

Early Rothenburg City Seals as an Indicator for the Rising Influence of the Rothenburg City Council in the 13th and 14th Centuries

by

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At the recent International Medieval Congress in Leeds, this writer presented his research activities about the history of the Imperial City of Rothenburg in Franconia. The leading question was the examination of cooperation and competition between different urban classes in Rothenburg, with a special focus on the relationship between local noblemen and burghers.

The Foundation and Beginnings of Rothenburg

Rothenburg was founded in the 12th century as a typical town settlement of the Staufer era. In 1142 (or only little earlier), King Konrad III acquired a spur of rock south of the village Detwang to build a new castle there.¹ The Rothenburg castle must have been built promptly, as only two years later an Imperial Ministerialis called Arnold was named after it.² Although there had been a smaller count's castle nearby, only now the building of a whole town settlement was started.³ As is often the case, it's impossible to tell when exactly this new settlement became a town or city.⁴ Depending on the definition of the terms, different opinions have been uttered by historians. Karl Borchart

¹ KARL FRIEDRICH STUMPF-BRENTANO, *Die Reichskanzler vornehmlich des X., XI. und XII. Jahrhunderts, nebst einem Beitrage zu den Regesten und zur Kritik der Kaiserurkunden dieser Zeit 3: Acta imperii inde ab Heinrico I. ad Heinricum VI. usque adhuc inedita*, 1865–1881, p. 132–133, no. 109.

² *Monumenta Germaniae Historica, Conradi III. et filii eius Heinrici diplomata* (MGH DD K III), 1969, p. 176–177, no. 99.

³ KARL BORCHARDT, *Die Anfänge von Burg und Stadt Rothenburg*, in: KARL BORCHARDT, *Kirchen, Bürger und Bauern: Ausgewählte Studien zu Rothenburg ob der Tauber und seinem Umland*, 2016, p. 172–187.

⁴ The differentiation between *town* and *city* doesn't exist in the Latin or German sources of the Middle Ages.

argues that Rothenburg was built as a town from the beginning onwards.⁵ He sees evidence in the regular structure of the settlement and in the early appearance of the Imperial Ministerialis Arnold in 1144 and a Jewish trader in 1170. If a stricter definition demanding some sort of self-government is applied, Rothenburg became a city in the first half of the 13th century only. Burghers are mentioned in 1227,⁶ a city seal in 1239⁷ and a city council in 1269.⁸

The first Administrators in Rothenburg

Shortly after the foundation of Rothenburg, it temporarily became the residence of the Duke of Swabia. Out of the members of the ducal court soon emerged the leading families. The family of the first traceable ministerialis in Rothenburg, the aforementioned Arnold, governed the imperial possessions around Rothenburg until about 1200.⁹ It was succeeded by a family from the episcopal court in Würzburg whose installation took place in about 1203 to 1205. This installation was accompanied by the awarding of a new title. The new administrator of the imperial possessions around Rothenburg was now called *Reichsküchenmeister*, a title unique to Rothenburg, which could be translated as “Master of the Imperial Kitchen”. In the 1230s the *Reichsküchenmeister* family supported a rebellion against Emperor Frederick II and was subsequently discharged. Another nobleman was awarded the title, a man named Lupold. He became the progenitor of the so-called younger *Reichsküchenmeister* family. Lupold resided in a castle called Nordenberg about 4 miles northeast of Rothenburg. Lupold’s family dominated Rothenburg during the Great Interregnum in the Holy Roman Empire.¹⁰ At the same time, a Rothenburg City Council appears for the first time, as mentioned above. In

⁵ Cf. KARL BORCHARDT, *Burg und Stadt Rothenburg unter den Staufern*, in: *Rothenburg ob der Tauber: Geschichte der Stadt und ihres Umlandes*, ed. HORST F. RUPP, KARL BORCHARDT, 2016, p. 65–81.

⁶ LUDWIG SCHNURRER (Ed.), *Die Urkunden der Reichsstadt Rothenburg 1182–1400* (Veröffentlichungen der Gesellschaft für fränkische Geschichte 3,6), 1999 [henceforward abbreviated URR], p. 4, no. 6.

