/1623: Dr jur. Friedrich Schmid, lawyer and consultant of the imperial city of Strasbourg.

Sheet 42: Strasbourg, 5/2/1625: Dr. jur. Johann Beorg Becht, lawyer and consultant of the imperial city of Strasbourg.

Sheet 46: Strasbourg, 21/10/1625: Hans Georg Schnepf from Rothenburg, Georg Albrecht's relative (1601–54; son of the tax collector Georg Schnepf, Magister). Accompanied by a small, very delicately drawn and coloured picture which shows an upright, embracing couple.

Sheet 46: Tübingen, 28/8/1625: Georg Adam Husel from Rothenburg (1602–55; studied from 1624–27 at the University of Tübingen). Accompanied by a delicately drawn and coloured picture which shows an elegantly dressed lady who is holding Husel's coat of arms in her left hand, and, in her right hand, the associated helmet and crest.

Sheet 54: Tübingen, 26/8/1625: Carl Herr von und zu Polheimb; including a richly drawn and coloured coat of arms.⁸⁵

These acquaintances of Georg Albrecht show that he mixed in the circle of highly educated and influential people who were part of the ruling elites of Imperial Free Cities (Strasbourg and Tübingen) and, unsurprisingly, Lutheran. It also showed the strong links between Rothenburg and the University of Strasbourg and therefore strong links between the Albrecht family and Strasbourg.

The Thirty Years War began in 1618, when Protestant nobles in Bohemia rebelled against the Holy Roman Emperor Ferdinand II, who had begun to impose Roman Catholic absolutism. This triggered one of the most barbaric events where over one-third of modern Germany was killed, through war, disease and famine.

⁸⁵ Schnurrer, Ludwig. *Einige neue Rothenburger Stammbücher* (Johann Georg Albrecht, 1712-93; G Albrecht, 1603-66, 1759/60; mit Abb.) in: Die Linde 61, (1979) S. 42–46.

By 1631, the Protestants under the Swedish King Gustavus Adolphus⁸⁶ had momentum and had endangered the Catholic League. The Catholic League, under Tilly⁸⁷, fought back and in May 1631 destroyed the Imperial Free City of Magdeburg.⁸⁸ Strategically, Tilly then needed to protect the Bavarians from the Protestant Swedes and their allies (the Protestant Union), of which Rothenburg was one. In October 1631, Rothenburg was besieged by Tilly.⁸⁹

Later Rothenburg was attacked by Piccolomini⁹⁰ of the Imperial Troops in 1634, and again in 1645 by the French General Turenne⁹¹ who had sided with the Protestant Union. Then a large body of Swedes occupied Rothenburg. On 11 August 1650, after the last Swedish soldiers had left, celebrations of peace and thanksgiving took place.⁹²

The impact of the Thirty Years War on Rothenburg was overwhelming. In 1641, Rothenburg officials conducted a house-to-house survey of the villages under their rule, and their report offered a depressing picture of conditions in the region. According to this calculation, the Rothenburg territory (Rothenburg ruled over a region of 400 square kilometres), comprising about 100 villages, had included 1,503 taxable peasant households in 1618. By 1641, there were only 447, a loss of 70%, about 245 settlements completely uninhabitable. By 1700, Rothenburg officials counted a total of 1,558 taxable peasant households in their territory; therefore it took over 50 years for Rothenburg to recover to a pre-war population.⁹³

The war was a disaster for Rothenburg and could have been for the Albrecht family. Georg Albrecht was struck on the head by a quartermaster⁹⁴ with a sword and was intimidated several times in his own house. By 1637, the danger for Georg Albrecht was so high that it was not safe to stay or be seen in his own house or the town hall. For

86 Gustavus Adolphus was the King of Sweden from 1611 to 1632. He died at the Battle of Lützen (6 November 1632, a Protestant victory).

87 Johann Tserclaes, Count of Tilly (1559–30 April 1632), a field marshal who commanded the Catholic League.

88 Of the 30,000 citizens, only 5,000 survived.

89 Legend has it that after a bitter battle, Tilly stormed the city and intended to burn it to the ground. Numerous pleas of mercy softened Commander Tilly's threats and he agreed to take on a bet. If someone could be found to empty the city's three-and-a-quarter litre welcome tankard of wine in one swallow, then Tilly would spare the city. Georg Nusch, a law student who never took his bar exams, proved to be the city's last hope. While he managed to save the city, he brought about his own demise. For days on end afterwards, he was said to be sleeping off the alcohol. Huth, Thomas. *Rothenburg – Scenes of a City*. P. 30.

90 Ottavio Piccolomini (11 November 1599–11 August 1656) was an Italian nobleman whose military career included service as a Spanish general and then as a field marshal of the Holy Roman Empire.

91 Henri de La Tour d'Auvergne, vicomte de Turenne, often called simply Turenne (11 September 1611–27 July 1675) was the most illustrious member of the La Tour d'Auvergne family. He was one of six marshals who were made Marshal General of France.

92 Parker, Geoffrey (ed.) & Adams, Simon. *The Thirty Years' War*. P. 186.

93 *Ibid.*, p. 187.

94 A quartermaster was a regimental officer, usually commissioned from the ranks, responsible for administering barracks, laying out the camp and looking after supplies.

several weeks, he stayed in a secret location. Showing his loyalty to the city, while in hiding he continued the accounts due on 1 May 1637 for the city.

Georg Albrecht was identified from an early age as a key leader for the Imperial Free City, confirmation of this coming one year after his marriage, in 1627, when he was named as a first-grade future dignitary. In 1628, he was appointed a member of the Exterior Council, becoming the assessor of the local peasant court and then elected mayor of the exterior. In 1632, Georg Albrecht was elected to the powerful Interior Council and in 1633, elected to the middle tax official position. He held this role for 25 years.

In 1634, he was appointed consistor and scholarcha⁹⁵ in which office he was responsible for introducing all pastors and other clerics to all communities in the region and the city. Georg Albrecht took a special interest in his role as manager of the communal alms. His actions and leadership was very beneficial to the poor.

He held the Würzburg fiefs twice in his life, in 1635 and 1644. However, he held the Würzburg and imperial fiefs continuously from 1657 onwards, when the government of Leopold I recognised and received him. It was this event that would have also led to an upgrade to the Albrecht coat of arms. The helmet was upgraded to a Spangenhelm⁹⁶, reconfirming that the Albrecht family had firmly become part of the ruling elite in Rothenburg and greater Franconia.⁹⁷

The Albrecht arms described⁹⁸:

3) Albrecht. Shield quartered. Quarters 1 and 4 show a silver pacing unicorn on red. Quarters 2 and 3 have three diagonal black bars on gold. Spangenhelm with crest and red and silver torse on the right and a black and gold torse on the left. The four ends of the torse flutter red and silver towards the right, and gold and black towards the left. The mantling is black and gold on the right and red and silver on the left. The crest contains two buffalo horns, the right is divided into black and gold, the left one into silver and red. A jumping unicorn is rising between the horns.

Most historians conclude that the Peace of Westphalia signed in 1648, that bought the Thirty Years War to a close, weakened the Habsburgs (who continued to rule as emperors) as it ended the idea that the Holy Roman Empire was governed spiritually by the Pope only and temporally by the emperor.

⁹⁵ Consistor and scholarcha = member of the church council and convent school.

⁹⁶ Spangenhelm is an English word adapted from the German: *Spangen* refers to the metal strips that form the framework for the helmet and could be translated as *braces*. *Helm* simply means helmet.

⁹⁷ Dates and positions held by Georg Albrecht are from: Epitaph to Georg Albrecht, 1666, Rothenburg.

⁹⁸ Borchardt, Karl & Siebmacher, Johann. *Patrizier und Ehrbare: Die Wappen im Geschlechterbuch des Johann Friedrich Christoph Schrag (1703–1780) zu Rothenburg ob der Tauber*. Pp. 14–15.

For the likes of Rothenburg, the main impact that would take many decades to overcome was the large level of debt the city (and most others) incurred during the war.⁹⁹

The council also had to deal with unrest due to the financial strains of the Thirty Years War. Since the late 1630s, the ever-increasing taxes imposed by the council on its residents to pay the war debts incurred by the city, coupled with the secrecy of all council business, had created a popular suspicion that the council was made up of close relatives who dealt dishonestly, and in their own interests, with the collected money.

In 1645, a citizen had been arrested for accusing the mayor of stealing the taxpayers' money after a decree had been issued ordering all citizens who could no longer pay their taxes to suffer the quartering of two or three soldiers in their houses. The tension reached crisis point in April 1652 when a deputation of angry citizens demanded that the council submit its annual accounts to public scrutiny. The council refused to comply, so the citizens took their complaints to the emperor; the dispute was finally resolved, largely in the council's favour, in 1653.¹⁰⁰

The Thirty Years War also negatively impacted on some of the families who made up the council. Fortunately, families from other cities came to Rothenburg. These included Nikolaus Göttingk, who came from Magdeburg (the city was destroyed by Tilly in 1631) and Johann Schrag from Strasbourg, which had been occupied by France.¹⁰¹

In 1648, the Inner Council comprised¹⁰²: Georg Nusch, George Christoph Hohenberger, Johann Georg Styrzel, Johann Georg Schnepf, Johann Georg Staudt, Johann Rauchbar, **Georg Albrecht**, Konrad Raab, Georg Adam Husel, Johann Georg Walther, Johann Gangolf Schwarz, Georg Winter, Georg Bubenleber, Philipp Seyboth, Nikolaus Göttingk, Johann Sigmund Holderbusch.¹⁰³

In 1658, Georg Albrecht became mayor for the first time, as well as hospital manager, holder of the *Wildbann*¹⁰⁴ and manager of the communal alms. In 1659, the council appointed him *Vogt* and *Ober-Steurer*, and in 1660, manager of both monasteries and mayor for the second time. In 1663, he became mayor a third time.

Georg and Susanna Albrecht had eight children, four sons and four daughters, of whom two sons and three daughters were still alive at Georg's death. The two sons were Johann Georg Albrecht (born 25 February 1629) and Andreas Conrad Albrecht¹⁰⁵ (born 30 November 1635). The daughters were Anna Charia Albrecht (born 5 October 1627),

99 Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 21.

100 Rowlands, Alison. *Witchcraft Narratives in Germany – Rothenburg, 1561–1652*. P. 185.

101 Borchart, Karl. 'The advisable families of the imperial city of Rothenburg ob der Tauber through the centuries.' Lecture held for the club Alt-Rothenburg. 23 February 2007.

102 Ibid.

103 Georg Albrecht's daughter Susanna Margaretha married Johann Sigmund Holderbusch (senator) on 7 October 1662.

104 A *Wildbann* ('wildlife ban') in the Holy Roman Empire was a specific form of royal hunting privilege.

105 Andreas Conrad Albrecht died on 17 May 1673.

Susanna Margaretha Albrecht (born 28 January 1642) and Maria Magdalena Albrecht (born 12 August 1643).

Georg Albrecht had been having indigestion problems at lunch on Monday 5 February 1666. He had issues speaking during lunch (likely a stroke); however, this soon improved and he carried on with his public work in his tax office. He was then required in the registry where he had a more serious stroke. There, his son, Dr Johann Albrecht (consul) and the registry officer, Johann Nusch, removed him back to his house. That night before 4 am he passed away.

Knowing that his indigestion was having a greater daily impact on his health, Georg Albrecht wrote this poem as he entered his final years of life:

*When the eyes become dark
And their fast lids break
When the vanity of the world
Will leave my face
Jesus' most beautiful heavenly candles
May light up my heart and
Brighten my painful way
Through the dark valley of death.*

The last words in Georg Albrecht's epitaph best sum up his standing in the city he loved:

And that God may inspire more people like him who can lead us and who can put
God's honour and the edification of church and school first, and look seriously after our
common gain and prosperity so that we can lead a quiet life and
finally may be happy for ever in Christ. Amen.¹⁰⁶



106 Epitaph of Georg Albrecht, 1666, Rothenburg.

5

The Life of Dr Johann Georg Albrecht, 1648-1703

In the name of Jesus
His soul is in the best care.
From the words of David, Psalm 31, verse 6:
In your hands I trust my soul / You have liberated me.
To the Christian community
At the respectable funeral
Of the noble, lawful and erudite
Gentleman
Johann Georg
Albrecht

Doctor of Law and oldest legal counsel at the Imperial City of Rothenburg ob der Tauber
Who peacefully passed away to the Lord on 11 November 1703 (this year, 23rd Sunday
after Trinity) in his 74th year and was laid to rest on the following Wednesday, 14 of the
same month.

In the main church of St Jacob
Presented in God's grace
By
Christoph Ludwig Hartmann ... 2 of the Holy Scriptures
and superintendent
Printed by Joh. Ludwig von Willenau / Anno 1704¹⁰⁷

The above is from Dr Johann Georg Albrecht's epitaph. Like his father, education and family connections were the key to his success as Rothenburg's legal counsel for 49 years. These years as legal counsel (1654–1703) also mirrored the reign of Leopold I

¹⁰⁷ Epitaph of Dr Johann Georg Albrecht 1629–1703, Rothenburg. Printed by Joh. Ludwig von Willenau / Anno 1704. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. P. 1.



Dr Johann Georg Albrecht, 1629–1703.

(1658–1705) as emperor of the Holy Roman Empire. Their longevity in their roles helped bring a degree of stability to their respective territories.

Unfortunately, Dr Albrecht's childhood and youth was most sad and miserable as it coincided with the Thirty Years War but despite that, his parents cared well for him and fostered his abilities. They spared no effort to teach him at home through private tutors as well as in schools. He also found support in music, which he studied in his youth, in voice and instrument. Therefore, he could safely overcome many sad fatalities, troublesome sorrows and other unpleasant occurrences with Christian patience and composure.¹⁰⁸ One early example of this was the poem he wrote and presented, which was published when he was 18 years old:

*Poem of consolation
For the premature but blissful
departure and death
of the noble and very honourable and virtuous
woman
Susanna¹⁰⁹*

Much loved credit to the house of
the noble and honourable,
caring, highly sage

Johann Georg Schnepf, Senior
mayor of the imperial city
Rotenburg ob der Tauber:

Arranged as a poem addressing this person
and translated for four voices
by
Johann Georg Albrecht, lover of music and
the free arts.

Printed at Rothenburg ob der Tauber by
Martin Wachenhäuser, 1648.

108 Ibid., pp. 43–45.

109 Susanna Schnepf (née Ruffer) was the godmother of Johann Georg Albrecht's future wife Anna Magdalena Walther. From Epitaph of Anna Magdalena Albrecht. Printed in 1703. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Pp. 26–27.

*Do you want to mourn forever / and cry over my death?
Dearest / let yourself not be in sorrow / because I am not distressed any more now. Pale cheeks /
wet eyes / heart and soul full of grief /
hurt you / and don't help me / I feel at ease forever / at ease forever.
Although you might weep over the fact / that I have departed:
However, soothe your yearning / be moderate in it.
To those who have happily run the course of death /
Heaven is open / and they can't return.
What I previously often have desired / and wished for every day /
I don't need any more / because I am able to see Christ
Therefore, stop your worrying / grant me my peace now:
Think about the fact / that God can lead you to me again tomorrow.*

*You should only mourn those / who are snatched away by death quickly / without belief / unawares
And one should never be allowed to complain / if a blessed death saves you in your belief
Snatches and carries you away
And carries you towards heaven.¹¹⁰*

On 12 June 1648, Johann went to the University of Strasbourg where he enrolled under the great rector, Dr Melchior Sebiz, Med. Doctor, and studied philosophy and philology, and the basics of law for four years under the supervision of the professor, Dr Rebhan.

After finishing his studies at Strasbourg, Johann Georg Albrecht visited the universities and cities of Basel, Colmar, Schlettstadt, and Breisach¹¹¹, before returning to Rothenburg. Here, he held a private scholarly debate under the supervision of Dr Georg Christoph Walther¹¹², a local, highly respected counsel and lawyer. The Walther family were one of the families that made up the patrician elite in Rothenburg, along with the Albrechts, Bezolds, Winterbachs and Staudts.

He enrolled at the University of Altdorf near Nuremberg on 6 October 1652 to continue and complete his law studies. Here he studied under Prof. Nicola Rittershus and D. Wilhelm Ludwels. Having passed his exams and handed in his thesis and defended it,

110 Department of Manuscripts and Early Printed Books, University Library, Würzburg.

111 All these towns are linked to the Rhine River south of Strasbourg, with Basel being in Switzerland and its university a leader in Humanist thought. Erasmus, one of the leading academics of the Humanist movement, died in Basel while visiting in 1536.

112 Jurist Georg Christoph Walther wrote a 29-page treatise to better inform the councillors about witches and their activities, in September 1652. Rowlands, Alison. *Witchcraft Narratives in Germany – Rothenburg, 1561–1652*. P. 48. Walther was also a contemporary of Dr Albrecht's father (Georg Albrecht – see chapter 4). They served on the Inner Council together and also at the University of Strasbourg.

he received the title of ‘doctor’ on 26 September 1654. Before this, however, the Rothenburg Council generously rewarded him in advance with a job as counsel and lawyer.

This inaugural thesis, submitted for inclusion in a *Codex Mandati* at the University of Altorphina (Altdorf, near Nuremberg) on 26 September 1654, is a focused dissertation, concentrating on a single aspect of Roman law – the *cessio*, or on-selling of a legal action to a third party for the purposes of recovering a debt – inherited into the European tradition from the constitutions of the eastern Roman emperors Anastasius (ruled AD 491–518) and Justinianus (ruled AD 527–565).

It was written in the immediate aftermath of the most widespread political and religious upheaval Continental Europe had experienced until that time. The Thirty Years War (1618–1648), with its accompanying famine and disease, is estimated to have claimed up to nine million lives, and one of its lasting consequences was the laying of the foundations of the legal system which underpins the concept of the modern sovereign nation state. It may be suggested, then, that Johannes Georgius Albrecht’s thesis occupies a slot in a period pivotal to the development of European law.

Remarkably, given the historical context in which the thesis was written (a mere six years after the end of the Thirty Years War), excepting one generality bemoaning the fact that the general destruction wrought by war had resulted in most commercial transactions being conducted via the exchange of contracts on paper rather than money (section 33),¹¹³ there is no reference whatsoever to the contemporary political or religious state of Europe. Part of the reason for this is that the thesis is a document written by a trained legal mind *for* a trained legal mind. As such, it is largely impenetrable to the layman. A further indication of the technical nature of the document is the total lack of citations from either classical or religious sources. All references are to legal authorities, most of them contemporary, with the majority being the author’s own masters, and many points are backed up with references to other sections of the *Codex Mandati* itself. Even the short ‘case studies’ of sections 13 (set in Saxony in 1614), 25 (dated to 1628) and 30 (set hypothetically in the author’s contemporary Paris) are recent, secular and European.

The highly specialised and focused nature of the work also has an impact on its style. The Latin can, at times, be very dense, and Latin legal terms are frequently used interchangeably. Interestingly, the author occasionally blends Latin and German in the one sentence, inflecting both to meet the syntax of his intended meaning.

The single topic addressed by the thesis is the act of ‘ceding’ – or *cessio* – in which a legal action to reclaim a debt can be ‘ceded’ to a third party to pursue on their own behalf. The *cessio* can take any

113 And even this reference is attributed to a third party.

one of several forms – a sale in total, a part sale, a donation, a combination of the two – all of which are open to abuse by unscrupulous parties. The intent of the thesis is to highlight the malpractice prevalent in the author’s contemporary legal environment with respect to these *cessionones*, and to identify when the process is legal and when it is not. The very aim of the thesis, then, would indicate that the author was an advocate of legal open-handedness and fair play, and his desire to make the process of *cessio* a level playing field comes across strongly in many places.

In summary, the major concerns addressed by the thesis are: How to differentiate between legitimate and illegitimate cedings and streamlining the legal terminology surrounding cedings (sections 8, 9, 12, 19, 21, 22, 24, 25, 26); forbidding the ceding of a legal action to somebody who has a vested interest against the debtor (sections 10, 20); forbidding Jews to purchase the debts of Christians for fear of usury (section 11); ascertaining the good character of the cessionary, i.e. the person who purchases the debt from the original creditor (section 13); the fact that the debtor has no say whatsoever over if and to whom his debt may be on sold (section 15); fraudulently ceding a case, due to adverse personal circumstances, for less than the value of the debt and the new creditor seeking to pursue the debtor for the original amount (section 19); the illegal forming of clandestine cartels to spread the risk of a doubtful case (section 20); the amendment of documentation to include details such as original debt cost and title that would impede much fraudulent behaviour (sections 12, 14, 16, 19, 20, 21, 22, 23, 28); the illegality of selling a debt to oneself (section 27); the mitigating circumstances under which a debt could be legitimately on sold for less (sections 19, 30); the problems surrounding *cessionones* between co-legatees and other legatees (sections 11, 31, 32, 35); the legitimacy of a creditor accepting a new, higher debt from a debtor unable to pay at a certain time, thereby expunging the original debt and legal action, and exchanging it for a new one (section 33); the legitimacy of the owner of something lost whilst on loan to another, ceding the legal action to that other person after the other person had first given the master a ‘little extra’, thereby exceeding the value of the original ‘ceding’ (section 34); the law of Justinianus, which effectively forbade the practice of ceding, and the lack of consensus amongst the author’s contemporary masters over the nature and place of *cessio* and *donatio* (sections 38–42).

The objectively technical nature of the thesis precludes the author’s character or personality emerging through the sobriety of the subject matter; nevertheless, Johannes Georgius Albrecht exhibits a marked bias towards wanting to see the rights of the debtor upheld against the shenanigans of what would probably today be termed ‘loan sharks’ and ‘professional debt collectors’. He demonstrates a clear awareness of the plight and vulnerability of the debtor (sections 10, 15), and the use of terminology such as ‘defrauding the debtor’ (section 19) suggests that he stands firmly against extortion being practised in contemporary legal circles. This stance

is cemented towards the end of the thesis where he is insistent that the laws of Anastasius and Justinianus were enacted to protect the debtor but that these laws were being ‘mangled’ by unscrupulous parties (sections 37, 41).¹¹⁴

On 26 June 1655, Dr Albrecht and Anna Magdalena Walther¹¹⁵ married. They had seven children, four sons and three daughters. The son Georg Christoph and the three daughters, Maria Magdalena, Anna Sophia and Euphrosina Susanna¹¹⁶, predeceased their parents. Three sons, however, lived on: Johann Georg Albrecht, Johann Jeremias Albrecht¹¹⁷ and Johann Adam Albrecht¹¹⁸, Rothenburg parish priest of Schmerbach.

In 1674, Dr Albrecht was requested by the council to tidy up and restore the extensive but very dilapidated archive, which was in a mess because of the previous war times.¹¹⁹ And he not only got involved hands-on in a collegial manner but also made himself familiar with all the files. This is still evident from many handwritten notes on almost all files.¹²⁰

The Rothenburg Council voted in 1674 to dramatically increase taxes on the emerging bourgeoisie and tradesmen to increase the pay for the councillors and council office holders. This provided extra income for the Albrecht family.¹²¹

In July 1683, on the eastern boundaries of the Holy Roman Empire, the Ottoman Empire attacked Vienna, for the first time since 1529. The likes of Prague and Munich also now seemed to be in immediate danger. If Munich in Bavaria fell, then so could

114 This summary of Johann Georg Albrecht’s Inaugural Theses as laws LXXII and XXIII of the *Codex Mandati* was written by Dr Geoff Thompson, Honorary Research Fellow, Department of Classics and Ancient History, University of Auckland. 2018.

115 Daughter of Georg Christoph Walther, and his wife Margaretha, who was the daughter of Johann Pfisterer of the Inner Council. Margaretha’s mother was Barbara Bezold, whose father was Leonhard Bezold, also of the Inner Council and imperial judge. The marriage lasted 48 years, until the death of Anna Magdalena. From the Epitaph of Anna Magdalena Albrecht. Printed in 1703. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. P. 25.

116 The wife of Christoff Ludwig Hartmann, PhD Theology and highly respected pastor of St Jacob.

117 Johann Jeremias Albrecht was born on 26 October 1658 and died 28 November 1708. Respected hospital master of the council who married Martha Rosina on 22 September 1685. She is the legitimate daughter of the late Johann Bernhard von Winterbach, highly respected former mayor, member of the consistory and scholarcha, land *Vogt* in the region, and also *Ober-Steurer*, and his wife Sophia Maria (née Horn). They had four sons and five daughters.

118 Johann Adam Albrecht was born on 25 February 1661 and died 7 April 1716. Married Anna Barbara on 23 November 1686. She was the daughter of the late Michael Krauss, member of the city council, and his wife Eva Barbara (née Held). They had two sons and three daughters.

119 For example: “Something else also happened at this time which worked to Mullerin’s disadvantage. On 2 May, strange signs – three suns and a rainbow – were observed in the skies over Rothenburg, followed that night by three crescent moons. Shortly afterwards, unseasonably cold weather arrived, damaging the area’s vineyards with frost.” Chronicle of Johann Georg Albrecht, known as Albrecht Annales; see entry for Anno 1569. Rublack, Ulinka. *Gender in Early Modern Germany History*. P. 81.

120 Epitaph of Dr Johann Georg Albrecht 1629–1703, Rothenburg. Printed by Joh. Ludwig von Willenau / Anno 1704. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Pp. 45–47.

121 Borchart, Karl. ‘The advisable families of the imperial city of Rothenburg ob der Tauber through the centuries.’ Lecture held for the club Alt-Rothenburg. 23 February 2007.

Nuremburg and even Rothenburg. Fortunately for the Holy Roman Empire, by 12 September 1683, the Austrian, Polish and German forces, which included regular contributions of the Bavarian, Franconian (including Rothenburg), Swabian and Upper Rhine *Kreise*¹²² to the eastern front forces, had gathered at Vienna. On the ridge above the city, the Turkish force was defeated; in the subsequent pursuit, the Ottomans were driven out of Hungary.¹²³

However, the crises on the eastern front were soon replaced by threats on the western front.

While Leopold's forces were still tied down in Hungary, and William III travelled to England to secure the throne of Great Britain, the French forces overran the Rhineland. Soon an alliance of Great Britain, the Netherlands and the Holy Roman Empire came together in opposition to France.¹²⁴

One positive of these crises was stability within the Holy Roman Empire, and in 1690, Leopold was easily able to achieve the election of his son Joseph as King of the Romans.

Dr Albrecht was a very religious man who not only attended mass every Sunday and holiday but also during the week. He read God's word and scriptures diligently and tried to live his life as well as humanly possible. He fearfully repented the sins and mistakes we all commit, so he would be able to receive the Holy Communion, which he tried to do as often as possible.

He prepared himself for his own Christian end, often playing the well-known death song 'Who knows how near to me my end?'¹²⁵ daily on his clavichord and singing along. So singing, he confidently faced death, and just a few days before his peaceful end, he created an elegy in honour of Superintendent Seyboth who passed away at the beginning of that year. The final words of this song were: *Dormi secure, mox quoq morte sequar*. (God has made it well. Good bye. We soon will meet. Good night.)

This is quite ironic as this death wish, as sad as it might be, had the desired effect when he got up on the day of 11 November 1703 (St Martin's Day – 23rd Sunday after Trinity) and, as usual, prayed quite early and went to Sunday mass in the church of the

122 *Kreis* is the German word for circle, and also refers to a type of country subdivision in the Holy Roman Empire. Their main role was military co-ordination.

123 Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. Pp. 42–44.

124 *Ibid.*, pp. 47–49.

125 'Wer weiss, wie nahe mir mein Ende?' is one of the most famous of all death-themed hymns of the Lutheran church, written in 1686 by Aemilia Juliana of Schwarzburg-Rudolstadt (1637–1706). It was already very well known by 1726, when Bach first set the text in his BWV 27. From Associate Professor Samantha Owens, Victoria University of Wellington.

Franciscans.¹²⁶ After the song ‘If God the Lord is not on our side’¹²⁷, which he sang along with and during the sermon before the organ could start, he had a heavy seizure on the right side and became very nauseous. Dr Albrecht passed away that day.

As was the custom, they rang the mourning bells.

Forty-eight years he was married, 49 years he worked as the legal counsel, and in total, he lived for 74 years, eight months and 15 days.¹²⁸ At his funeral, a special funeral song was sung in his honour (see Appendix 5), called the ‘Swan Song’.¹²⁹



126 Church located on Herrngasse.

127 ‘*Wo Gott der Herr nicht bey uns hält*’, a Lutheran hymn.

128 Epitaph of Dr Johann Georg Albrecht 1629–1703, Rothenburg. Printed by Joh. Ludwig von Willenau / Anno 1704. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Pp. 48–51.

129 “The relative simplicity of the musical setting of Johann Georg Albrecht’s ‘swan song’ is in keeping with trends regarding funeral music at the time. While Lutheran funeral music has flourished during the 17th century, particularly c. 1650–79, by the 1670s, traditional funeral customs, such as sumptuous ceremonies and solemn processions, were starting to lose favour. Nevertheless, funeral compositions and their performances did continue to form a major part of early modern musical life and its repertoire, so this piece for Albrecht is quite typical of its time (particularly for a leading citizen).” Associate Professor Samantha Owens, Victoria University of Wellington.

6

Johann Georg Albrecht, 1657/1720 (and his Brothers)

The just ones enter
Into eternal life
As has done happily and peacefully
The
Highly noble, exigent and highly wise
Johann Georg
Albrecht
Highly esteemed senior mayor
Consistor, scholarcha, land
Vogt in the Zwerchmayer¹³⁰, also curator at St Jacob
And the convents
Whose respectable funeral
Guided by the words of the Book of Revelation 22,
v 13, 14.
On 1 September 1720
Was described and presented to God's assembled community

By
Christoph Ludwig Hartmann/...
and superintendent

Rothenburg ob der Tauber. Printed by Johann Ludwig von .../1721¹³¹

130 Rothenburg's territory was divided into two administrative districts: the Gäu (roughly east and north of Rothenburg) and the Zwerchmayer (roughly west and south of the town). Zwerchmayer – originally Zwerkmür – means 'transverse the wall' (or border). Each district was managed by two *Landvogt* (or simply *Vogt*). They were members of the Inner Council; later they even had to be former mayors. Their responsibilities included the upkeep of the Landhege fortification, securing the fighting power of the rural population, supervising the other functionaries, the election of the *Schultheissen* in the villages and the adjuration of the subjects. From Dr Florian Huggenberger. Stadtarchiv Rothenburg ob der Tauber.

131 Epitaph of Johann Georg Albrecht. Printed by Johann Ludwig von .../1721. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. P. 48.



Johann Georg Albrecht, 1657–1720.

The above extract from Johann Georg Albrecht's epitaph highlights the achievements in his life. Johann Georg Albrecht was born on 25 June 1657 and baptised the day after. Johann Balthasar Staudt, highly esteemed former mayor, consistor and scholarcha, and land *Vogt* in the Zwerchmayr, imperial judge at the time, along with Johann Georg Krauss, highly regarded doctor of both laws, best esteemed consul of this town, syndicus at the time, made faithful promises as godparents.

The Albrecht family had now served on the inner and external council for many generations. They now had the opportunity to expand into religious administration as well as the military. Dr Albrecht's eldest son, Johann Georg Albrecht, would continue this tradition of service to Rothenburg as would his sons (see chapters 7 and 8). Johann Georg Albrecht's brother, Johann Jeremias Albrecht, was the hospital master of Rothenburg. However, the military now provided a pathway to make money and importantly wield influence. During the Thirty Years War, former mayor Philipp Seyboth provided a critical service (and profited) as a key supplier to the army. The Staudt family distinguished themselves through the leadership they displayed as officers in various Franconian regiments. Both these families were acknowledged by the emperor.¹³²

It was decided that Johann Jeremias Albrecht's sons should also take leadership roles in the military, even though physicians and medical doctors were highly thought of as well, ranking alongside military and religious professions. Therefore, Christian Fredrick Albrecht (born 14 August 1696) was a corporal in the cuirassier company, rising to the rank of captain. While Fredrick Wilhelm Albrecht (born 12 November 1698) was also a corporal and made it to captain in the grenadier company. At times, it was likely that Christian Fredrick and Fredrick Wilhelm would have come under the direction of their cousin Johann Christoph Albrecht (chapter 7), who, in 1724, headed the war office and in 1736 held the position of Rothenburg's commander-in-chief.¹³³

The third son, Johann Adam Albrecht, started a long tradition of Albrechts taking leadership roles in the Lutheran Church¹³⁴ in Rothenburg. The introduction of the Reformation to Rothenburg (1544) led to the council taking the authority to make sure the Church was well resourced. This also required the top churchmen to be well educated in theology. Johann Adam Albrecht became the parish priest of Schmerbach. His son, also

132 Borchart, Karl. 'The advisable families of the imperial city of Rothenburg ob der Tauber through the centuries.' Lecture held for the club Alt-Rothenburg. 23 February 2007.

133 Epitaph of Johann Christoph Albrecht. Printed by Philipp Bernhard von Millenau, 1752. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

134 There is one exception to this. Johann Adam Albrecht eldest son was Simon Christoph Albrecht (born 6 February 1690, died 15 September 1765). He studied at Hale University (1715–18). He was a member of the Inner Council and became consul (1753) and senator. Simon Christoph's son Johann Gottfried (b. 1 April 1745) was also a senator and served on the Interior Council.

Johann Adam¹³⁵ (born 18 January 1696), who studied at the University of Jena (1715–20), rose to be the pastor of St Jacob's and the Franciscan church in Rothenburg.

Like previous generations of Albrechts, education was an important part of the early life of Johann Georg Albrecht. The teachers of the *Gymnasium* (local high school) and at the local seminary taught him the good arts and sciences. The rector, Professor Lipsio, and the deputy rector Jochen, who were then the hospital priests, instructed him faithfully, especially in the higher disciplines. Certain pedagogues also made him repeat the lessons at home, in private, through useful tutorials.

After he had completed the classical course, he delivered a public speech against Bodin's assertion, regarding the immortality of Gallic rule, no doubt reflecting the anti-French feelings at the time, due to the ongoing hostilities on the western front of the Holy Roman Empire.

Johann Georg Albrecht went to the University of Altdorf near Nuremberg in 1675 to continue his studies, not the University of Strasbourg¹³⁶, as his father and grandfather had done.

Initially, Doctor Castner, then the professors Doctor Lincken, Doctor Geiger, Felwinger, Dürr, Strum and Moller, both at public and private colleges, taught him many useful things. He then developed himself further and worked towards his professional licence to practise at the Royal Saxon University of Jena¹³⁷, where he read the law with the highly famous professors of law Privy Councillor Georg Adam Struve¹³⁸, Baron Lyncher, Doctor Bechmann, Falckner, Roth etc., from whom he benefited much and learnt how to present a case publicly. In private colleges he studied with the doctors and professors Petro Müller, Doctor Jessen, Doctor Simon, Doctor Jacobi etc., through whom he made good progress.

He also had the opportunity to develop his dissertation about succession in marriages, collegiates and treasuries under no less than the highly regarded Privy Councillor Struve.

135 Johann Adam Albrecht, who married Anna Euphrosium Lehmus on 16 October 1725. Two of their sons, Christoph Wilhelm (born 8 October 1728) and Johann Adam Albrecht (born 5 January 1732) also went on to become pastors in Rothenburg.

136 The imperial city of Strasbourg was annexed in September 1681 by France. Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 38.

137 The University of Jena was established in 1558, in Jena, Thuringia. It was considered one of the most important centres for the study of politics and law. Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 172.

138 Georg Adam Struve (1619–92). He accepted a professorship at the University of Jena on 12 December 1646. After more than twenty years of teaching, he advanced to the *Hofrat* in Weimar in 1667, and in 1672, he was promoted to the Privy Council of the Dukes of Saxony-Weimar. From 1674, Struve again held a legal chair as a professor of the law faculty at the University of Jena. Struve is counted among the most important jurists of his time. His most important work, the *Iurisprudentia Romano-germanica Forensis*, was published 31 times between 1670 and 1771, partly with comments by other well-known lawyers. For a period of more than 100 years, the work was a standard work for both students and law teachers as well as for judges and lawyers.

This dissertation, delivered and publicly defended by Johann Georg Albrecht at Jena (in modern-day Thuringia, Germany) on 1 December 1677, between the hours of 7 and 10 am, concerns itself with questions of hereditary succession between spouses, colleges¹³⁹ and the state treasury.¹⁴⁰

The identity of Albrecht's supervisor, his 'Patron and Promoter', Georg Adam Struve, is important, given the subject matter of the dissertation. Struve (1619–92) was an hereditary aristocrat who achieved, amongst other high offices, Chair of Law, Dean of the Faculty and Rector at Jena, City Councillor to the City of Braunschweig, and Privy Councillor to the Dukes of Saxony-Weimar. He is considered amongst the most important figures in the *usus modernus pandectarum*, a peculiarly German movement geared to modernising the application of the Roman Law system that had been based on the *Pandectae* (Digest). This localised legal revolution took place in the 17th and 18th centuries and resulted in the codification of Natural Laws which created the basis for a new German legal education system and also informed its vocabulary. Struve's most important work, the *Iurisprudentia Romano-germanica Forensis* (which enjoyed 31 reprints between 1670 and 1771) became the standard reference text for students, teachers, judges and advocates of German Law. Perhaps pertinently for Albrecht's dissertation, Struve was an hereditary aristocrat who married twice and begat a total of 26 children, some of whom died in childhood.

As far as the dissertation's flow is concerned, sections I–XV deal with succession issues between husband and wife; sections XVI–XVII deal with succession issues between husband and wife when a child who dies before or during birth is involved; sections XVIII–XXVI deal with the circumstances under which the state purse, the clergy or colleges may inherit; section XXVII is a long section containing legal opinions (if, indeed, they actually belong in the thesis) on one particular scenario in which a dowager duchess dies in a territory governed by Saxon Law, leaving no heirs of her own body, only a full-blood sister who happens to be resident in a state (Swabia) in which succession is not a recognised legal process; section XXIX unsatisfyingly concludes the main body of the dissertation by posing a question that seems to be based on the preceding litany of the same scenario and offering some references.

Coming after the main dissertation body, the corollaries are intriguing. Although they do bear some relationship to the dissertation material, some (for example, I – a rather strange aside about husbands not employing quacks or unqualified doctors to attend to a dying wife; and IV – a reference to a military levy) seem to be quite vague addenda to the thrust of the argument. But it is corollary VII that really stands out: 'The Roman Empire is falsely claimed to be a fiefdom of the Pontiff'. This is an overtly political statement which comes with no explanatory comments. Arriving

139 The Latin word *collegium* covers a range of 'colleges'. Generally used for priestly fraternities, it also carries the connotation of any group of individuals united into an official body through a common calling or duty.

140 The Latin word *fiscus* can simply mean any kind of money purse. In a wider sense, it can (as it does in this dissertation) mean the public or state treasury, or even the Imperial Exchequer.

as it does at the end of the corollaries and before the plaudits, it reads like a slogan, especially as it follows a passage stating that a prince's duty is to safeguard his borders and citizens from enemy incursions.¹⁴¹

The accolades and plaudits that follow on from the corollaries are also interesting. Christoph Jakob Imhoff, who dedicated his accolade to 'honour a valued friend', was a member of the patrician Imhoff family, who provided, over four centuries, several members to the Privy Council of the Holy Roman Empire. This makes his praise of the egalitarian nature of Albrecht's dissertation – "he dedicates All Law to those who are not knights or the like / But as it is due to free men / and for this he will be highly celebrated" – rather surprising¹⁴², and I feel that it would reward further research to ascertain just how radical Albrecht's views on female inheritance were, given their chronological context. Certainly, sections II–XV appear to be particularly sympathetic to the female side of a marital relationship where it concerns succession arrangements, with the author's concern that 'no widow be left destitute' coming through strongly.