⁷ URR p. 5, no. 8.

⁸ *Wirtembergisches Urkundenbuch* 7, 1900, p. 21–22, no. 2061.

⁹ An overview about the first administrators in Rothenburg is given by KARL BORCHARDT, *Vögte, Truchsesse, Küchenmeister: Stauferzeitliche Ministerialen zwischen Rothenburg und Würzburg*, in: *Herbipolis: Studien zu Stadt und Hochstift Würzburg in Spätmittelalter und Früher Neuzeit*, ed. MARKUS FRANKL, MARTINA HARTMANN (Publikationen aus dem Kolleg “Mittelalter und Frühe Neuzeit” 1), 2015, p. 1–58.

¹⁰ MARKUS NASER, *Rothenburg im Spätmittelalter*, in: RUPP, BORCHARDT, *Rothenburg* (like note 5), p. 82–135.

the beginning, this new city council was most probably not considered a threat to the domination of Lupold and his family, but in 1274 the new king after the Interregnum, Rudolf of Habsburg, granted the inhabitants of Rothenburg the special protection of himself and the Empire.¹¹ By doing so, he claimed Rothenburg to be a possession of the Empire and of nobody else. This was a big defeat for Lupold and his family, who had treated Rothenburg like their own property. With the same charter Rudolf installed an Imperial Regional Court (*Kaiserliches Landgericht*). Rothenburg was henceforth recognized as an Imperial City. The *Reichsküchenmeister* family, nevertheless, still owned part of the Imperial Castle in Rothenburg in the nowadays *Burggarten* area and continued to present the local *Schultheiß*.¹²

City Seal and Coat of Arms of Rothenburg

During his research for a recently published paper about Rothenburg during the Late Middle Ages, this writer came across a hitherto unknown Rothenburg City Seal.¹³ An impression of this seal is attached to a charter issued on April 1st, 1269, which is stored in the Ludwigsburg State Archives (shelfmark B 250 U 385). This seal impression is especially interesting, because it dates from a time before the Imperial Regional Court in Rothenburg was established. To understand the significance of this fact, a closer look onto the previously known information about the Rothenburg City Seals is necessary.

The first thing to be noted is that the Rothenburg City Seal is not identical with the Rothenburg Coat of Arms, as is often wrongly assumed.¹⁴ A city seal was (and is) used to authenticate documents. Seal impressions made of wax were the most common way of authenticating medieval and early modern charters. Their attachment was accomplished in various ways, but applying silk threads or streaks of parchment was the most common method. In the case of the Ludwigsburg charter, streaks of parchment were used. As the seal

¹¹ King Rudolf's privilege was published in *Monumenta Germaniae Historica, Constitutiones et acta publica imperatorum et regum* 3 (MGH Const. 3), 1906, p. 638, no. 650; a German summary can be found in URR p. 35–36, no. 70.

¹² The term *Schultheiß* can hardly be translated into English. The position comprises duties of both a judge and a sheriff. For easier understanding, the term sheriff will be used as translated version of *Schultheiß* in this paper.

¹³ NASER, *Spätmittelalter* (like note 10), p. 82–135, here p. 82. Also note the remarks in end-note 7 on p. 631.

¹⁴ Even the 'Haus der Bayerischen Geschichte' does not differentiate between seal and coat of arms. See <https://www.hdbg.eu/gemeinden/web/index.php/detail?rschl=9571193> (4.12.2018).

stamps were employed for the verification of documents, they were only rarely changed. This led to the effect that many city seals were used over a long period of time. That is especially true for Rothenburg, where the main seal stamp was used from the beginning of the 14th to the beginning of the 19th century.