The string of case studies that (supposedly) comprise section XXVII also presents an even-handed perspective, albeit on a single scenario, and, admittedly, one that concerns solely a woman of noble birth. Albrecht takes care to give the opposing legal opinions – one against, the other for the sister of the deceased dowager duchess being able to inherit, the latter lobby, possibly tellingly, comprising the rhetorically more important second part of the list (and thereby betraying Albrecht's own opinion?). The several legal opinions, each from a different state's legislative representative, indicate that, even by 1677, the language of German Law was well on the way to becoming native, although it must be stressed that each case in this dissertation was a response to a request for legal opinion that was most likely written in the German language.

In conclusion, it is difficult to make a value judgement on a dissertation that may be either truncated or edited – possibly even both. The disjointed format and strange corollaries (especially the last one) hint at some level of corruption during the archival process. Overall, however, the sympathetic attitude of Albrecht to the plight of widows and inheritance by female relatives in general is noteworthy, and it might reward further research to ascertain whether this was a reflection of the prevailing humanising zeitgeist, or a more radically personal stance by the man himself.¹⁴³

141 Although the Thirty Years War had been officially over for a couple of decades at the time this dissertation was written, Europe was still in a state of some flux, with various smaller wars taking place between nation states. It is perhaps salient that 1677 saw the occupation of the university city of Freiburg as part of the expansionist policies of France's Louis XIV, during which programme the French king also annexed Alsace.

142 ... although Christoph Jakob Imhoff was a scholar and is renowned for the size and quality of his personal library.

143 This summary of Johann Georg Albrecht's dissertation, was written by Dr Geoff Thompson, Honorary Research Fellow, Department of Classics and Ancient History, University of Auckland. 2018.

Johann Georg Albrecht married Margaretha Dorothea, daughter of Johann Georg Sauber, widely renowned doctor of medicine and senior physician in this city and his wife Margaretha Dorothea (née Staudt), on 2 December 1679 in a public church assembly. They were married for 27 years and had five sons and six daughters.¹⁴⁴ However, only three lived into adulthood, being sons Johann Christoph and David Christoph, and daughter Euphrosyna Lucia.

Euphrosyna Lucia married Johann Schrag, member of the Exterior Council and architect. His father, also called Johann Schrag¹⁴⁵, was the senior secretary for many years at the city of Strasbourg, until it fell under French rule.

The attack on the Holy Roman Empire's western front forced patrician families like the Schrags to resettle, and in 1698, the Schrag family moved to Rothenburg. Coming from Strasbourg, a city well known by Johann Georg Albrecht's father and grandfather, who both studied at the University of Strasbourg, it was therefore natural that both families would approve this marriage.

In 1703, the first son, Johann Friedrich Schrag¹⁴⁶, was born. Euphrosyna and Johann had nine other children (six making it through to adulthood).¹⁴⁷

In 1681, the council appointed Johann Georg Albrecht councillor and in 1682 mayor. In 1686, he was elected tax official, a role over which he presided for 11 years.

In 1697, the council appointed him assessor of the Inner (Interior) Council, in 1701, he became a middle tax official and in 1702, he was elected governing mayor. Following this he became the highest tax official, curator of the hospital and the convents, also land *Vogt*, manager of the alms for both St Wolfgang's and St Jacob's, and consistor and scholarcha.¹⁴⁸

In 1704, Johann Georg Albrecht bought a new residence at 6 Herrngasse and renovated the three-storey house originally built before 1500.¹⁴⁹ Herrngasse, known as gentleman's lane, was the prominent address in Rothenburg, where the influential patricians resided in spacious homes, often with large gardens. However, there is no overtly obvious sign of

144 One son and two daughters were stillborn, two sons (Matthias and Johann Adam) and three daughters (Anna Maria, Catharina Dorothea and Susanna Margaretha) died early.

145 Both Johann Schrags were *Comes Palatinus Caesareus* (Count Palatine). While at Strasbourg, Johann Schrag (Snr) was also the secretary of the council committee, an assembly consisting of 15 persons responsible for administration, budget and finances.

146 Johann Friedrich Schrag was elected to both the Exterior and Interior Council. In 1763, he was elected mayor. His research is the basis of the book *Patrizier und Ehrbare: Die Wappen im Geschlechterbuch des Johann Friedrich Christoph Schrag (1703–1780) zu Rothenburg ob der Tauber*.

147 Epitaph of Johann Georg Albrecht. Printed by Johann Ludwig von .../1721. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Pp. 49–52, and *Patrizier und Ehrbare: Die Wappen im Geschlechterbuch des Johann Friedrich Christoph Schrag (1703–1780) zu Rothenburg ob der Tauber*. Pp. 2–4.

148 Epitaph of Johann Georg Albrecht. Printed by Johann Ludwig von .../1721. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Pp. 53–54.

149 The plaque featuring the Albrecht coat of arms is still attached to the front of the house.

ostentation, since there was no need to draw attention while the rest of the medieval city was housed in cramped quarters. Johann Georg Albrecht's residence was also conveniently close to the town hall.¹⁵⁰

By the end of Leopold's reign in 1705, the Holy Roman Empire was drawn into two conflicts.

Firstly, the War of the Spanish Succession (1701–14).¹⁵¹ The Spanish conflict revolved around the future of Spain and her possessions following the death of Carlos II in November 1700.

Secondly, the northern conflict was the final act in Sweden's attempt to establish hegemony in the Baltic (Great Northern War, 1700–21).¹⁵² Between 1705 and 1711, Joseph I ruled as the Holy Roman Emperor.¹⁵³

During Joseph's reign, Protestant Hanover was admitted to the college of electors. With some controversy, Catholic Bohemia was also elevated to elector status. This continued the Catholic–Protestant balance, but the King of Bohemia (and therefore the elector) also happened to be the Holy Roman Emperor. Joseph was succeeded by his younger brother Charles VI¹⁵⁴ in 1711.

A key focus of Charles VI's reign was an increased focus on the *Kreise*. Military distractions elsewhere in Europe meant that the emperor depended on the forward *Kreise* (especially Swabia and Franconia) for the continued defence of the Rhine. In the Franconian *Kreis*, the members themselves ensured its continuing viability and pro-imperial stance when they stopped Brandenburg's attempt to join the *Kreis* by seizing the county of Limpurg when its ruling house died out in 1708.

Of importance to Rothenburg and the Albrecht family (see chapter 9), the members of the *Kreis* contributed financially to ensure that Bayreuth went to a cadet cousin

150 Huth, Thomas. *Rothenburg – Scenes of a City*. P. 20.

151 The Holy Roman Empire was drawn into the Spanish conflict in a major way with the formal declaration of war against France in September 1702. The Spanish war was characterised by a tension between the Holy Roman Emperors and Habsburg dynasts. South-east of Rothenburg is Blindheim (Blenheim), north of Augsburg in Bavaria. It was here on 13 August 1704 that the Duke of Marlborough won a decisive battle against a French and Bavarian army, that ensured the safety of Vienna. Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 105.

152 The Great Northern War marked the effective end of the Swedish presence in north Germany and the emergence of Russia as a European power. It also illustrated the problems posed for the emperor by the activities of powerful princes who combined their German territories with foreign crowns. *Ibid.*, p. 105.

153 Joseph I (26 July 1678–17 April 1711) was the eldest son of Leopold I. Joseph was crowned King of the Romans at the age of eleven, in 1690.

154 Charles VI (1 October 1685–20 October 1740) unsuccessfully claimed the throne of Spain following the death of his relative Charles II of Spain in 1700. He also failed to provide for a male-line succession. The Pragmatic Sanction of 1713 decree was to allow his daughter Maria Theresa to become sovereign of the Holy Roman Empire.

(Franconia line) rather than to Brandenburg (Prussia), in 1726.¹⁵⁵ These manoeuvres against Brandenburg were examples of the strategic aim of imperial policy to limit the influence of Brandenburg.¹⁵⁶

On 16 June 1706, Margaretha Dorothea passed away. Johann Georg was married again in 1708, to Maria Christina (née Göttingk), widow of Johann Daniel Strauss, widely renowned doctor of medicine and senior physician. They had three children, Euphrosyna Maria Sabina, Nicolaus Christoph and Johann Georg.

Like previous generations, Johann Georg Albrecht was a committed Lutheran. He even described his last illness as an altar of thankfulness to the Lord, and when people asked him how he was or if he was in pain, he often replied in Christian composure: *God has done many good things for me.*

Eagerly and tirelessly he read and meditated on the holy scripture and other wise texts and especially on Sundays and holidays, on which he also went to the public masses, and lived a life pleasing to God and friendly and helpful towards everybody.

However, he also held deep fear and terror of God's strict and harsh judgement which nobody can withstand on their own strength. Therefore, he asked for mercy for the sake of Jesus, and to receive this he reverently and humbly went to confession and Holy Communion often. This he received several times at home during the last month because of illness.

The Lord over life and death fulfilled this completely and granted him a blessed and very gentle death on Thursday, 29 August in the evening between 6 and 7 o'clock, accompanied by the prayers and tears of his father confessor, his deeply saddened dear wife and children. His pilgrimage on earth had lasted 64 years, two months and 4 days.¹⁵⁷

The final words from Johann Georg Albrecht's epitaph read:

Jesus Christ, the Alpha and Omega, the beginning and the end,
be praised for all the good He has done for our late senior mayor,
especially for his happy and gentle end.
May He give eternal consolation to his soul in the new Jerusalem
and as He retains the bones of the just ones,

155 Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 145.

156 By 1720, the Elector of Brandenburg had been upgraded to royal princes, i.e. King of Prussia. The Elector of Hanover had also become King of Great Britain.

157 Epitaph of Johann Georg Albrecht. Printed by Johann Ludwig von .../1721. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Pp. 54–55.

He may also give his dead body a peaceful rest.
May He also encourage the deeply saddened widow left behind,
the sons, the son-in-law, the daughters, grandchildren
and all the respected relatives through strong solace.
May He replace the important position in the regiment which he held,
with a person who loves God and justice,
and may He make everybody see how well off those are
who live piously and justly before God and the people,
and lead them one day through heaven's gates
for the sake of His justice and Jesus Christ's death and merits.

Amen!¹⁵⁸



158 Ibid., p. 55.

7

The Osler Sons, 1680-1751

Johann Georg Albrecht's oldest sons¹⁵⁹ from the marriage with Margaretha Dorothea (née Sauber)¹⁶⁰ continued the Albrecht tradition of service to their beloved city, highlighted below from their respective epitaphs.

Firstly, Johann Christoph Albrecht:

A just one was consoled
by death.
To the eternal glory and everlasting memory
Of
The highly noble,
Johann Christoph
Albrecht
Highly esteemed senior mayor
Consistor, scholarcha, land
Vogt in the region, also main curator at St Johann
And in the hospital, also commander-in-chief,
And after his peaceful departure on 8 March 1751
His solemn and highly respectable funeral
Was held on the following 11 March
Guided by the words of Paulus 2, Tim. 1, v 12,
As his favourite funeral text
In the main church of St Jacob
presented by

159 The majority of information on Johann Christoph Albrecht and David Christoph Albrecht has come from their respective epitaphs: Epitaph of Johann Christoph Albrecht. Printed by Philipp Bernhard von Millenau, 1752. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber, and Epitaph of David Christoph Albrecht. Printed by Philipp Bernhard von Millenau, 1743. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

160 Margaretha Dorothea was the daughter of Johann Georg Sauber, widely famous doctor of medicine and senior physician.

Johann Adam Albrecht
Archdeacon there-at and priest in the St Johannis Church¹⁶¹



Johann Christoph Albrecht, 1680–1751.

161 Epitaph of Johann Christoph Albrecht. Printed by Philipp Bernhard von Millenau, 1752. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Title page.

Secondly, David Christoph Albrecht:

A just one has achieved
Heavenly heights.
The saddest funeral
of the highly noble and highly erudite
David Christoph Albrecht
Widely famous Jurisconsultus and highly esteemed
And foremost consul of our highly noble and highly erudite council
Of the city of Rothenburg ob der Tauber
Is held
On 8 Wednesday, 13 March 1743.
In a mournful and sorrowful sermon
Guided by the chosen and specified funeral text of
Lucas 13, v 24.
Presented to
A high and very populous assembly
In the main church of St Jacob
by
Johann Adam Albrecht¹⁶², Deacon there-at
and priest at the Franciscans.¹⁶³

Once again, education would play a significant role and once again it would place the Albrechts at the foundation of a historical period – this time the Enlightenment.¹⁶⁴ Prussia took the lead among the German states within the Holy Roman Empire in sponsoring the political reforms that Enlightenment thinkers urged absolute rulers to adopt. Therefore, it was the universities of Prussia, under the Elector of Brandenburg (who became King of Prussia in 1701), that were the world's leading universities during the early part of the 18th century.

162 Johann Adam Albrecht, who presided over both funerals, was a cousin of Johann Christoph and David Christoph Albrecht.

163 Epitaph of David Christoph Albrecht. Printed by Philipp Bernhard von Millenau, 1743. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Title page.

164 The Enlightenment is the name of a general intellectual movement in 18th-century Europe. As the term suggests, the period saw greater light shed on the conduct of human affairs: the dark mysteries of traditional attitudes in religion and political life were pushed back, and in their place a new outlook grew up, informed by reason and the power of scientific research and discovery. Old superstitions were discarded, and a new, more reasonable approach grew up. This showed itself in all departments of social life (for example, the abolition of judicial torture; a renewed interest in education as a means towards reform). In politics, the great enlightened despots of the time were Frederick the Great, King of Prussia, and the Holy Roman Emperor Joseph II. From *Collins Dictionary of Philosophy*, Vesey G & Foulkes, P. Collins, 1990. Pp. 98–99.



DAVID CHRISTOPH ALBRECHT,
IN LIB. IMP. REP. ROTENB. AD TVB. CONSILIARIUS PRIMARIUS.

*Vivis in ære, utinam in terris! sed vivere præstat
Coelo, ubi laus meritis parta superstiterit.*

*Sacra memoria REVERENDISSIMO Consilario
Patruelis per omnem vitam Coniuncti sumi. Patris sui C. Borovii summi præside
Simon Christoph Albrecht, Resp. Patrias Sectator.*

David Christoph Albrecht, 1690–1743.

Johann Christoph was born on 11 September 1680 and baptised the following day, 12 September. One of his godfathers was Johann Balthasar Staudt, highly respected former mayor, consistor and scholarcha, land *Vogt* in the Zwerchmayr and highest tax official. The other was Johann Christoph Walther, also highly respected former mayor, consistor and scholarcha, land *Vogt* in the Zwerchmayr, and at the time chair of the Inner Council.

He was also instructed at home so that he could start at the local *Gymnasium* (school) when he was five years old. Here he demonstrated his extraordinary intellectual abilities so that after a few years of thorough instruction he was so proficient, not only in Latin, Greek and even Hebrew, and in other important disciplines, that he was always cited as an example to his fellow students, but also in the presentation of arguments and counterarguments, an ability he proved several times publicly for which he received general approval.

After he completed his classical courses he was expected to consolidate and extend his education through the study of the law on an academic basis. Therefore, the University of Jena, where his father Johann Georg Albrecht went, was chosen. Johann Christoph Albrecht went there in the autumn of 1699. The more important, however, his studies there became, the more increased his activities, as he followed his father's admonition most accurately: "Tell me why this is as it is!" He earnestly pursued the goal to learn something honest and avoid everything that might hinder him from achieving this. Professor Treuner, in those times widely famous, instructed him in philosophy, physics and politics, and he also went to his law classes. The highly famous professors Struve and Slvevogt offered knowledgeable instruction in history. Law, however, he read with the excellent professors Fries, Schröter, Flörck and Müller. He spent additional time on the French language so as not to miss anything which might be useful in the future. But hardly a year had passed when Johann Christoph Albrecht, following the well-meaning order by his father, had to leave Jena again and move to the newly thriving university in Halle.¹⁶⁵

The decision to go to Halle was astute, as it was the Brandenburg-Prussian universities – firstly Frankfurt an der Oder, then Halle – that became the leading academic institutions in the early 18th century, especially in the study of imperial law.¹⁶⁶

At Halle, Christian Thomasius (1655–1728) was the key figure at the university in terms of selecting academia personal and the curriculum. Thomasius, was the first

¹⁶⁵ The University of Halle (*Universität Halle*) was founded in 1694 by Frederick III (Elector of Brandenburg, who became King of Prussia in 1701).

¹⁶⁶ Other universities soon followed Halle's teaching, such as Frankfurt an der Oder and Jena, as well as ultra-conservative Leipzig, which had expelled Thomasius in 1690. Halle held the position as the leading university in the study of imperial law until it was eclipsed by Göttingen from the mid-1730s. Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 172, 173.

university lecturer to teach in German and not Latin (1687).¹⁶⁷ Therefore, it could be argued that this event began the Enlightenment movement in Germany.

Subjects Thomasius was interested in included public law, natural law, politics and the general theory of the state, world history, German history and literary history.¹⁶⁸ Thomasius and his former teacher at Frankfurt an der Oder, Samuel Stryk (1640–1710), together with their students Johann Peter Ludewig, Nicolaus Hieronymus Gundling (1671–1729) and Justus Henning Boehmer (1674–1747), made Halle into the leading centre for the study of German law because of a new historically informed approach, which led to a focus on territory.

Much of Thomasius's work was dedicated to elaborating the duties and prerogatives of the sovereign state, which he understood as the territory, whose task it was to ensure the happiness of its subjects, peace and order, and therefore the interests of Brandenburg-Prussia and its rulers.

By implication, he viewed the Holy Roman Empire as little more than a framework of law, to which the territories agreed to be part as it was in their own interest; its laws were pacts or agreements between sovereign rulers, rather than statutes imposed upon them, and therefore the emperor was bound by the same laws of the Holy Roman Empire as the princes.¹⁶⁹

During the two years at Halle, Johann Christoph Albrecht attended the classes of the professors Christian Thomasius, Gundling, Stryk and Böhmer, whose extensive knowledge he absorbed with consistent eagerness and finally completed his studies with a major in law.

His solemn dissertation '*De Arrhis Emtionum*' was guided by Professor Thomasius:

This dissertation on *arrhae* – very broadly speaking, guarantees on agreements of purchase – as they apply to individuals in International Law (or, more accurately, The Law of Nations), was publicly delivered in the greater auditorium at the University of Halle, on 9 September 1702. The author was Johann Christoph Albrecht, and his supervisor was Christian Thomasius. The dissertation can be interpreted on several levels, the key to unlocking which is understanding the identity and personal

167 In consequence of these and other views, on 10 May 1690, Thomasius was denounced from the pulpits, forbidden to lecture or to write, and his arrest was ordered. He escaped by going to Berlin, and the Brandenburg-Prussian elector Frederick III offered him a refuge. At Halle University (that he helped to found) he became professor of law and (in 1710) rector of the university. He was one of the most esteemed university teachers and influential writers of his day, and in 1709, he was appointed to the privy council. The rationale of all the institution's activities was to supply the needs of the Brandenburg-Prussian administration.

168 Before 1750, the German ruling classes looked to France for intellectual, cultural and architectural leadership, as French was the language of high society. By the mid-18th century, the Enlightenment had transformed German high culture in music, philosophy, science and literature. Christian Wolff (1679–1754) was the pioneer writer who developed the Enlightenment to German readers and legitimised German as a philosophic language.

169 Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 173.

history of the supervisor, Christian Thomasius, and the historical context in which the dissertation was conceived; that is, at the dawning of the German Enlightenment.

Christian Thomasius (1655–1728) is, quite rightly, identified as a major catalyst in the movement towards a peculiarly German national identity, leaning towards secularised government and veering away from the entrenched body of Roman Law, in the form of the *Pandectae* (the collation of ancient Roman Law ordered by the Roman Emperor Justinian) and the *Glossae* (medieval annotations and interpretations of the same), that had been the foundation of European Law for over a millennium. Thomasius challenged the strict interpretation of Roman Law in his contemporary Germany (or, rather, conglomeration of German-speaking states within the Holy Roman Empire), arguing instead that Law must be informed by the customs and needs of the nation to which it was to be applied and, furthermore, that it must be the end result of the observation of cause and effect in human behaviour. In short, Thomasius was an advocate of Natural Law.

Nothing if not controversial, Thomasius regularly attacked traditional prejudices in theology and jurisprudence, and went public with several radical ideas and concepts. Amongst these were advocating interdenominational marriage and, more importantly for our topic, lecturing in his native language German, behaviour that led, in 1690, to his being denounced from the pulpit and forbidden to lecture or write. Despite a warrant being put out for his arrest, he was offered refuge by Frederick III, Elector of Brandenburg (later to become Frederick I, first King of Prussia), under whose patronage and protection Thomasius helped found the University of Halle, where, at the time this dissertation was written, he was a professor of Law. So Thomasius was controversial, radical, anti-establishment (in that he railed against dogma which, in his opinion, had no practically implementable value), humanitarian (for instance, he was against the persecution of exiles and witches) and a strong advocate of Natural Law. It is in this context that the dissertation of Johann Christoph Albrecht must be read, as the student was very much a disciple of his master.

The topic of the dissertation is deceptively simple – a discussion on the use of *arrhae* in the act of purchase – and the structure is well planned and executed:

Paragraphs 1–12: A discussion on the definitions of Natural Law, Civil Law and the Law of Nations.

Paragraphs 13–16: How interpreters of Roman Law (both ancient and modern) are going wrong.

Paragraphs 17–44: What are *arrhae* and how do they function within a purchase agreement? How does this apply to the Law of Nations?

Paragraphs 45–62: A discussion on the presentation of the concept of *arrhae* as explicated in Civil Law texts based on Justineanean Law, why many are wrong, and the offering of arguments for and against this.

Paragraphs 65–75: How the concept of *arrhae*, as explicated in German historical and provincial legal texts, is misleading. Why mistranslation of the Latin word into German terms, describing peculiarly Germanic national practice, is wrong and has led to ambiguity and confusion in many parts of the contemporary German legal corpus.

Paragraphs 76–87: The consequent pointlessness of contemporary or recent German legal commentators getting into unnecessary detail about certain aspects of *arrhae*.

So, in a nutshell, the flow is straightforward. The author suggests where *arrhae* sit within the wider, more complex legal framework, criticises interpreters of the existing Latin-based Roman Law corpus (because they operate within the letter of the law and twist the prima facie meaning into their own interpretations), drills down to focus on *arrhae* and establishes what they actually are, before ‘proving’ that contemporary German language legal texts have misinterpreted the term.

But it is the undercurrents in the text that leap out at the reader, something which, given the identity and history of the supervisor, can be argued to be intentional. Once the general preamble defining the Law of Nations within the framework of Natural Law (§ 1–12) is established, the author immediately attacks interpreters (both ancient and modern) of the Justinianean corpus (§ 13–16). His main argument is that they are ignorant of the concept of Natural Law and interpret the Roman texts at face value, not taking into account, even for one second, that those laws came into being under their own peculiar sets of circumstances (in other words, to the Romans, Roman Law *was* Natural Law, but this is something even the author of the dissertation doesn’t really explicate). The author implies that, because the Latin texts are not readily applicable to the contemporary legal contexts or requirements of the interpreters (which should be based on the observation of customs and acceptable behavioural needs of the German race), they become guilty of twisting out the words to suit their own take. The result, says the author, is at best, a confusing hotchpotch, and at worst, just wrong. Now, this is textbook Thomasius attitude, but what the author does next is very interesting, because, from this point in the dissertation, he drills down into the detail of *arrhae*.

The topic itself hardly makes for compelling reading. *Arrhae* are transactional guarantees that are generally (but not always) given by the purchaser in a purchase/sale transaction for a variety of reasons that the author gradually makes clear over many subsequent paragraphs. Chief amongst these reasons is proving that some type of agreement (verbal or written) has taken place, and that *arrhae* go some way to ensure that good faith is maintained by both parties (but mostly to help prevent perfidy on the part of the vendor). It is important to note that *arrhae* are not binding; that is, they are not a critical element in the transaction, but they are a sufficient deterrent to make the parties think twice about double-dealing or backing out of the agreement. The reason for this is that, although the purchaser will not get the *arrha* back if the agreement is successfully concluded

(so, for him, it functions as a gesture of goodwill more than anything), if the vendor backs out, he must double the *arrha* and return it to the purchaser. There are all sorts of other combinations of circumstances that are explained at length by the author.

So much for the *prima facie* topic of the dissertation. Certainly, the concept of *arrha* would have been as practical a subject to have a syllogistic legal discussion on in the Holy Roman Empire of the early 18th Century CE as any other, but, when the time frame and identity of the supervisor are taken into account, it is very tempting to read into it an altogether wider context, and glimpse some ulterior motive lurking in the background. Because, when the wider issues are decontextualised from the concept of *arrha*, they become immediately relevant to the groundswell of the German Enlightenment, particularly as envisaged by Christian Thomasius: German Law should not be based on Roman Law; German Law should be based on Natural Law – that is, on the acceptable behavioural needs of the German people as exemplified in their customs and traditions. Latin terminology, based on centuries-old, non-German precedent, cannot be accurately translated into the statutes of Thomasius's and Albrecht's modern, contemporary Germany. So why the subject of *arrha*? Simple. It is a perfect microcosmic case study of a macrocosmic concern.

Both Thomasius and Albrecht point out the flaw in the process of reapplying Roman Law to what is becoming German Law, and *arrahae* serve as the ideal example of what is going wrong. Not only is the Roman Law written in a language for which German behavioural patterns are not a good fit, but German interpreters (and teachers) of law are not even making an attempt to think about why those Roman Laws came about in the first place. The issue of translation, therefore, involves two layers: semantic and conceptual. The simple act of translation from one language to another is hard enough, but Thomasius and Albrecht argue that it has to be one with the conceptual layer in mind, too – that is, an accurate translation (transposition would be a better word) must involve all the following elements: (1) Thinking about why the Roman Law came into being, (2) Is the Latin Law I am reading an accurate reflection of that? (3) If yes, then is there an exact equivalent concept in German behavioural tradition? (4) If yes, I need to make absolutely sure my transposition of the law from Latin is entirely reflected in the new German equivalent. Now, it is evident that that process can go wrong anywhere from step (1) onwards, and that is precisely what Thomasius and Albrecht are attacking.

A dissertation on *arrahae* is perfect ammunition for how the transposition from one language to another can go wrong. The vagueness of the term, even in Latin, lends itself to multiple interpretative options, which is why Albrecht spends so long in his dissertation nailing down exactly what the concept of *arrha* means. He achieves this by using example after example and arriving at a fairly (but not entirely solid) framework to which he can justifiably pin the term. At this point, it is important to

remind ourselves that Natural Law demands an understanding of a concept born of observation and subsequent implementation. This is precisely what Albrecht achieves in § 17–44. He then proceeds to supply a whole raft of instances in German Law, in which the term *arrha* has been misinterpreted in German legal texts dating from the Visigoths up to his own time. They are ubiquitous: Visigothic Law, Bavarian Law, some statutes of Charlemagne, the provincial Law of Württemberg, Hamburg, Lübeck, Worms, Rheinland Palatinate and Prussia. It is interesting that Albrecht has moved forward through time and then spread the blanket over a wide geographical area, a nice rhetorical trick to demonstrate that the problem transcends both time and space. Most of the statutes contain German phrases that are supposedly equivalent to *arrha* but which the author then goes on to prove are not. *Weinkauff, Gottespfenning, Leutkauff, Leikauff, Weinkauff, Hafgeld, Herdgelt, Haftgeld* – none of these means *arrha* as Albrecht has defined it in the preceding chapters (the closest, he says conditionally, is *Reukauff*). And this is why the topic of the dissertation is so fitting, because it offers a plethora of examples to illustrate what Thomasius and the author see as a massive issue: German Law should never have been based on Roman Law. Roman Law is an alien imposition, stamped higgledy-piggledy on German patterns of acceptable behaviour as defined in their traditions which are, in turn, a weathervane of their racial needs.

And yes, the sentiment was not peculiar to Germany alone. Many European states, in the aftermath of the Thirty Years War, were beginning to question the relevance of a thousand-plus-year-old legal system to their increasingly secular societies. Some, like the Dutch, created a hybrid (so-called Dutch-Roman Law) to better serve their evolving cultural needs, and the Germans, spearheaded by people like Thomasius, were heading in the same direction. Thomasius himself is known to have evidenced the contemporary French tradition of conducting governmental affairs that affected day-to-day life in their own language, when he was first criticised for daring to lecture in German.

In conclusion, it is worth looking at the parallels between what Thomasius stood for and what Albrecht showcases in his dissertation. Thomasius was radical and controversial. He never held back from criticising his contemporaries, and neither does Johann Christoph Albrecht, who especially singles out Wolfgang Adam Lauterbach (1618–78), an extremely influential German jurist whose crime, in the author's eyes (and, of course, in the eyes of Christian Thomasius) was that he was a teacher and advocate of the *Pandectae*. Thomasius was an advocate of Natural Law, and this is precisely the thrust of Albrecht's argument, with *arrae* as his case study, and the need for an accurate translation of German Law in the broader context. Given these parallels, this dissertation can be regarded as an important cultural document. By using the example of *arrae*, Albrecht pushes a wider agenda that places him firmly in the front ranks of the movement led by his *Praeses Dominus*, Christian Thomasius. It is also very much a nationalistic document, in that it is representative of a narrowing of perception of German cultural identity, a focusing inwards, away from a wider Europe. The push

for native language in governmental and professional (including legal) affairs is a major step in any nation's journey to its establishment of self-identity, and this dissertation is a very good example of that energy being directed into action. One can almost imagine Christian Thomasius at that public hearing in the greater auditorium of the University of Halle on 9 September 1702, listening with a quiet, proud smile to his pupil and disciple, Johann Christoph Albrecht.¹⁷⁰

After his university studies, Johann Christoph Albrecht decided to visit the highest imperial courts to see them in practice, mainly to visit the imperial court and the imperial chamber court in Wetzlar¹⁷¹, a decision which he put into action, and he spent a comfortable time there. Returning to Rothenburg, Johann Christoph married Dorothea Sophie on 13 March 1703. She was the daughter of Johann Philipp Hochstätter, widely renowned doctor of medicine and senior physician, and his widow (née Walther). From this marriage came the oldest daughter, Cordula Barbara Sophia, who married, on 9 July 1726, Johann Georg Brebiss, doctor of philosophy and medicine, and member of the famous society *Caesareae Leopoldino-Carolinae*, court and land physician of the Hohenlohe-Schilling Counts¹⁷² and senior physician of Rothenburg also.¹⁷³ Unfortunately, Dorothea Sophie died leaving Cordula Barbara Sophia, who was only a three-week-old child, on 13 January 1704. Although his mother (Margaretha Dorothea) gave her best and took over all the economic affairs of his household, he again had to do without her help, as she died peacefully on 16 July 1706.

Johann Christoph Albrecht was elected to the council on 6 May 1704. In 1707, he took over the office of mayor and the lieutenant charge; in 1711, the war deputation;

170 This summary of Johann Christoph Albrecht's dissertation, was written by Dr Geoff Thompson, Honorary Research Fellow, Department of Classics and Ancient History, University of Auckland. 2018.

171 The Free Imperial City of Wetzlar, located in the state of Hesse in modern-day Germany. The Holy Roman Empire's highest court, the Reichskammergericht (Imperial Chamber Court), was moved from Speyer to Wetzlar in 1689 after Speyer had been devastated by the French.

172 The Hohenlohe-Schilling territory bordered Rothenburg to the south. This following example shows the ongoing political movements in Franconia: "The Corpus launched into action again in 1750 by commissioning the Margrave of Brandenburg-Ansbach to enforce the rights of Protestants in Hohenlohe in Franconia. The conflict here arose from a long-standing dispute between the Protestant Counts of Hohenlohe and the Catholic princes of the same dynasty. In 1744, an argument over when Easter should be celebrated had escalated into a wider conflict over feast days and over the rights of Protestants in the areas ruled by the Catholic princes at Schillingsfürst, Bartenstein, and Pfedelbach. When they ignored a judgment of the Reichshofrat and an imperial decree, the Corpus Evangelicorum took it upon itself to commission Ansbach to enforce the judgment, resulting in 104 grenadiers being sent in to force the issue. Brandenburg, Hanover, Hessen-Kassel, and Saxony-Gotha were asked to keep troops on standby. This military intervention was unprecedented, and never repeated, but treated a new framework for a protracted phase of militant activity on the part of the Corpus." From Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 385. The Corpus Evangelicorum was a league of Protestant states within the Holy Roman Empire that came into existence on 22 July 1653.

173 They were married for nine years (as Johann Georg Brebiss died in 1735) and had the following children: Christian Friederich Albrecht, who died, aged 15, in the year 1748, Maria Euphrosina Sophia, Juliana Margaretha, Johann Christoph Daniel (student at the University of Göttingen). Then followed Sabina Christina Elisabetha and Jeremias Daniel.

and in 1713, office of the judge. From this latest role, he was elected to the office of bank manager also, because, after his beloved father's death on 29 August 1720, this position was vacant in the laudable Inner Council, an office which was confirmed in the same year.

In 1724, he took over the war office, 1732 the guardianship office and the position of captain in the laudable citizens' guard. In 1733, he became middle tax official, and on 8 May 1736, governing consul, a position he took on several times most obligingly, as well as other offices which were determined by formal elections, such as highest tax official, curator of the hospital and the convent and other curator tasks, and also highest war official. The highly respected title of consistor, scholarcha and land *Vogt* in the region, was also conferred on him, with the rank of consul. Johann Christoph's epitaph states:

All the highly esteemed former mayors and laudable members of the Inner Council
assembled here know sufficiently how well he expedited his work and that he
understood how to advise in all public matters with prudence and great insight and how
to develop important issues. All his advice was in the best interest of our common city,
the regiment, the churches and schools,
which he consolidated and promoted at every opportunity.¹⁷⁴

Johann Christoph married a second time, with Anna Maria Eleonara Kraussenberger¹⁷⁵, on 15 November 1707 in a church ceremony in Wiesenbronn. They had three sons and two daughters; unfortunately Georg Friederich, Sophia Maria and Christoph Friederich died at birth. Those who survived were Johann Friederich Gustav Albrecht, royal councillor of Brandenburg-Onolzbach (Ansbach), and daughter Anna Euphrosina Elisabetha, who married Abadias Salomon Klinger, official royal treasurer of Brandenburg-Onolzbach (Ansbach) in Marck-Kleinlangkheim and Steffans-Berg. They married on 5 September 1725 and had eight children.

The third marriage of Johann Christoph took place on 11 September 1736, when he married Margaretha Barbara (née Jos), the widow of Georg Wilhelm Sinold, called von Schüz, highly deserved assessor of the local council, in a church ceremony. In 1739, they had a daughter, Sabina Euphrosina, but she died in the same year. However, Margaretha Barbara died suddenly on 8 March 1740.

Johann Georg Albrecht's second son, David Christoph Albrecht, was born on 22 October 1690. His godfathers were David Josaphat Schäffer, middle alms manager of the Inner Council, and Christoph Stellwagen, officer of the Outer Council. David Christoph attend the local *Gymnasium* where he received faithful and special information, besides

¹⁷⁴ Epitaph of Johann Christoph Albrecht. Printed by Philipp Bernhard von Millenau, 1752. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. P. 47.
¹⁷⁵ The only daughter of Bernhard Friedrich Kraussenberger, royal councillor and treasurer of Brandenburg-Onolzbach in Prichsenstatt and his wife Elisabeth Catharina (née Ströbl).

the usual *Gymnasium* lessons by rector and professor Wernher, deputy rector Lehmus and teacher von Bergen. Through this he demonstrated his extraordinary intellectual abilities enabling him to complete his classical studies with much progress and achievement, to the great pleasure of his teachers. In 1708, he held his valedictory speech about literary men, to great approval.

David Christoph Albrecht was at the University of Halle between 1708 and 1711. He read philosophy, natural law, and private and canon laws. He studied public and feudal law with Professor Gundling. He also had the benefit of guidance from Chancellor Ludewig. He presented his dissertation (*De efficientia metus tum in promissionibus liberarum gentium tum etiam hominum privatorum, auxiliisque contra metum*) at the end of his academic course under the supervision of the above-mentioned Professor Gundling.

After David Christoph Albrecht finished at the University of Halle, he had the opportunity to follow a noble patron to Vienna. Through the recommendation of the mentioned noble patron, he was lucky enough to be employed in the offices of the imperial privy councillor von Praun in August 1713. Here he worked until the end of October 1716 in the position of a solicitor with the greatest care and to the pleasure of his employer, as the references which can be found in the local archives confirm. This opportunity allowed David Christoph to appropriately apply his excellent talents, which he had achieved with so much diligence, and to distinguish himself in the practice of the highest imperial courts.

Before his departure from Vienna, David Christoph Albrecht applied for the position of registrar at Rothenburg, which, based on his skills, was conferred to him by the Rothenburg Council. David Christoph served in this registrar position entrusted to him with all commendable industry, even before his marriage. The eagerness he showed led to the council unanimously offering him the position of actuary in 1722, and then finally, in 1724, the position of consul which had become vacant.

David Christoph's epitaph states his office holdings were substantiated by the council and other records, by the great number of excellent and perfect concepts, and by his in-depth advice, and shows that he had exact knowledge of the law and the rights of the town. He had to undertake many cumbersome and hard journeys and commissions at external courts and places for negotiations, and had to participate in the various general district conventions.

After David Christoph had travelled back to Rothenburg via Prague, he married on 16 November 1717, Juliana Cordula¹⁷⁶. David and Juliana's marriage lasted 26 years and they had three sons and three daughters. One son and two daughters died at birth;

¹⁷⁶ Daughter of Nicolaus Philipp von Staudt, former mayor, consistor, scholarcha, land *Vogt* in Zwerchmayer, main curator at St Jacob and the two convents, and his wife Ursula Sabina (née Stürzl).

however, those who survived include Maria Elisabetha, David Christoph¹⁷⁷, (who studied law at the University of Jena) and Johann Gottlieb.

In 1740, David Christoph Albrecht continued to work until his unexpected and quick death.

The day before his death, David Christoph attended a council session in the morning but couldn't complete it because of weakness and nausea and had to go home. He became extremely weak, had difficulty breathing, felt a heavy pressure on his chest, was freezing and felt extremely hot at the same time, and all his strength left him so that he fainted several times. His health worsened and doctors consulted, but to no avail. David Christoph Albrecht received consolation from the priest and was given the last benediction.

Then he gently and blissfully passed away to his saviour on 9 March at 5 o'clock in the morning under the tears of the bystanders. He had reached the glorious age of not more than 52 years, four months, and two weeks. His life did not reach the lifespans of the holy patriarchs, nor his own fathers, but ended much earlier than theirs. The epitaph:

Long ago he had prepared himself for it and so he moved into the eternal house to great happiness and unspeakable pleasure according to Jesus' promise, and there his soul enjoys what he strived for eagerly in healthy days and prayed for in his daily devotions. After the tired body has been lying as a guest in the soil's lap for a certain time, our dear God will raise him to great joy, honour and glory. Yes, the Lord who is a God of all comfort raises all the downtrodden hearts flowing in wistfulness of the surviving bereaved: Instil His holy balm of solace in their injured souls, fill them with much satisfaction of His merciful and good will and please them through His Holy Ghost with the joy of his wonderful face, and bring them too to the heights on His right when their time comes. Our soul, however, may die like the one of this just one,
and our end may be like his end.¹⁷⁸

However, the politics of Europe continued. In April 1734, the Reichstag formally declared war on France. This war was impeded by the refusal of the Wittelsbach electors of Bavaria, the Palatinate and Cologne to support it. Nevertheless, the Holy Roman Empire won the defensive operation on the Rhine¹⁷⁹. Political upheaval continued with the sudden death

177 David Christoph Albrecht (20 November 1722–21 April 1782), had three children, including a son Christoph Friedrich Albrecht (see chapter 10).

178 Epitaph of David Christoph Albrecht. Printed by Philipp Bernhard von Millenau, 1743. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. P. 38.