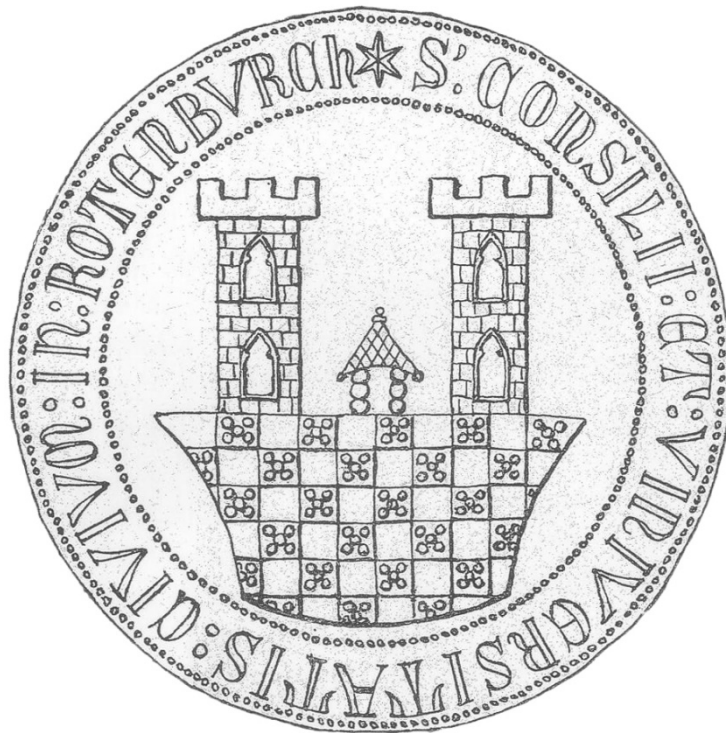


Fig. 1: Sketch of the Main City Seal of the Imperial City of Rothenburg (Jahrbuch des Vereins Alt-Rothenburg [1904/05], p. 29).

Besides the Main City Seal, the City of Rothenburg used other – less important – seals as well, among them a smaller version of the city seal and a secret seal.¹⁵ All these seals show the same subject: A wall with small squares, but without merlons, with two towers on top, both with merlons and windows. Between the two towers there is a small roofed building which is often interpreted as a “court lodge” or “court arbor”. Whether this interpretation is plausible, will be discussed later. All seals also contain a circumscription

¹⁵ Illustrations of the Rothenburg seals are to be found in URR p. LXXIII–LXXX and in MARTIN WEIGEL, *Alt-Rothenburgs Wappen und Siegel im Zusammenhang mit seiner Geschichte dargestellt*, 1941, Tafel IV, at the end of the book.

around this stylized image of a castle. In the case of the Main City Seal the circumscription reads S. CONSILII ET VNIVERSITATIS CIVIVM IN ROTENBVRCH, Seal of the Council and of the Community of Burghers in Rothenburg.

In contrast to the seals – which were used as official verification instruments – the Rothenburg Coat of Arms fulfilled other functions. It was attached to towers and gates and to all public buildings in Rothenburg. And it can also be found in places outside Rothenburg, in villages belonging to the Imperial City of Rothenburg. The coats of arms are references to the owner of the buildings they were attached to, a reference even people without reading skills could understand. And the coat of arms was also used as an insignia on border stones.