179 Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 164.

of Charles VI at the age of fifty-five on 20 October 1740. As Charles VI had no male heir¹⁸⁰, the imperial crown passed to a non-Habsburg – the Wittelsbach Charles VII (r. 1742–45) – in 1745, with the election of Charles VI's son-in-law and Maria Theresa's spouse, Francis Stephen of Lorraine, as Francis I.¹⁸¹ For many in the Holy Roman Empire, the succession crisis of 1740 began as an opportunity for reform and renewal that was underpinned by the Enlightenment movement.¹⁸²

The Inner Council of 1745 was made up of¹⁸³: Georg Adam Renger, Johann Daniel Krauss, Johann Michael Raab, **Johann Christoph Albrecht**, Johann Christoph Purckauer, Johann Gottfried Adami, Johann Daniel von Staudt, Johann Gottlieb von Staudt, Johann Christian von Winterbach, Christoph Wilhelm Hoffmann, **Simon Christoph Albrecht**, Christoph Augustin Walther, Johann Josaphat Hoffmann, Johann Friedrich Krauss, Philip Gustav Herrnbauer, Johann Christoph Bezold.

In 1751, Johann Christoph Albrecht started his Christian preparation through his own prayers and listened with great devotion to the comforting words of his confessor. Right at the beginning of his illness he completely resigned himself and trusted in God's decision and he maintained this throughout his illness. The closer, however, the last hours got, the closer he got to his God with whom he had to talk more now than with people, as he expressed it himself. His mouth was always full with prayer, and his eyes were directed towards heaven; he bowed his grey head often in reverence to his God, even in the greatest weakness.

When his son saw him the last time, he continued in such a way and with hands folded in prayer and devotion until finally a suffocating asthma attack ended his life soon after in a happy closure when he gently passed away, under constant comfort and tears from his dearest relatives. This happened on Monday, 8 March between 9 and 10 o'clock, and concluded his life which had lasted 70 years, five months and 24 days. The epitaph:

Such lies the soul of this just man deliciously in the hand of our God, crowned with
the crown of justice and stays there until that day. God may let the house of this soul,
the dead body, although frail but dear, gently lay to rest in the cool soil until it will be

180 Charles VI had tried to manoeuvre his eldest daughter, Maria Theresa, as empress – this was known as the Pragmatic Sanction. It was an edict issued by Charles VI on 19 April 1713 to ensure that a daughter could inherit the Habsburg hereditary possessions.

181 “The house of Habsburg-Lorraine subsequently reasserted the continuity on the imperial throne of the Habsburgs since 1438 before them; Francis I was succeeded by two of his sons, Joseph II (r. 1765–90) and Leopold II (r. 1790–2), and then finally by the latter's son Francis II (r. 1792–1806), who assumed the title of Emperor Francis I of Austria in 1804 before dissolving the Holy Roman Empire in 1806.” From Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 347.

182 Ibid., p. 168.

183 Borchart, Karl. ‘The advisable families of the imperial city of Rothenburg ob der Tauber through the centuries.’ Lecture held for the club Alt-Rothenburg. 23 February 2007.

joined with his soul and wonderfully glorified, arise from the grave and take part in the eternal bliss of heaven. May the comforting God console all the painfully grieving mourners and assist them in their loss as well as possible and may He show their believing eyes the heavenly splendour, the unspeakable delightfulness and the delicious joy of which our late mayor is already part, so that they will be happy about his bliss rather than sad. May God, however, safeguard us until that day and then may He grant us eternal mercy; that's what we ask Him for and we sigh: Our father in heaven ...¹⁸⁴



184 Epitaph of Johann Christoph Albrecht. Printed by Philipp Bernhard von Millenau, 1752. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. P. 48.

8

The Younger Sons, 1710-1793

Johann Georg Albrecht's younger sons from the marriage with Maria Christina (née Göttingk) continued the Albrecht tradition of service to their beloved city, highlighted below from their respective epitaphs.

Firstly, Nicolaus Christoph Albrecht:

The most extraordinary
life and the
exemplary character
of the late
honourable and erudite in law
**Nicolaus Christoph
Albrecht,**
highly merited senior mayor of our republic
Consistor, scholarcha, land
Vogt in the Zwerchmayer, senior holder of the Wildbann, senior curator at St Jacob and
the two convents,
also assisting supervisor to the local
orphanage;
most dutifully dedicated
to maintain the glorious memory
of this dear man,
and
to better assess the
loss suffered through his early death.
Rothenburg ob der Tauber.

Printed with Hollischen scripts, 1776.¹⁸⁵

185 Epitaph of Nicolaus Christoph Albrecht. Printed in 1776. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

Nicolaus Christoph Albrecht was born on 13 February 1711 and baptised the following day. Godfathers to this holy act were Nicolaus Geltner, also senior mayor, consistor and scholarcha, land *Vogt* in the Zwerchmayer, and Christoph Ludwig Hartmann, doctor of theology and superintendent for many years, consistor and scholarcha.



Nicolaus Christoph Albrecht, 1711–1776.

Secondly, Johann Georg Albrecht, who was born 7 September 1712:

The deserving old man,
an adornment of his contemporaries.
Called
from his widely respected presence on earth,
the late
**Johann Georg
Albrecht,**
Jubiläus, highly esteemed council deputy;
who,
completed his earthly path after an exemplary life
on 14 January 1793;
and was laid to rest on the 18th,
commiserated respectfully by his whole homeland
at the glorious age of 80 years, 4 months, 7 days:
Special devotion
was given by
**the grateful son, daughter-in-law and grandchildren
of the blessed deceased.**
Rothenburg ob der Tauber.
Printed with Hollischen scripts.¹⁸⁶

Once again education was the main focus for both Nicolaus Christoph and Johann Georg. Even with the death of their father in 1720, their mother oversaw this important development through private classes they received through the local preacher Master Herrnbaur. They also attended public classes at the local *Gymnasium*. Nicolaus Christoph changed from lower to higher school in 1728 to progress with higher sciences. For this purpose, the royal Saxon academy in Jena was chosen which was famous for its great scholars and thorough lecturers. He attended the lectures of professors famous at this time for a period of four and a half years. These were, in particular, Reusch, Köhler, Teichmeyer and Schmeizel in history and philosophy, Brunquell and Heimburg in law, Pertsch and Beck in German, canonical and feudal law.

After this well-spent academic time and having assembled a treasure of useful sciences, he travelled to Halle, Wittenberg and Leipzig, the other three famous universities, also

¹⁸⁶ Epitaph of Johann Georg Albrecht. Printed in 1793. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Title page.

to the royal residence city of Berlin, and returned to Jena via Brandenburg, Magdeburg and Halle. Late in 1731, he returned happy and healthy to his hometown to the greatest pleasure of his adoring mother.

While one brother returned, the time had come for the youngest, Johann Georg, to go to university. The album¹⁸⁷ of Johann Georg Albrecht from his time of study in Jena and Halle from 1732–34, like his great-grandfather Georg Albrecht (chapter 4), shows many of his acquaintances. They ranged from nobles to fellow citizens from Rothenburg who looked up to the Albrecht family.

The individual entries¹⁸⁸:

1. Jena, 26/3/1733: Friedrich Ernst Burgrave of Kirchberg, Count in Sayn-Wittgenstein: "Anything, which has just begun, is not yet complete."

2. Jena, 26/3/1733: Johann August, Burgrave of Kirchberg, Count of Sayn: "We haven't been born for us alone."

3. Jena, 9/4/1733: Ludwig Ferdinand, Count in Sayn-Wittgenstein¹⁸⁹: "Do your part, what is yours and what duty requires; leave everything else to God."

187 The album of Johann Georg Albrecht (1712–93) is a little book in a small landscape format, as was common back then (size of the cover: 16 cm wide, 10.6 cm high), completely bound in brown leather with rich ornamental gold embossing on the spine. The three edges are gilded – magnificent gilt paper with a rich, colourful floral pattern from Augsburg was used as endpaper. The book contains around 70 paper sheets, each layer followed by an individual sheet of parchment (apparently to be used for attaching images, drawings and similar). The first (parchment) sheet shows the Albrecht family coat of arms surrounded by a laurel wreath, painted in gouache, and designed by an artist well versed in heraldry (see title image). The book is inserted in a slipcase, which again was the custom then. It is covered in pretty coloured paper and naturally a little bit worn. The album contains only 18 entries, which are spread out through the whole volume, and, as it was custom then, in strict order according to social status. It begins with three representatives of higher nobility (Counts of Sayn-Wittgenstein). Then Albrecht's university professors in Jena and Halle follow. Finally, the entries of his fellow students, amongst them two compatriots from Rothenburg. From: Schnurrer, Ludwig. *Die Rothenburger Ehrbarenfamillie Albrecht und das Stammbuch das Johann Georg Albrecht: (1712–1793)*. In Die Lind - Rothenburg o. T.. – 78. 1996. P. 90.

188 Schnurrer, Ludwig. *Die Rothenburger Ehrbarenfamillie Albrecht und das Stammbuch das Johann Georg Albrecht: (1712–1793)*. In Die Lind - Rothenburg o. T.. – 78. 1996. Pp. 89–94.

189 The Sayn-Wittgenstein family was involved in a territorial dispute 10 years later: On the death of the Duke Wilhelm Heinrich of Saxony-Eisenach in 1741, Sayn-Altenkirchen (in the Lower Rhine-Westphalian Kreis) went to Charles William Fredrick of Brandenburg-Ansbach, a brother-in-law of Frederick the Great. The Counts of Sayn-Wittgenstein, who for good measure now also laid claims to much of Sayn-Hachenburg, disputed his claim. Wittgenstein secured the support of the Palatinate, currently acting as Imperial Vicar during the interregnum following the death of Charles VI. The Palatinate promptly sent in 700 troops, initially pretending they were merely accompanying the imperial crown jewels to the forthcoming coronation. Prussia threatened to send troops to support the Brandenburg-Ansbach claim. Appeals to the new emperor and to other authorities ultimately led to the withdrawal of the Palatinate force and of the Wittgenstein claims. From Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 236.

4. Halle, 5/4/1734: Justus Henning Bohmer, Director of the Academy (= University) in Halle and Vice-President of the Law Faculty: "If God is with us, who can be against us?"

5. No place and date: Jesaias Friedrich Weisenborn (1673–1750), Professor of Theology in Jena. "Jesaias XXVIII, 29: His advice is wonderful and leads to splendid results. This motto is dedicated to the very learned owner of this album, a memento for him and may providence fulfil his wishes."

6. Halle ("Fridericiana" = Friedrichs-University). 31 July (no year): Johann Peter Ludewig (lawyer, chancellor in Halle). "A memento for the young man from a council family, his industrious student."

7. Jena, 31/3/1733: Dr Caspar Achatius Beck, privy councillor to the Duke of Saxony and professor (Law) at the University of Jena: "It is the greatest wisdom to be aware of God and to conscientiously maintain and imitate this awareness."

8. Jena, 10/4/1733: Dietrich Hermann Kemmerich, legal counsel, at the time vice-rector at the University of Jena: "Decent – just – honourable."

9. Jena, 9/4/1733: Burkhart Gotthelf Struve (1671–1738), professor for Public and Feudal Law at the University of Jena: "With piousness and industry."

10. Jena, 9/4/1733: Johann Ernst Gedicke (?), imperial Count Palatine, ...: "If you act rightly you don't have to fear anybody."

11. Jena, 10/4/1733: Johann Salomon Brunnuell, professor of Pandects¹⁹⁰ (Law), associate judge at the Saxon State Court: "It is better to cause offence by telling the truth than to please by flattering."

12. Jena, 25/3/1733: Johann Caspar Heimburg, PP: "Those think wisely who, in times of happiness fear unhappiness."

13. Jena, 11/4/1733: Georg Erhard Hamberger (professor of Medicine in Jena): "God has given human beings healthy brains and healthy bodies so they can take proper advantage of both."

14. Jena, 7/4/1733: Dr Christian Gottlieb Buder, professor of Law and History at the University of Jena: "Stay calm in the middle of the storm."

190 The 'Pandects', also known as the 'Digest (Latin *Digesta seu Pandectae*, adapted from Ancient Greek πανδέκτης 'pandektes', 'all-containing'), is a name given to a compendium or digest of Roman Law compiled by order of the Emperor Justinian I in the 6th century (AD 530–33). It spans 50 volumes and represented a reduction and codification of all Roman Laws up to that time.

15. Jena, 1/4/1733: *Heinrich Koehler, master of Philosophy at the University of Jena: "Moderation is enduring."*

16. Halle, March 1734: *Christian Daniel Donauer: "Few have become heroes who were not favoured by luck before."*

17. Jena, 28/4/1733: *"Remember the end – Nothing is more important than friendship." – "The truth of this motto and its applicability, most noble and learned owner of this album, I have experienced sufficiently in many extraordinary cases, when you had plenty [apparently, he is alluding to financial support from Albrecht]. Therefore, I urge you to continue to offer your love to me. Your most devoted Johann Albrecht Roesler from Rothenburg in Frankonia, candidate of Law."¹⁹¹*

18. Jena, 4/4/1733: *"Believe that you have achieved the highest goal every day. Do what you wish at the hour of your death you should have done." – "To you, the most noble and learned youth, who is already on the way to Halle, I dedicate this little motto to remember me by, your eternal admirer, Johann Friedrich Flurer, student of Theology from Rothenburg in Frankonia."¹⁹²*

In 1734, after Johann Georg Albrecht finished university, he went to Vienna and worked as a trainee lawyer with von Braun, the procurator at the imperial court. After his return to Rothenburg in 1739, he first became archivist, and in 1753, actuary, and later assessor of the Exterior Council (see Appendix 3). On 27 September 1740, he married Friederike Margaretha (1693–1785), daughter of Christoph Augustin Walther, a member of the Interior Council.

They had one son Georg Daniel Albrecht¹⁹³ (28 November 1745–11 May 1800), who became a senator in the Inner Council. Johann Georg Albrecht died on 14 January 1793.

191 He was Heinrich Roesler's son, lawyer and Count Palatine (a kind of notary) in Künzelsau and had completed the Rothenburg high school.

192 Born on 22 June 1709 in Windelsbach, son of Veit (Vitus) Flurer, the parish priest there.

193 Georg Daniel Albrecht married a member of the von Staudt family. They had four children, including Johann Georg Gottlieb Albrecht (1785–1858). His son, Johann Friedrich Gottlieb Albrecht, merchant, was born on 11 June 1826 in Rothenburg ob der Tauber. Married Margaretha Sophia, daughter of Friedrich Schmidt, beer brewer in the brewery 'Zum Löwen' in Rothenburg. They moved to the USA. Children: 1. Julia Babette Wilhelmina, born 27 February 1860 in Rothenburg, later Portland, USA ('Aunt Julia'). 2. Friderike Catharina, born 24 March 1861. 3. Wilhelm Leonhard Albrecht, born 12 December 1863 in Rothenburg. Died 3 January 1935 in Great Falls, Montana, USA. Married Wilhelmina Loeffler from Pressnitz, Austria, in 1894. Children: a) William Lothar junior, born 12 August 1895 in Great Falls, died 31 May 1975 in Great Falls. Married to Ila Jane. b) Elsa Lillian, born 11 October 1899 in Great Falls. Never married. First lived in Cleveland, later in Willoughby, Ohio. c) Helmuth Werner, born 30 June 1903. Lived in Seattle, later in Bainbridge, Washington. 4. Bertha, born 2 August 1866. 5. Hermann Gottlieb, born 14 February 1868. 6. Rudolph Friedrich, born 31 December 1870. 7. Anna Margaretha, born 17 October 1872. Married Afflerbach. Later also emigrated to the USA and lived in Great Falls, Montana. From Schnurrer, Ludwig. *Die Rothenburger Ehrbarenfamilie Albrecht und das Stammbuch des Johann Georg Albrecht: (1712–1793)*. In Die Lind - Rothenburg o. T.. – 78. 1996. Pp. 93–94.

Nicolaus Christoph was appointed to the commendable Exterior Council by the Interior Council as early as the year 1733.¹⁹⁴ In 1753, he was elected unanimously into the Interior Council, and between 1753 and 1773 he was assigned the following tasks:

In 1753, the city and tower deputation. This was extended in 1754 to cover the assessment of meat and beer; in 1755 to the *Umgeld*; in 1757 to the war office and flour scales inspection. In 1758, he became holder of the *Wildbann*, middle alms curator and revision affiliate. In 1759, during the Seven Years' War¹⁹⁵, Nicolaus Christoph was deployed to Nuremberg as war office deputy for the French *fourage* supplies. At the same time, he was honoured to represent the vote of Rothenburg at the commendable district council there until the end of March 1760.

In 1760, the guardianship office followed and he also became middle curator of St Johannis and citizens' captain at the upper and lower market guard.

In 1762, he became middle curator of St Wolfgang and inspector of the sheepfolds.

In 1763, he took over the middle tax office in which he had the great honour to be able to humbly serve both imperial royal majesties in Mergentheim as co-deputy.

In 1766, he changed to the office of consul in the worthy senate, and at the same time he commenced as regiment leader (an office which he took over again in 1768 and 1772).

Then, in 1767, he took over the tax office, and in 1768 he became leader of the war office and curator of the convents.

In 1769, he became land *Vogt* in the region, and besides that took on the title of consistor and scholarcha, as well as head curator of St Johann.

Finally, in 1773, he became land *Vogt* in the Zwerchmeyer, curator of St Jacob and the alumni foundation. In addition, he assisted in the supervision of the orphanage.

On 28 April 1733, Nicolaus Christoph had married Sophia Maria¹⁹⁶; they had seven children. The firstborn son, Ludwig Christian, died at birth, but the remaining children lived on. These are:

- 1) Anna Elisabetha Sophia who took care of her sick mother. But later she also took over the economic affairs of her father's household for 16 years which she oversaw and executed to his great satisfaction.

194 In this council, he served twenty years and took care of all the successive offices and administrative work related to it, such as city deputation, malt inspection, *Umgeld*, brewery inspection and exterior tax office, with all the prudence and punctuality so characteristic to him.

The *Umgeld* was a kind of sales tax raised in the imperial cities since the 13th century on daily used goods, e.g. grain, wine, beer, meat and salt. The tax was collected on the markets and at the city gates.

195 The Seven Years' War was a global conflict fought between 1756 and 1763. It involved every great European power of the time and spanned five continents, affecting Europe, the Americas, West Africa, India and the Philippines. The Holy Roman Empire (including Rothenburg) formed an alliance with France to fight Great Britain and Prussia.

196 The widow of the late Johann Georg Schwarzmann, a lawyer, and the virtuous daughter of the senior mayor Georg Christoph Walter, and his wife (née Appold). Sophia Maria died on 21 October 1756; they were married for almost 24 years.

- 2) Daniel Augustin Albrecht, commendable assessor and lawyer in the laudable Exterior Council, marriage in 1763 with Sabina Lucia.¹⁹⁷
- 3) Johann Friedrich Albrecht, highly commendable court secretary.
- 4) Johann Georg Albrecht.
- 5) Christian Gustav Albrecht.¹⁹⁸
- 6) George Friedrich Albrecht, doctor of medicine and physician.¹⁹⁹

Nicolaus Christoph Albrecht died on 19 April 1776. His life lasted 63 years, seven months and 12 days. In 1759, Nicolaus Christoph Albrecht wrote these thoughts:

*“Because I am a mortal weak human being, and in any case not quite consistently healthy, I cannot predict whether it pleases the Lord over life and death when and at which time, sooner or later, to call me from this world through a gentle and blessed death according to his mercy. Therefore, I want to be prepared for it and arrange my affairs.”*²⁰⁰

In 1762, the end of the Seven Years’ War, much of the Holy Roman Empire was financially crippled, and economic depression set in. This was due to both the negative impacts of the war, along with the impact of poor harvests which were widespread throughout the empire. The policy of Prussia to revalue the Prussian currency also prolonged this depression. The second half of the 18th century resulted in an overall decline in Rothenburg’s economic well-being.²⁰¹ Between 1765 and 1790, Joseph II²⁰² ruled as the Holy Roman Emperor.



197 Sabina Lucia was the oldest daughter of Johann Sigmund Mercklein, who was assessor in the Interior Council and a highly worthy interior building master, and highly commendable senior mayor; head curator of the hospital and the alms, and his wife, Anna Lucia (née Renger). Their children: Johann Georg (b. 6 March 1766), Johann Augustin (b. 20 June 1768), Sabina Maria (b. 13 March 1770) and Christoph David (b. 21 May 1775).

198 Christian Gustav Albrecht, married, on 26 August 1771, Anna Maria, the only daughter of Johann Willhelm Hornung, pastor and chaplain at the local Holy Ghost Church, and his wife Veronica Barbara (née Adam).

199 George Friedrich Albrecht’s marriage with Philippina Eleonara, oldest daughter of Christian Daniel Herrnbauer, a laudable assessor in the Exterior Council and highly deserved judge, and his wife Maria Euphrosina Sabina (née Brebiz).

200 This quote (p. 13) and the majority of information on Nicolaus Christoph Albrecht has come from: Epitaph of Nicolaus Christoph Albrecht. Printed in 1776. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber. Pp. 7–13.

201 Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 453.

202 Joseph II (1741–90), was the eldest son of Empress Maria Theresa and Emperor Francis I. He has been recognised as one of the great Enlightenment monarchs. He died with no sons and was succeeded by his younger brother Leopold II.

9

Court of Brandenburg-Ansbach, 1751-1789

Bordering Rothenburg to the East, was the Principality of Brandenburg-Ansbach. This was the territory of the House of Hohenzollern.²⁰³ The Principality of Brandenburg-Ansbach can be traced back to the death of Frederick V, the Burgrave of Nuremberg in 1398. His lands were divided between his two sons, one receiving Brandenburg-Ansbach and the other Brandenburg-Bayreuth, the cadet branches of the Hohenzollern family.

Charles William Frederick was the Margrave of Brandenburg-Ansbach from 1723 until his death on 3 August 1757.²⁰⁴ In 1742, Johann Friedrich Gustav Albrecht (Johann Christoph Albrecht's son – chapter 7) was granted the title *Hofrat*²⁰⁵ and, as the funeral announcement shows, was a trusted councillor of the Margrave of Brandenburg-Ansbach.

Unexpected
And
Painful separation
Of the best husband and father,
The highly noble and highly erudite
Johann Friedrich Gustav
Albrecht,
Highly trusted councillor of His Serene Highness
of Brandenburg-Onolzbach.

²⁰³ Members of the House of Hohenzollern became the Margrave of Brandenburg in 1415 and Duke of Prussia in 1525. It was this senior line of the family that progressed in 1618 as Brandenburg-Prussia. Then the kingdom of Prussia was created in 1701, and with the unification of Germany in 1871, the Hohenzollerns became the King of Prussia and the German Monarch.

²⁰⁴ Charles William Frederick ruled as a typical absolute monarch with a luxurious court life. He spent 10% of the state budget on hunting. He had 56 churches and many palaces built, among them a building in Triesdorf for his falcons, his greatest passion, on which he spent more than half a million guilders between 1730 and 1748. His love of hunting, particularly with his falcons, is what earned him his nickname, the 'Wild Margrave'.

²⁰⁵ Johann Friedrich Gustav Albrecht is published in the documents of the Fürstentum Ansbach mentioned on the awarding of the title *Hofrat* in 1742, where he lived in Rothenburg ob der Tauber (StAN, Principality of Ansbach, 117, p. 825). From Dr Daniel Burger, Senior Archivist, Ansbach.

The Lord of life found him prepared for the eternal life
and called him
on 8 July 1771
in the 61st year of a glorious life
and his body was lowered into the tomb on 12 July
by
the distraught and deeply sad widow,
the sons and daughters
of
the deceased.
Rothenburg ob der Tauber.
Printed with Hollischen scripts.²⁰⁶

Johann Friedrich Gustav Albrecht's position with the court of Brandenburg-Ansbach would have been influenced by the second marriage of his father, Johann Christoph Albrecht, and mother, Anna Maria Eleonara Kraussenberger, the only daughter of Bernhard Friederich Kraussenberger, highly trusted royal councillor and treasurer of Brandenburg Onolzbach (Ansbach) in Prichsenstadt.

The two surviving children of this marriage were Johann Friedrich Gustav Albrecht, who, on 24 September 1743, married Maria Johann Catharina.²⁰⁷ The surviving daughter, Anna Euphrosina Elisabetha, married Abadias Salomon Klinger, official royal treasurer of Brandenburg-Onolzbach in Marck-Kleinlangkheim and Steffans-Berg. They married on 5 September 1725.²⁰⁸

As with previous generations, university education was an important part to prepare for service. The University of Erlangen²⁰⁹, patronised by the Margrave

206 Epitaph of Johann Friedrich Gustav Albrecht. Printed by Chr. von Staudt, 1771. From the Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

207 Née Schweigger, the widow of Jeremias Christian Nusch, former mayor of the republic, consistor, scholarcha, land *Vogt* in Zwerchmeyer, main curator at St Jacob and the hospital.

208 The surviving children:

1) Leonhard Friederich Klinger, who, having finished his university years successfully, applied his acquired skills usefully in the offices of his father.

2) Anna Christina Catharina, who married Johann Jacob Fenck, office clerk of Brandenburg-Onolzbach.

3) Sophia Catharina, who married Johann Christoph Walther, son of Johann Georg Walther, highly respected assessor of the Inner Council and brewery inspector, and his wife Maria Agatha, daughter of Friederich Krauss and his beloved wife (née Albeck).

4) Johanna Friderica.

5) Maria Catharina.

6) Johann Caspar Klinger.

209 The university was founded in 1742 in Bayreuth by Frederick, Margrave of Brandenburg-Bayreuth and moved to Erlangen in 1743. It has the four faculties of Protestant Theology, Jurisprudence, Medicine and Philosophy. In 1769: The University at Erlangen is given the new name of *Friedrich-Alexander-Universität* in honour of Alexander, Margrave of Ansbach and Bayreuth.

of Brandenburg-Bayreuth and the Margrave of Brandenburg-Ansbach, became the favoured university of Johann Friedrich Gustav Albrecht's descendants and relatives²¹⁰ including:

ALBRECHT, Daniel August – born 6 March 1737; died 27 February 1778.

Background: from Rothenburg ob der Tauber, father was Nicolaus Christoph Albrecht, studied law, 30 September 1755 at the University of Jena, and 19 October 1757 at the University of Erlangen, assessor in the External Council of Rothenburg, deputy auditor in Rothenburg.

ALBRECHT, Johann Friedrich – born 1 September 1739.

Background: from Rothenburg ob der Tauber, father was Nicolaus Christoph Albrecht, studied law, 2 May 1759 at the University of Erlangen.

ALBRECHT, Daniel Gustav – born in Rothenburg 18 July 1744; died 17 June 1810.

Background: from Rothenburg ob der Tauber, father was Johann Friedrich Gustav Albrecht, studied law, 14 October 1762 at the University of Erlangen, army captain in Rothenburg.

ALBRECHT, Christoph Friedrich – born 26 January 1762; died in Rothenburg ob der Tauber on 20 October 1834.

Background: from Rothenburg ob der Tauber, father was Johann Friedrich Gustav Albrecht, studied law, 25 April 1780 at the University of Erlangen, mayor of Rothenburg, city treasurer of Rothenburg.

ALBRECHT, Christoph Daniel Gustav – born 5 August 1779.

Background: from Rothenburg ob der Tauber, father was Daniel Gustav Albrecht, went to school in Rothenburg, studied law, 5 October 1798 at the University of Erlangen.

ALBRECHT, Christian Georg Friedrich – born 9 October 1779; died 31 August 1802.

Background: from Rothenburg ob der Tauber, went to school in Rothenburg, studied law, 4 October 1798 at the University of Erlangen.

210 The list of Albrechts was sourced from: <http://www.koeblergerhard.de/werwarwer.htm>

The decision of the Albrecht family to now favour the University of Erlangen was also a safer option, with the Seven Years' War impacting in the areas where the northern universities such as Halle and Jena were located.²¹¹

Rothenburg's position as a Lutheran Imperial Free City was underwritten by the structure of the Holy Roman Empire.

The emperor, being Catholic and Austrian based, protected the rights of the Imperial Free City of Rothenburg and therefore the status of the patrician families in Rothenburg, of which the Albrecht family was one of the pre-eminent, along with the Bezold, Walther, von Staudt and Winterbach families.

However, during the 18th century the rise of Prussia-Brandenburg, as a counter to Austria within the Holy Roman Empire, changed the dynamics of European politics. Prussia-Brandenburg was also a Lutheran stronghold – the Albrechts and other Rothenburg patrician families had been sending family members to Lutheran universities (such as Halle and Jena) that were patronised by the King of Prussia, Fredrick the Great, the head of the Hohenzollern dynasty.

The reality of a strong Brandenburg-Prussia would also mean a stronger neighbour in the terms of Brandenburg-Ansbach. Frederick the Great undoubtedly became more powerful than any Protestant prince of the Holy Roman Empire and therefore became the natural balance to the Catholic Holy Roman Emperor.²¹² Strategically, it was astute for Rothenburg to have links into its neighbouring territory. As a court councillor, Johann Fredrick Gustav Albrecht provided this valuable link.

On 4 November 1760, Johann Friedrich Gustav Albrecht²¹³ remarried, to Maria Christina Bezold.²¹⁴ Their son Christoph Friedrich Albrecht was born on 26 January 1762.

Over the following decades events in France would have devastating impact on the Imperial Free State of Rothenburg ob der Tauber. Christoph Friedrich Albrecht would be one of the last Albrechts to hold high office in Rothenburg.

On 2 December 1791, the reigning Prince and Margrave of Ansbach, Charles Alexander, who had also succeeded Brandenburg-Bayreuth, therefore reuniting the Franconian territories, sold the sovereignty of his principalities to King Frederick William II of Prussia. The Margrave was middle-aged and childless, and King Frederick William

211 Although Christian Gustav Albrecht (born 2 January 1745) like his father, Nicolaus Christoph Albrecht (1711–74, see chapter 8), also went to the University of Jena. While Simon Christoph Albrecht's (6 February 1690–15 September 1765) grandsons, Johann Christoph Albrecht and Fredrick T Albrecht, also went to Jena. All of them were there in the late 1760s.

212 Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 348.

213 Johann Friedrich Gustav Albrecht's first marriage was with Maria Johann Catharina Nusch, having three children, including one son, Daniel Gustav Albrecht (18 July 1744 to 17 June 1810) and daughters Sophia Maria Catharina (b. 14 February 1747) and Sophia Sabina (b. 2 April 1753). Daniel Gustav Albrecht's son Christoph Daniel Gustav Albrecht was born 5 August 1779.

214 Maria Christina Bezold died 6 June 1813.

II was his kinsman as the head of the House of Hohenzollern. The Margrave moved to England with his English second wife. Ansbach was formally annexed on 28 January 1792.

The timing of this outcome was not good news for the future of Rothenburg, as European politics was about to put the city in jeopardy again.

With the renewed threat from France, the southern (Franconia) and western *Kreise's* defence capabilities needed to be mobilised again. However, in Franconia, this was undermined when Prussia, as the new owner of Brandenburg-Ansbach (as well as Brandenburg-Bayreuth from 1791), first demanded the directorship of the *Kreis* and then weakened it by withdrawing Ansbach-Bayreuth participation in troop levies.²¹⁵



²¹⁵ Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. P. 436.

10

Napoleon, 1792–1806

Like previous generations, Christoph Friedrich Albrecht²¹⁶, with a good education, studied law, 25 April 1780 at the University of Erlangen and served on the Exterior Council of Rothenburg as soon as he became a citizen in 1788. His promising career on the Rothenburg Council, however, was to be cut short in 1802 due to Napoleon.

His first marriage was with Florentina Sophia Herrnbauer. They had a son, Christian Augustin Friedrich Albrecht²¹⁷, and a daughter, Christina Florentina Albrecht (born 17 August 1790). Christoph Friedrich's second marriage was with Julia Maria Krauss.²¹⁸ They had three children, a daughter, Luisa Sophia Albrecht, born in 1799, and two sons, Friedrich Theodor Albrecht²¹⁹ and Ludvig Albrecht (1812–46).

However, the influence of Rothenburg over the last few decades had declined while other states increased remarkably. Ultimately the balance that had kept the Holy Roman Empire as one of the world's superpowers failed to change with the times as states put their interest ahead of the Empire.

On 1 March 1792, the Holy Roman Emperor Leopold II²²⁰ died; however, it was events in Paris that would have major impact on Europe. A French Republic was declared on 22 September 1792, followed by the execution of the French King Louis XVI on 21

216 Christoph Friedrich Albrecht, born 26 May 1762, and died 20 October 1834). He resided at 29 Herrngasse. His service to Rothenburg included: Exterior Council 1788–1802; Lord of stocktaking 1797; malt inspector 1800; Lord of Schranne (grain deposit) 1797; and Secretary 1788. From Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber.

217 Christian Augustin Friedrich Albrecht (31 July 1789–1857) married Antonia Barbara von Payer; their son Heinrich August Albrecht was born in 1817. Christian Augustin Friedrich Albrecht became a lieutenant in Bavaria's *chevaux-légers régiment* (light and medium cavalry).

218 Juliana Maria Krauss was born in 1770 and died on 4 May 1832. Her parents were Georg Friedrich Krauss (priest of Schweinsdorf) and Juliana Sophia Bezold.

219 Friedrich Theodor Albrecht born 16 October 1801 in Rothenburg. His godfathers at his baptism were Mr Christoph Friedrich Krauss, assessor of the Exterior Council, and Mr Daniel Friedrich Krauss, parish priest at Spielbach. It is thought that Friedrich Theodor Albrecht's son was Gottwald Heinrich August Albrecht (born Summerschenburg, Saxony, 22 May 1838 and died Cape Town 9 December 1901), moved to South Africa. He married Mary Sofia Spolander (8 July 1853–10 April 1941) on 20 August 1873 and had four children: John August Albrecht (5 October 1874–18 January 1968); Charles William Albrecht (1876–12 July 1951); Aken Lippert Albrecht (22 February 1878–25 October 1977) and Hilda Fredrika Maria (born 1885).

220 Leopold II (1747–92) was Holy Roman Emperor (1790–92), King of Hungary and Bohemia, Archduke of Austria and Grand Duke of Tuscany. He was the son of Emperor Francis I.

January 1793. This led to the formation of an international coalition including Spain, the Netherlands, Britain, Austria and Prussia. With the new French Republic believing that the Holy Roman Empire was no friend of the new republic due to harbouring thousands of French royalist refugees, military attacks began. On 22 March 1793, the Reichstag concluded it should recognise the need for the Holy Roman Empire to formally declare war on France.²²¹

The revolutionary events in France encouraged the civil unrest that took hold in Rothenburg in 1795–96. This was suppressed with the help of Prussian and imperial assistance. The patrician elite were questioned more and more especially as the Enlightenment took hold. The bourgeoisie and entrepreneurs were becoming frustrated that they could not break into the ruling patrician class – families such as the Albrechts, Bezolds, von Winterbachs and von Staudts still controlled the key positions – as was the case two hundred years ago.

For the bourgeois in Rothenburg this was unfair; for example, the students were graded at the *Gymnasium* according to the rank of their parents, and critical positions on the council were allocated independent of merit or personal qualifications.

The council election on 1 May 1797 resulted in some changes including Christoph Friedrich Albrecht as one of three new councillors of the External Council and Georg Daniel Albrecht²²² the senior exterior judge for the External Council.²²³

Another relation of Christoph Friedrich and Georg Daniel was also serving on the council, also named Christoph Friedrich Albrecht²²⁴ (their fathers were cousins). He, too, made an impressive contribution to the Council of Rothenburg.²²⁵

However, the unity of the Holy Roman Empire to fight France was undermined over Prussia and Austria and their conflict over who should control Poland. Prussia agreed to be neutral with France. The result of this meant future conflict would now be concentrated on south Germany. In 1796, French forces moved into Franconia, with French troops quartered in Rothenburg. The leader of the French Republic was Napoleon.

Negotiations in 1801 recommended for the first time that the Free Imperial Cities should lose their special status within the Holy Roman Empire. It was expected that

221 Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. Pp. 571 & 572.

222 Georg Daniel Albrecht (28 November 1741–11 May 1800) son of Johann Georg Albrecht (chapter 8).

223 Borchart, Karl. 'The advisable families of the imperial city of Rothenburg ob der Tauber through the centuries.' Lecture held for the club Alt-Rothenburg. 23 February 2007.

224 Christoph Friedrich Albrecht (26 August 1749–12 May 1831); grandfather was David Christoph Albrecht (see chapter 7).

225 Exterior Council 1776–97; 1800, 1802; Exterior mayor 1795, 1799; Exterior judge 1801; Exterior master builder 1802; Curator of alms (*Almosenpfleger*) 1791; Revisions-Herr 1789, 1790, 1795; City representative (*Stadt-Deputierter*) 1789, 1790, 1798; Tax gatherer in the Gäu 1793, 1794, 1801, 1802; Curator of alms of St James 1799, 1800; and Lord of war 1798. From Stadtarchiv (State Archive) Rothenburg ob der Tauber, Milchmarkt 2, 91541, Rothenburg ob der Tauber'.

Rothenburg would be given to Prussia as it was surrounded by Prussia's Franconia territories. However, ultimately Prussia traded its Franconia territories for more territory in northern Germany.

On 24 May 1802, in Paris, Napoleon and the other powers decided that Franconia, including Rothenburg, should be given to Bavaria. Munich acted quickly with 221 Bavarian soldiers occupying Rothenburg on 2 September 1802.

"The seizure of civil property took effect on 2 December 1802, after the Bavarian patents and coats of arms had been struck on public buildings and city gates on 1 December in the presence of the Bavarian Minister of Home Affairs under the thunder of 100 cannon shots. The council, the city officials and soldiers were solemnly sworn in on the Elector of Palatinate Bavaria.²²⁶ The military road via Rothenburg to Würzburg secured Bavaria immediately through treaties with Prussia and Hohenlohe."²²⁷

Agreements concluded on 25 February 1803 resulted in massive redistribution of territory within the Holy Roman Empire (that now only existed in name) including the independence of 41 Free Imperial Cities (including Rothenburg).²²⁸ Lutheran Rothenburg and the Lutheran Prussian territories now had a new ruler – the Catholic House of Wittelsbach.

One of the main problems for the new regime from Munich was to reduce the huge debts Rothenburg had built up, especially in the last decade due to the wars with France. This meant that many state properties were sold, as well as farmland and woodlands that many of the old families controlled.²²⁹ Not only had the patrician families, such as the Albrechts, lost political importance, but their economic base was also undermined.

The new Bavarian administration forced many of the officeholders on, including Mayor Johann Gottlieb Ebert (because of old age – he was 72), the council consul Christoph Wilhelm von Winterbach (due to daily drunkenness) and the land commissioner Christian Gustav Albrecht²³⁰ (because of poor performance).²³¹ The promising city careers of the likes of Christoph Friedrich Albrecht were cut short in their prime. He was 41 when Bavarian forces took control of Rothenburg. However, many of the families tried to adapt

226 In 1742, the Palatinate was inherited by Charles Theodore, Duke of Sulzbach. He also inherited the Electorate of Bavaria when its ruling line became extinct in 1777. The title and authority of Elector Palatine were subsumed into the Electorate of Bavaria.

227 Borchart, Karl. 'Mediatisation 1802–03'. Lecture at the annual general meeting club Alt-Rothenburg 16 April 2002.

228 Whaley, Joachim. *Germany and the Holy Roman Empire Volume II: The Peace of Westphalia to the Dissolution of the Reich, 1648–1806*. Pp. 619 & 620.

229 Borchart, Karl. 'Mediatisation 1802–03'. Lecture at the annual general meeting club Alt-Rothenburg 16 April 2002.

230 Christian Gustav Albrecht was born 2 January 1745 (son of Nicolaus Christoph Albrecht – chapter 8). He was educated at the University of Jena and married Anna Maria Hornung on 26 August 1771.

231 Borchart, Karl. 'The advisable families of the imperial city of Rothenburg ob der Tauber through the centuries.' Lecture held for the club Alt-Rothenburg. 23 February 2007.

to the new regime. For example, in 1805, Sabine Maria Albrecht's²³² husband, Johann Christian von Staudt²³³ (married 1790) was appointed a municipal legal officer by the Bavarian government.

During this time, one of Rothenburg's renowned citizens, Christoph Wilhelm Albrecht²³⁴, had received his education from the Rothenburg *Gymnasium*, then the universities of Heidelberg and Würzburg, and then worked for the Duchy of Nassau²³⁵ but beforehand fought in the French wars in 1815, including Waterloo.²³⁶

Napoleon kept making advances in Europe. This led to Francis II²³⁷ declaring, on 6 August 1806, that the Holy Roman Empire had ceased to exist.



232 Sabina Maria Albrecht was born 13 March 1770. Her father was Daniel Augustin Albrecht (son of Nicolaus Christoph Albrecht – chapter 8), commendable assessor and lawyer in the Exterior Council, who married Sabina Lucia Mercklein in 1763.

233 Their son, Karl Georg Christian von Staudt (born 24 January 1798 in Rothenburg, died Erlangen, 1 June 1867), had two older brothers and the family lived in a home on Herrngasse (gentleman's lane). Karl Georg Christian von Staudt was a famous mathematician who used synthetic geometry to provide a foundation for arithmetic. He received his doctorate from the University of Erlangen in 1822.

234 C Wilhelm Albrecht was born 2 June 1785 and died 21 December 1868. His father was Georg Friedrich Albrecht (1749–1814), physician to Rothenburg. Wilhelm's mother was Sophie Elisabeth (1749–1824), daughter of Jeremiah Christian von Staudt (1724–1802), Mayor of Rothenburg. His grandfather was Nicolaus Christoph Albrecht (1711–74), Mayor of Rothenburg (see chapter 8).

235 In 1817, he was appointed to the Nassauischen Idstein as director of the Agricultural Institute, which he opened in 1818. This institution promoted agricultural reforms, including crop rotation and protective hedges. From <https://www.deutsche-biographie.de/downloadPDF?url=sfz605.pdf>

236 Originally Bavaria fought with Napoleon; however, after the Battle of Leipzig in October 1813, when Napoleon was decisively defeated, Bavaria joined the coalition against Napoleon. Napoleon and the French Empire were finally defeated at Waterloo by the Duke of Wellington on 18 June 1815.

237 Francis II (1768–1853) was the last Holy Roman Emperor, ruling from 1792 until 6 August 1806. He dissolved the empire after defeat at the hands of Napoleon at the Battle of Austerlitz. In 1804, he founded the Austrian Empire, being Emperor of Austria between 1804 and 1835.

Appendix 1

Paternal Lineage of Christoph Friedrich Albrecht

Eucharius Albrecht b. c. 1461 Ippesheim d c. 1526 at Rothenburg.

Gilg Albrecht b. c. 1480 d. before 1517 at Rothenburg.

Married Dorothea Hoffmann at Rothenburg.

Kilian Albrecht b. c. 1500 at Rothenburg d 10 February 1574 at Rothenburg.

Leonhard Albrecht b. c. 1550 at Rothenburg d. 19 January 1613 at Rothenburg.

Married Maria Magdalena Forst on 17 August 1596.

Georg Albrecht b. 8 July 1603 at Rothenburg d. 5 February 1666 at Rothenburg.

Married Susanna Husel on 19 June 1626 at Rothenburg.

Dr Johann Georg Albrecht b. 25 February 1629 at Rothenburg d. 11 November 1703 at Rothenburg.

Married Anna Magdalena Walther on 26 June 1655 at Rothenburg.

Johann Georg Albrecht b. 25 June 1657 at Rothenburg d. 29 August 1720 at Rothenburg.

Married Margaretha Dorothea Sauber 2 October 1679 at Rothenburg.

Johann Christoph Albrecht b. 11 July 1680 at Rothenburg d. 8 March 1751 at Rothenburg.

Married Anna Maria Eleonara Kraussenberger on 15 November 1707 at Wiesenbronn.

Johann Friedrich Gustav Albrecht b. 13 June 1710 at Rothenburg d. 8 July 1771 at Rothenburg.

Married Maria Christina Bezold on 4 November 1760 at Rothenburg.

Christoph Friedrich Albrecht b. 26 January 1762 at Rothenburg d. 20 October 1834 at Rothenburg.

Married Julia Maria Krauss in 1794 at Rothenburg.

Appendix 2

The Holy Roman Emperors, 1493–1806

House of Habsburg

1493–1519	Maximilian I
1519–1558	Charles V (grandson)
1558–1564	Ferdinand I (brother)
1564–1574	Maximilian II (son)
1576–1612	Rudolf II (son)
1612–1619	Matthias (brother)
1619–1637	Ferdinand II (grandson of Ferdinand I)
1637–1657	Ferdinand III (son)
1658–1705	Leopold I (son)
1705–1711	Joseph I (son)
1711–1740	Charles VI (brother)
(1740–1742)	<i>Interregnum</i>

House of Wittelsbach

1742–1745	Charles VII of Bavaria
-----------	------------------------

House of Habsburg–Lorraine

1745–1765	Francis I (married Maria Theresa, daughter of Charles VI)
1765–1790	Joseph II (son)
1790–1792	Leopold II (brother)
1792–1806	Francis II (son)

Appendix 3

Rothenburg Council, 1767

Chapter outlining Rothenburg ob der Tauber from: *Complete and highly commendable state and address book of the districts of Swabia and Franconia*. Published by Gottfried Paul Tilger, 1767. Pp. 123–26.

Rothenburg ob der Tauber

Interior Council

Mayor – Christoph Augustin Walther, Consist. Schol., land *Vogt* in the Zwerchmajer, head manager of the hospital and at St Jacob, and fief holder at the *Hochstift*²³⁸ Würzburg, also chief holder of the *Wildbann*, commenced the governing council on Walpurgis²³⁹ 1767.

Johann Friedrich Krauss, Consist. Schol., land *Vogt* in the Zwerchmajer, head manager of the laudable monasteries and at St Jacob, also chief holder of the *Wildbann* and auditor.

Johann Friedrich Christoph Schrag, *Comes palatinus Caesareus*²⁴⁰, Consist. Schol., land *Vogt* of the province, head manager of the hospital and at St Wolfgang, auditor and fief holder at the imperial palace.

Johann Georg Bezoldt, land *Vogt* of the province, head military commander, head manager of the laudable monasteries and at St Johann, also auditor.

Nicolas Christoph Albrecht, *Ober-Steurer*²⁴¹ and chief manager of the communal alms.

Senators

Friedrich Christoph Renger, middle tax official.

Nicolas Christoph Heldt, interior master builder.

238 In the Holy Roman Empire the German term *Hochstift* was often used to denote the territory of secular authority held by bishops ruling a prince-bishopric as their temporalities.

239 1 May

240 *Comes palatinus Caesareus* = Count Palatine

241 Highest tax official in an imperial city.

Johann Balthasar von Staudt, imperial judge.

Johann Wilhelm von Winterbach, manager of the guardianship authorities and deputy auditor.

Friedrich Bernhard Höchstetter, manager of the guardianship authorities and deputy auditor.

Johann Ge. Pürckhauer, military commander and middle manager of the alms, also auditor and holder of the Wildbann.

Johann Sig. Mercklein, deputy military commander and holder of the Wildbann.

David Christoph Albrecht, Umgeld²⁴² manager.

Jeremias Christian von Staudt, meat and beer treasury, also deputy of the land registry office.

Johann Wilhelm Friedrich Renger, deputy of the land registry office and of extraordinary investments.

Johann Gottfried Albrecht, extraordinary investments deputy.

Councillors

Johann Balthasar von Staudt

Augustin Josaphat Herrnbaur

Johann Georg Walther

Johann Christoph Renger

Exterior Council

Johann Heinrich Fluhrer, banker.

Johann Christoph Walther, exterior mayor in office and deputy military commander.

Johann Georg von Keget, senior exterior judge.

Johann Heinrich Rössler, exterior master builder.

Johann Christoph Raab, actual exterior judge.

Georg Friederich Walther, exterior tax official.

Johann Friedrich Krauss, hospital manager.

Johann Daniel Hofmann, hospital secretary.

Christian Philipp von Winterbach, *Equus auratus* and *Comes palatinus Caesareus*, exterior mayor and brewery inspector.

Gustav David Bezold, exterior mayor and St Jacob manager.

Johann Christoph Renger, also councillor.

Daniel Christian Herrnbaur, designated exterior mayor and deputy military commander.

²⁴² *Umgeld* was a turnover tax or VAT charged by the imperial cities since the 13th century on everyday goods, such as grains, wine, beer, meat and salt.

Jeremias Johann Christian Nusch, designated exterior mayor and deputy *Umgeld* manager.

Emanuel Johann Christoph Raab, deputy inventory manager.

Johann Christoph Daniel von Brebiz, exterior land tax official.

Daniel Johann Christian Nusch, exterior alms manager.

Georg Wilhelm Renger, malt inspector.

Johann Friedrich Wilhelm Bezold, extraordinary investments deputy.

Christoph Friedrich Gessner, extraordinary investments deputy.

Georg Daniel Wörner, member of the *Zeichen* office.

Johann Georg Albrecht, also council *Actuarius*.²⁴³

Johann Daniel Wolf, member of the audit committee and land registry official.

Georg Conrad Kübler, member of the audit committee and land registry official.

Georg Albrecht Held, monastery administrator.

Johann Gottlieb Ebert, secretary of the audit committee.

Johann Wilhelm Krauss.

Johann Heinrich Schreiber.

Georg Daniel von Staudt.

Michael Fesser.

Georg Peter Lay.

Johann Daniel von Winterbach.

Johann Gottlieb Georg Schäfer, notary public.

Johann Christoph Heldt.

Daniel Friederich Pürckhauer.

Daniel Augustin Albrecht.

Johann Augustin von Winterbach.

Johann David Walther.

Christoph Ludwig Pürckhauer.

Georg Michael Eichborn.

Designated: Augustin Bernhard Bezold.

Municipal Office

Johann Georg Albrecht, council *Actuarius*.

Christoph Wilhelm Bezold, registrar.

Johann Christoph Pürckhauer, archivist.

Johann Ludwig Pürckhauer, archivist.

Christian Johann David Nusch, clerk.

²⁴³ *Actuarius* was the title applied to officials of varying functions, often accountants and administrators, in the empire

David Ludwig Schmezer, clerk.
Johann Friedrich König, clerk.
Georg Wilhelm Stellwag, assistant.
Johann Christoph Wilhelm Bezold, assistant.
Daniel Friederich Ebert, assistant.
Hellw. Augustin Walther, assistant.
Christian Gottfried Albrecht, assistant.

Ecclesiastic Ministry of the City

Johann Adam Lehmus, parish priest of the city's main church of St Jacob and superintendent of the whole clergy of the city, its rural environment, its two bailiwicks, also consistor and scholarcha.
Johann Ludwig Schäfer, preacher at afternoon masses, consistor and scholarcha.
Johann Wilhelm Hornung, chapel priest at Spiritus Sanctus in the hospital.
Georg Christoph Jacobi, archdeacon at St Jacob and morning mass preacher at St Johann.
Wilhelm Heinrich Seyboth, deacon at St Jacob and morning mass preacher at St Franciscus.
Adam Jeremias Seyboth, deacon at St Jacob and parish priest in Detwang.
Johann Christian Adami, deacon at St Jacob and parish priest in Detwang.
Johann Ludwig Pelzner, parish priest at St Leonhard.
Johann Adam Albrecht, deacon at Spiritus Sanctus.

Medical Council

Johann Christoph von Witnerbach, senior physician with medical licence.
Philipp Christoph von Staudt, physician with medical licence.
Johann Daniel Christoph Pürckhauer, physician with medical licence.
Philipp Matthäus Wörner, medical doctor and physician.

High School

M Andreas Samuel Gesner, head of school, professor, librarian and student inspector.
Georg Gottfried Seydenschwan, deputy head of school.
Johann Christian Zierlein, teacher, 3th grade.
Albrecht David von Berg, teacher, 4th grade.
Johann Georg Rühel, teacher, 5th grade.
David Christoph Weiss, teacher, 6th grade.
Georg Christian Rücker, substitute teacher.

Friederich Nicolaus Wucherer, teacher, 7th grade.

Georg Christoph Anschütz, organist.

Georg Friederich Nusch, cantor.

Military Officers at the laudable regiments of the Franconia district

Johann Michael Krauss, cavalry captain under the laudable Trescow cuirassier regiment.

Augustin Friedrich von Staudt, captain under the laudable Prince Hohenlohe infantry regiment.

Johann Gottlieb von Staudt, lieutenant under the Trescow cuirassier regiment.

Johan Gustav Herrnbaur, premier-lieutenant under the laudable von Kerpen infantry regiment.

Johann Friedrich von Winterbach, premier-lieutenant under the laudable Prince Hohenlohe infantry regiment.

Christoph Daniel Walther, seconde-lieutenant under the laudable Trescow cuirassier regiment and at the rural cuirassier company and at the city garrison.

Johann Friedrich Raab, lieutenant under the city Cuirassier Company and forester.

Johann Daniel von Staudt, lieutenant and march commissioner.

Ge. Wilhelm Hoffmann, vicarious city lieutenant and land *Renov.*

Officials in the City

Johann Michael Krauss, secretary at guardianship authorities.

Johann Gottlieb Albrecht, secretary to the land *Vogt* in the Zwerchmajer.

Johann Wilhelm Krafft, war secretary.

Niclas Christoph Stellwaag, monastery bailiff.

Officials in the Countryside

Johann Balthasar Höchstetter, office administrator in Oberstetten.

Jacob Daniel von Lierdt, land commissioner in Insinggen.

Johann Wilhelm Geltner, land commissioner in Gebattel.

Georg Daniel Göritz, land commissioner in Neuses.

Johann Gottfried Nusch, customs commissioner.

Appendix 4

College of Arms

Typescript of College of Arms MS. Foreign Arms I. Pages 101-104.

Headed by painting of the Arms and Crest which shows:

- Arms: Quarterly 1&4 Gules a Unicorn current Argent 2&3 Or 3 bendlets Sable
Crest: Upon a Helm with a Wreath Or & Sable A demi Unicorn Argent between on the dexter a Proboscis per fess Sable and Or on the sinister a Proboscis per fess Gules and Argent
Mantling: Dexter Sable doubled Or Sinister Gules doubled Argent
Motto: NIHIL HUMANA MOROR

Translated from German

Town Council of Rothenburg o/Tbr

Certificate

As a result of the thorough investigations which have been made and in the light of entries contained in the Register of Families and Armorial Bearings (Vol 1. p.13) of the town of Rothenburg o/Tbr, as well as of a list of Epitaphs which were formerly in Churches and Chapels, but particularly in virtue of the declaration made in lieu of oath in Trafalgar Square, London under date of the 16th April 1923, it is certified by these Presents that Aken Lippert Albright, c/o High Commissioner for South Africa, in London, is entitled to bear the Coat of Arms of the former Albrecht family of Rothenburg ob der Tauber, seeing that Aken Lippert Albright is a direct descendant of Leonard Albrecht of the Eusserer Rath in Rothenburg ob der Tauber (d. Jan 19th 1613) to whom the Coat of Arms was granted for himself and his descendants and it is described in the Declaration made in Comberg on the 9th August 1605 by Franz Rasso Gotthard, Imperial Secretary et^c, so that both the father of Aken L. Albright (Gottwald Heinrich August Albrecht, born on the 22nd May 1838, who died in 1901 at Sillery, Constantia Cape of Good Hope) and the grandfather of the said gentleman (Friedrich Theodor Albrecht, born on the 16th October 1801) were entitled to bear this Coat of Arms

The Coat is described as follows:

"Quartered Shield, ~~sinister~~ dexter chief and ~~dexter~~ sinister base a unicorn passant (white or argent) on ground of gules, ~~dexter~~ sinister chief and ~~sinister~~ dexter base diagonal bands or bars (yellow or or and sable) Crest: Helmet with buffalo horns the latter halved sable and or and then white and gules. In the centre, demi rampant unicorn (white or argent)".

Rothenburg ob der Tauber

July 10th 1923

Town Council

(sgd) Dr Leibermann

" Zimmermann

Municipal Archivist

Fees:

50,000 Marks No 2 Par 143 Royal Reg.

5,000 " " 1 " 143 " "

55,000 Marks. Fee Regulations No 281

Certificate previous postage

expenses & transcriptions

Municipal Treasury of Rothenburg 11·7·23

(sgd) ...

Municipal Archives

Rothenburg ob der Tauber

TW Carter
8 Aug 2018.

Extract from the register of Families
And Armorial Bearings of the town of
Rothenburg ob de Tauber Vol 1. p. 12.

Certified Copy

Franz Rasso Gotthard J.U.D, Imperial Secretary, Official and County Palatine, for the time being Syndic of Comberg, grants, by Imperial Authority and Command, to the honourable, wise and highly respected Herr Leonhard Albrecht, Burgher of the Hon. Council of Rothenburg on the Tauber, permission to bear the following Arms, namely, a quartered shield divided horizontally in the middle and crosswise from top to bottom dexter chief and sinister base in part red or rose colour, with, in each, a white or argent Unicorn current and ready to run with protruding horn, dexter base and sinister chief of shield yellow or or with three sable bars or bends running diagonally, over the shield a tilting helmet with its ornaments and a wreath in Sable and gules-or as well as red and argent running in and out and intertwining, from which emerge two buffalo horns, with the mouth horns turned across each other: in the middle also divided horizontally the dexter sable and yellow or or the sinister white or argent and red or rose colour in between there appears again as in the dexter chief and sinister base a white or argent unicorn ready to spring but only from the top part of the body to the waist. Mantling sable and yellow on the right side and red and argent on the left side, these colours being intertwined, permission being given him to use these in all honourable pursuits. Dated: Comberg 9th August, Anno 1605.

It is herewith certified that the copy of this extract is correct (the complete Letter of Arms is not to be found in these Archives)

Rothenburg ob der Tauber. 6th October 1922
Municipal Archives
(signed) Zimmermann

(Seal)

Record Office of the State of Bavaria

Fees:-

Use of Archives	20.m
Making Extract	20.m.
Postage	6.m.
Special Fee	<u>1.m</u>
Total	47.m.

The above documents

1. Certificate of the municipal Council of Rothenburg ob der Tauber dated 10th July 1923 and
2. Certified extract from the Municipal Archives of Rothenburg, of the 6th October 1922

have been bound together for the purpose of being jointly certified by the superior district authorities at Ansbach
Rothenburg ob der Tauber, September 7 1923

Municipal Council
(signed) Kleinschrott

Council of the Bavarian Town of
Rothenburg ob der Tauber

2nd Burgomaster
Zimmermann

TW Carter
8 Aug 2018.

Appendix 5

Albrecht Grave at Cape Town



*The grave of
Gottwald Heinrich August Albrecht
(22 May 1838 – 9 December 1901)
Maitland Cemetery,
Cape Town.*

*The monument includes the
Albrecht coat of arms (above).*

Appendix 6

‘Swan Song’

Das höchst schmerzliche Entwerden
Des weyland
tot. Tit. Herrn
Dr Johann Georg Albrechts
Allhiesig hochverdienten Aeltesten
Consulentens
Als Obrigkeitlich verordnet-gewesenen
Chori Musici Directoris,
ihrers hochgeehrtesten Hernn Patroni
wollten mit folgendem Schwanengesang
gebührend betrauren
die Rotenburg Musicverwandte.

The Rotenburg music associates
duly mourn
the most painful departure
of the late
Dr Johannes Georg Albrecht
highly deserved senior
consultant
as the director of the music choir
appointed by the authorities
and
as their most highly honoured patron
with the following swan song.

1
So hat der Schwan sein Abschiedslied
gespielet? Hat er sich abgekühlet in
Karons¹ Kahn und
mit beredter Zungen
zu Grabe sich gesungen,
zu Grabe sich gesungen.

Verse 1
So, has the swan played his goodbye
song? Has he cooled down in
Karon's boat and
with eloquent tongues,
sung himself to his grave
sung himself to his grave.

2
Mein End mach gut* war seine letzte
Stimme: Herr, meinen Geist hinnimme!
Halt ob ihm Hut, auf Gott leg ich
mich nieder,
ach! Schöne Schwanenlieder!
Ach! Schöne Schwanenlieder!

Verse 2
Make my end good*, was the last he
voiced: Lord, take my spirit!
Guard it well, on God I will lay myself
down,
Oh! Beautiful swan songs!
Oh! Beautiful swan songs!

1 Karon = Charon, the ferryman of Hades

* Wird abgezielet auf das von dem wohlseeligen
Herrn D. Albrechten des Abends vor seinem seeligen
Ableben selbst abgesungen und auf dem Clavier
abgespielte schöne Sterbelied: Wer weiss wie nahe
mir mein Ende?²

3

Was sonst ein Schwan vermerkt sein
Sterbensende wird er zur Sonnenwende
und geht voran zu kühlen
Wasserflüssen
sie letztmals zu begrüßen,
sie letztmals zu begrüßen.

4

Er singt so lang bis eine Flutenhölle
verschlang die süsse Keh-
le samt dem Gesang, sein Leib wird ihm
ein Bette
der Bach zur Lagerstätte,
der Bach zur Lagerstätte.

5

Viel sanfter ruht hier unser Schwan
beym Bronnen* von welchem ist geronnen
das edle Blut als dessen rote Flüsse
sind lauter Lebensgüsse,
sind lauter Lebensgüsse.

*Ex I. Ioh. I. g.

* In reference to the late Dr Albrecht when he sang
and played on the piano the beautiful farewell song
'Wer weiss wie nahe mir mein Ende?' the evening
before his gentle departure.

Verse 3

What else does a swan do at the end of
his life? He makes his way to the cool
waterways at the time
of the solstice
to greet them one last time,
to greet them one last time.

Verse 4

He sings until the hellish
torrents devour
his sweet throat with all its song,
The river becomes
a bed for his body,
a bed for his body.

Verse 5

Our swan rests much more gently
at the springs*, from which ran
The noble blood in red rivers which
are gushes of life,
are gushes of life.

*From I. John. I. g.

2 'Wer weiss, wie nahe mir mein Ende?' (Who knows how near to me my end?). BWV 27, is a church cantata.

6

Bey diesem Strand hat unser Schwan
gekirret, sein Sterbelied abgewirret, in
dieses Hand* hat er sich eingeschlossen
und Himmelskraft genossen,
und Himmelskraft genossen.

*Conf. Text. Funebr: ex Psalm XXXI.6

7

Herr, meine Seel nimm auf in deine
Wunden, die mich so oft verbunden, wann
aus der Höll des Leibs (sang er)
mein Singen
nach mir wird nimmer klingen,
nach mir wird nimmer klingen.

8

Glückloser Fluss der Tauber, der
die Hölle hier unsrer Schwanenkehle
zuletzt sein muss;
sollst du mit Lebensgaben
ihn nicht belabet haben?
ihn nicht belabet haben?

9

Zwar grosse Gunst hat ihm deine Flut
erwiesen, wie ers dann stets gepriesen
nun eitler Dunst! Der Schwan liegt bey
den Flüssen,
dem Sängchor entrissen,
dem Sängchor entrissen.

Verse 6

Our swan rested at this beach,
he finished his death song,
he enclosed himself in this hand
and enjoyed the power of heaven,
and enjoyed the power of heaven.

*Conf. Text. Funebr: from Psalm XXXI.6

Verse 7

Lord, take my soul into your wounds,
which so often comforted me,
when from the hell of my body (he sang)
my singing
after me will never sound again,
after me will never sound again.

Verse 8

Hapless river Tauber, who
will be the hellish end for our
swan's throat;
shouldn't you have
refreshed him with gifts of life?
refreshed him with gifts of life?

Verse 9

Although your floods have granted him
great favours, which he always praised, it
is now idle mist! The swan is lying beside
the rivers,
ripped away from the singers' choir,
ripped away from the singers' choir.

10

Kommt allher an, ihr Nymphen und
Dryaden, ihr schwarzen Oreaden;
helft unsern Schwan mit Tränen und
mit Ächzen
bey seinem Grab belechzen,
bey seinem Grab belechzen.

11

Mit Trauerflor umhüllet das
Gesichte und singet Trauergedichte bey
Musikchor mit Wehmuth vol
len Zungen:
Der Schwan hat ausgesungen,
der Schwan hat ausgesungen.

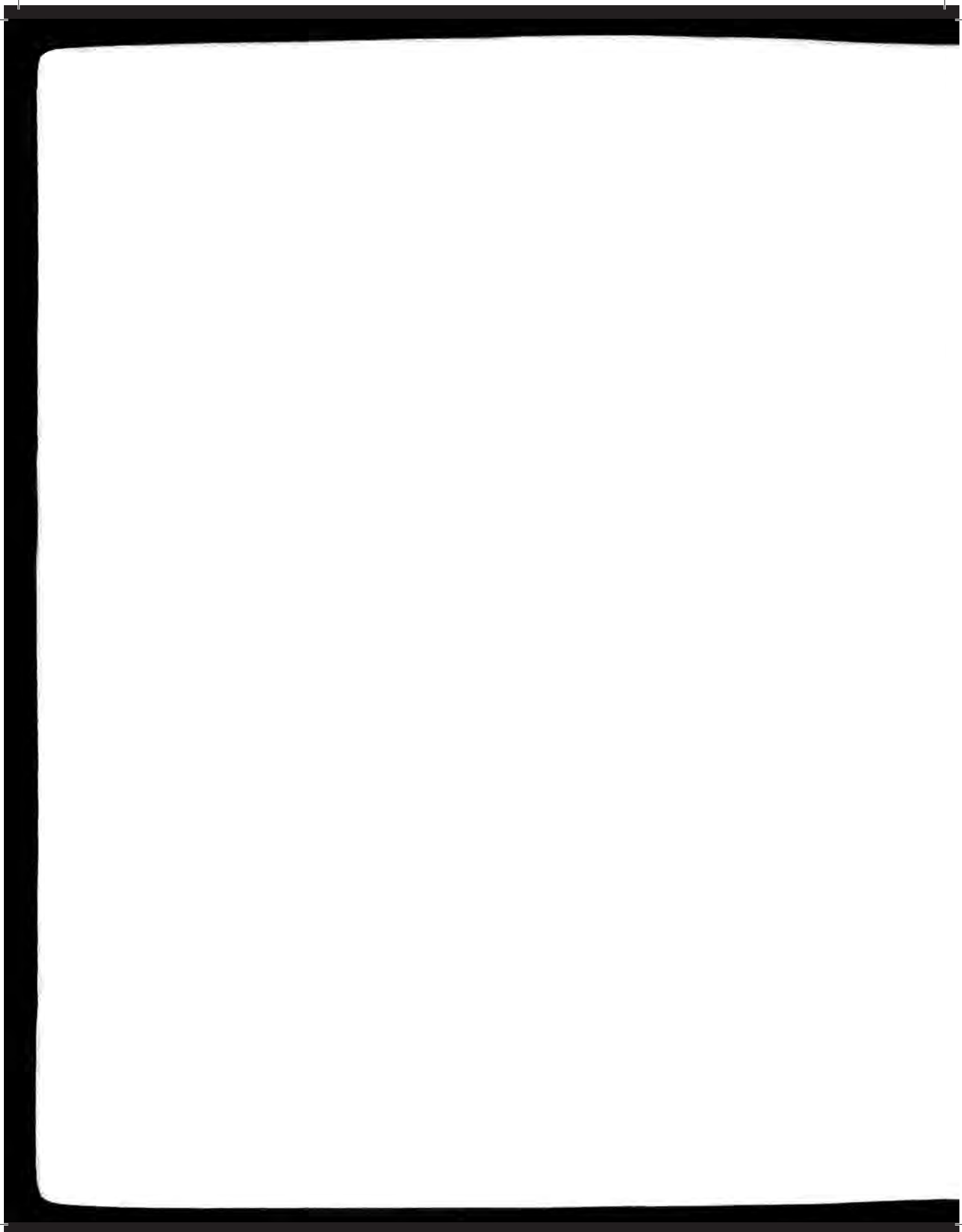
Verse 10

Come along, you nymphs and
dryads, you black Oreads;
help our swan with tears and
moans,
to moisten his grave,
to moisten his grave.

Verse 11

Faces wrapped in black veils and
tongues full of wistfulness,
the music choir is singing
mournful poems:
The swan sang for the last time,
the swan sang for the last time.

See following pages for the music manuscript.



Das
Höchst-schmerzliche Entwerden

Des Wenland

Tot. Tit. Herrn

D. Johann Georg Albrechts/
allhiefig-Hochverdienten Aeltisten
Consulentens/

als

Obrigkeitlich verordnet-gewesenen
Chori Musici Directoris,

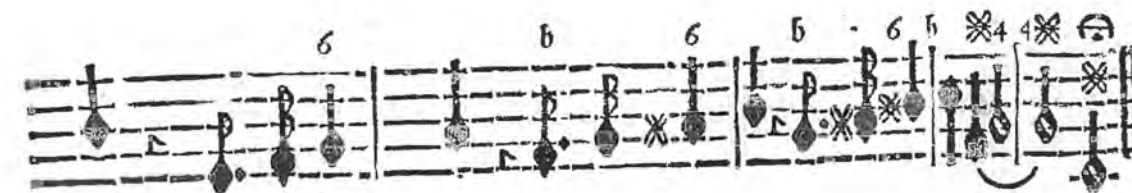
Ihres Hochgeehrtesten Herrn Patroni

wolten

mit folgendem Schwanen-Gesang
gebührend betrauren

Die Rotenburg. Music-Verwandte.

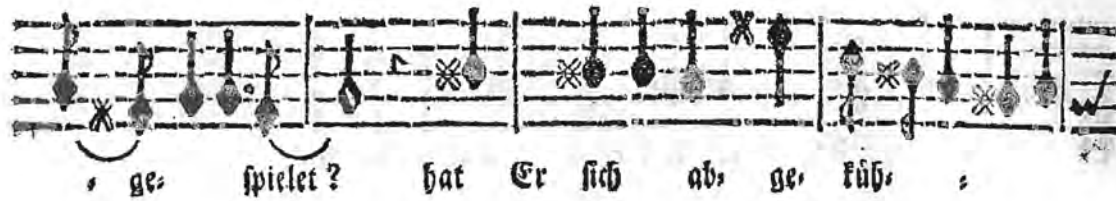
Sinf.





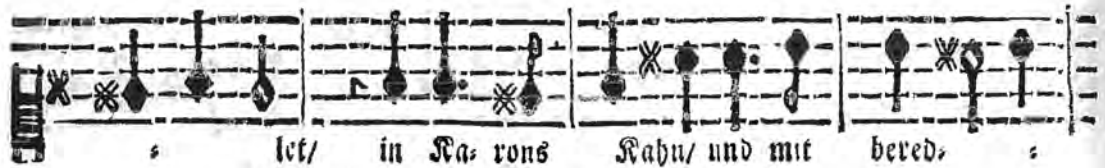
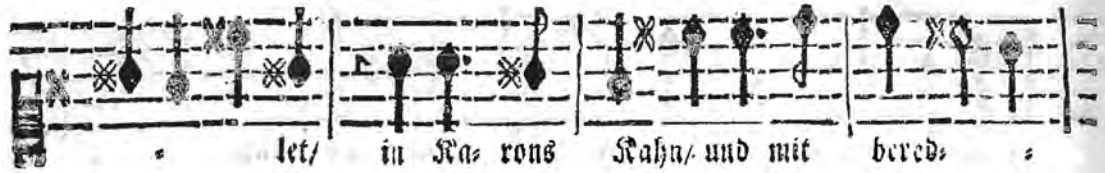
- | | | | | | | | | |
|-----|-------------|------|--------|------|-------|------|--------|---|
| 2. | Mein End | mach | gut * | war | sei- | ne | letz- | : |
| 3. | Was sonst | ein | Schwan | ver- | merkt | sein | Ster- | : |
| 4. | Er singt | so | lang | bis | ei- | ne | Flu- | : |
| 5. | Wiel jänff- | ter | ruht | hier | un- | ser | Schwan | : |
| 6. | Den die- | sem | Strand | hat | un- | ser | Schwan | : |
| 7. | Herz mei- | ne | Seel | nim | auf | in | dei- | : |
| 8. | Glücklo- | ser | Fluß | der | Tau- | ber/ | der | : |
| 9. | Zwar groß- | se | Gast | hat | Ihm | dein | Fluß | : |
| 10. | Kommt Al- | her- | an/ | ih- | rem | sen | und | : |
| 11. | Mit Trau- | er- | Flor | um- | hül- | let | das | : |

* Wird abgezietet auf das von dem wohlseel. Herrn D. Albrechten des Abends vor seinem seel. Ableiben selbst abgesungen: und auf dem Clavier abgespielte schöne Sterblied: Wer weiß/ wie nahe mit mein Ende?



te	Stime:	Herr	mei: nen	Geist	hin: nim:	:
bens:	En: de/	wird	Er zur	Son: nen: wen:	:	:
ren:	Hö: le	ver: schlang	die	suf: se	Reh:	:
beim	Wronen/ *	von	welchem	ist	ge: ron:	:
ge:	Kir: ret/	Sein	Sterblich	ab: ge: swir:	:	:
ne	Wunden/	die	mich so	oft	ver: bun:	:
die	Hö: le	hier	un: rer	Schwanen:	Reh:	:
er:	wiesen/	wie	Er: dann	stets	ge: prie:	:
Dry:	aden/	Ihr	schwarzen	D: r: a:	:	:
Ge:	sich: te/	und	fin: get	Traur: Ge: dich:	:	:

* Ex I. loh. I. 8.



2.	:	me!	Halt ob Ihm	Hut/ auf Gott	leg Ich	:
3.	:	de/	und geht vor:	an/ zu küß:	len Was:	:
4.	:	le/	samt dem Ge-	sang/ sein Leib	wird Ihm	:
5.	:	nen	das ed: le	Blut/ als des:	sen ro:	:
6.	:	ret/	in Die: ses	Hand* hat Er	sich ein:	:
7.	:	den/	wann aus der	Höl' des Leibs	(sang Er)	:
8.	:	le	zu legt seyn	muß; Solst du	mit Le:	:
9.	:	sen/	nun eit: ler	Dunst! Der Schwan	ligt bey	:
10.	:	den;	Helst un: fern	Schwan mit Thrä:	nen und	:
11.	:	te/	beym Mu: sic:	Chor/ mit Weh:	muth vol:	:

* Conf. Text. Funchr: ex Psalm. XXXI. 6.

ter Zungen zu Grabe sich gesungen/ zu Grabe

ter Zungen zu Grabe sich gesungen/

56 76 76 5* 6* b

2	2	mich ni-	der/ ach! schöne Schwa-nen Lieder!
2	2	ser: flü-	sen/ sie leztmals zu be: grüßen/
2	2	ein Wet-	te/ der Bach zur La: ger: Stätte/
2	2	the Flüs-	se/ sind lauter Le: bens: Güsse/
2	2	ge: schlo-	fen/ und Himmels Krafft ge: noffen/
2	2	mein Sin-	gen/nach mir wird nimmer klingen/
2	2	bens: Sa-	ben Jhu nicht ge: la: bet haben?
2	2	den Flüs-	sen/ dem Sängers: Chor ent: rissen/
2	2	mit äch-	zen bey seinem Grab be: lechzen/
2	2	len Zun-	gen: Der Schwan hat ausge: sungen/

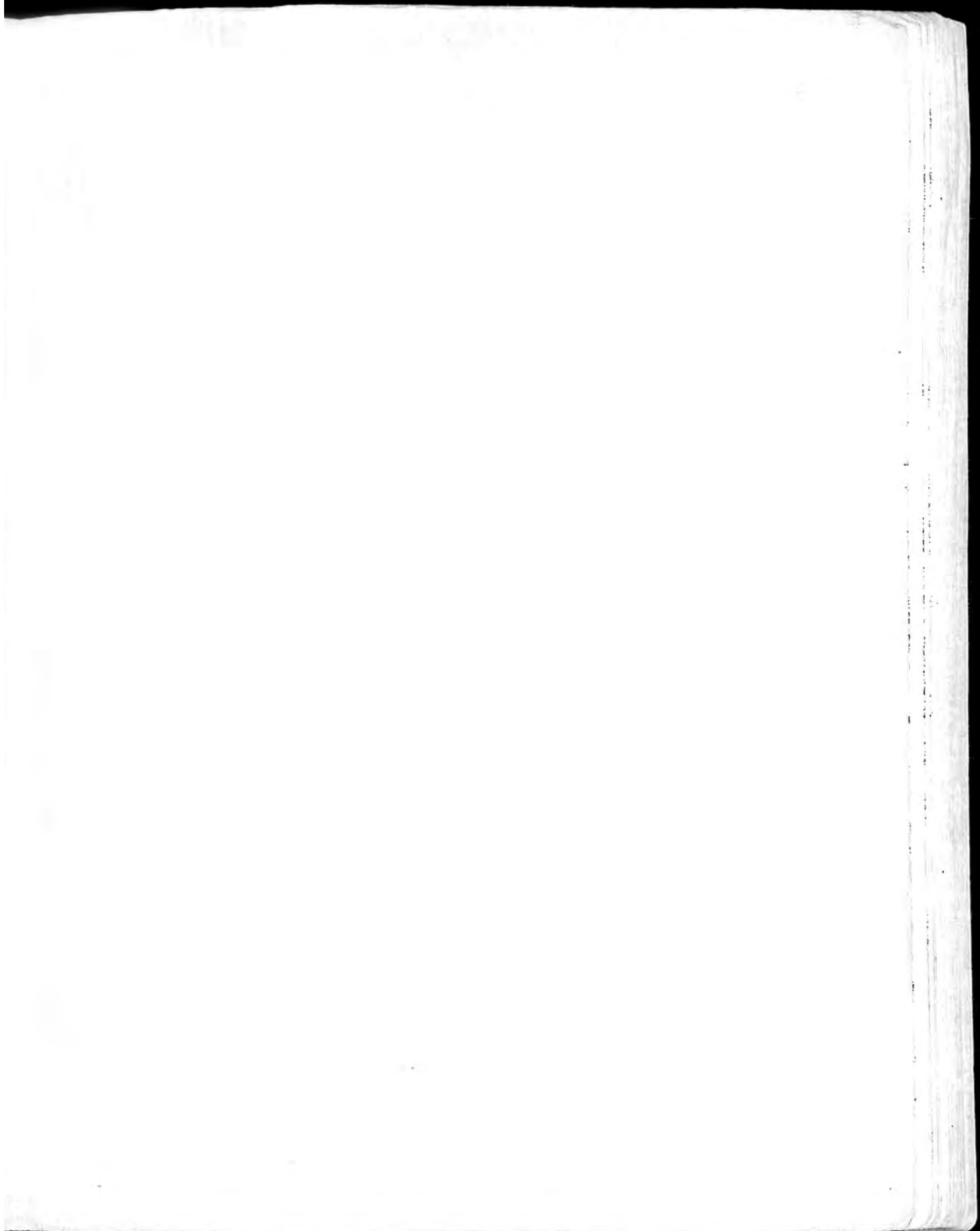
1. Sich ge- sun- gen.

1. zu Gra: be Sich ge- sun- gen?

7 3 56 56 4 5 4

1. Ach! schöne Schwane
 2. sie letztmals zu be-
 3. der Bach zur Lager-
 4. sind lau- ter Le- bens-
 5. und Himmels Kraft ge-
 6. nach mir wird nimmer
 7. Ihn nicht ge- la- bet
 8. dem Säng-er-Chor ent-
 9. bey Seinem Grab be-
 10. Der Schwan hat ange-

lie- der!
 grüß- sen.
 Etät- te.
 Guf- se.
 nos- sen.
 flin- gen.
 ha- ben?
 ris- sen.
 lech- zen.
 sun- gen.



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