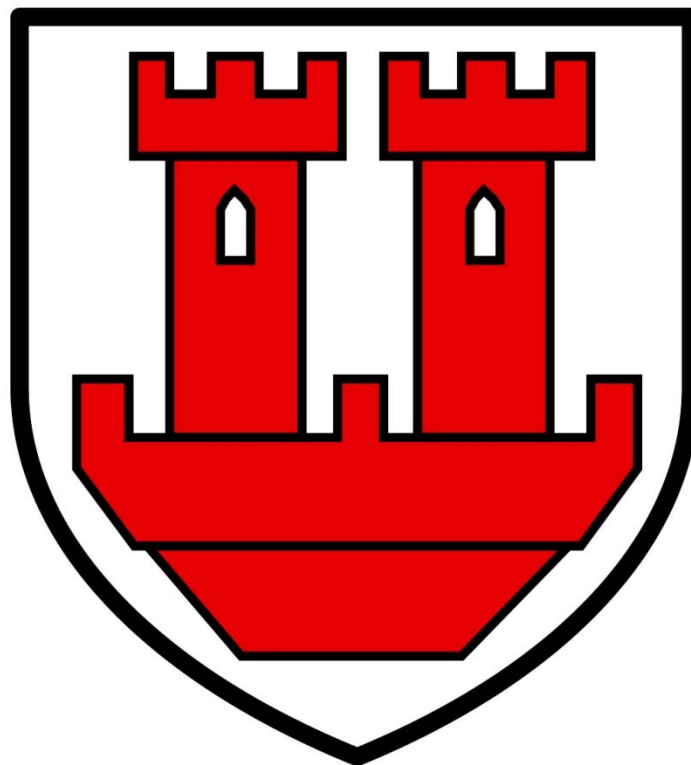


Fig. 2: The Rothenburg Coat of Arms
(Wikimedia Commons, https://de.wikipedia.org/wiki/Datei:Wappen_Rothenburg_ob_der-Tauber.svg)

The Rothenburg Coat of Arms is very similar to the stylized depiction of a castle in the Rothenburg City Seals, but it is not identical with it. The coat of arms shows a hovering wall with three merlons, which has two towers with merlons on top. Wall and tower are red on a white (silver) background.¹⁶ The red coloring indicates canting arms as “Rothenburg” translates to “Red Castle”. In contrast to the coat of arms, the impressions of the seals don’t show any color scheme. The seal impressions resemble the color of the wax used. It was impossible to present the castle in a color different from the rest of the seal.

Of course, the similarity between seal and coat of arms doesn’t occur just by chance. Most probably, the coat of arms was designed after the seal, both in the meaning of temporal order and artistic design. Despite the similarities, there are two main differences between seal and coat of arms: The coat of arms doesn’t show the small building between the two towers. It shows a merlon instead. And instead of having a wall with small squares there is a horizontal line dividing the wall and/or sketched bricks. When depicting or carving the coat of arms, the artisans and sculptors had some freedom of interpretation, while at the same time the seal remained unchanged because of its legal meaning. That led to the effect that there are several different variants of the Rothenburg Coat of Arms. Some of them show not only two towers, but also a city gate, sometimes even with a portcullis. And in rare cases the coat of arms also includes the “court lodge” mentioned earlier. The creative leeway was, of course, not only used in the times of the Holy Roman Empire, but also in recent times. Since Rothenburg became a popular tourist destination, modern interpretations of the Rothenburg Coat of Arms have made their way into the marketing and advertisement business and they were and are especially popular on picture post cards. It became trendy to use the version of the coat of arms with the “court lodge” resulting in the effect that today this originally rare depiction is the most common one. The German Wikipedia page about Rothenburg even considers this version the correct one by stating that the coat of arms also comprises a little house with a pointed roof mounted on two pillars.¹⁷ Strictly speaking, the blazoning given in Wikipedia is not a description of the Rothenburg Coat of Arms, but of the image section of the Rothenburg City Seal. This becomes evident by another part of the description, where it talks about a bow-shaped cut in wall (*bogig*

¹⁶ KARL HOFMANN, Vom Wappen und Siegel der Stadt Rothenburg: Eine Unterhaltung über deren Darstellungsformen, in: Die Linde 42 (1960), p. 52–55, 59–62 and 70–71, here p. 62.

¹⁷ Art. „Rothenburg ob der Tauber“, Chapter 3.4, in: Wikipedia, https://de.wikipedia.org/wiki/Rothenburg_ob_der-Tauber#Wappen (11.10.2018).

eingeschnittene Mauer). This detail was originally exclusive to the city seal. Again, the wrong assumption that seal and coat of arms are identical can be found here. At least the German Wikipedia page also includes a picture of the correct Rothenburg Coat of Arms, but with the curtailing information that this version should resemble the coat of arms currently used by the city, just as if it had not been the Rothenburg Coat of Arms for several centuries already and just as if it could be altered any time soon.

Considering the fact that the Rothenburg City Council in 1956 established a strict division of the use of city seal and coat of arms, it is surprising that mixing and equation of these two different categories tenaciously continue up to the present day.¹⁸ One reason for this probably has to do with the “court lodge”. Many locals think that something important is missing if it is not shown in the coat of arms. After all, doesn't it resemble the exceptional juridical rights Rothenburg enjoyed in the Late Middle Ages in the form of the Imperial Regional Court?

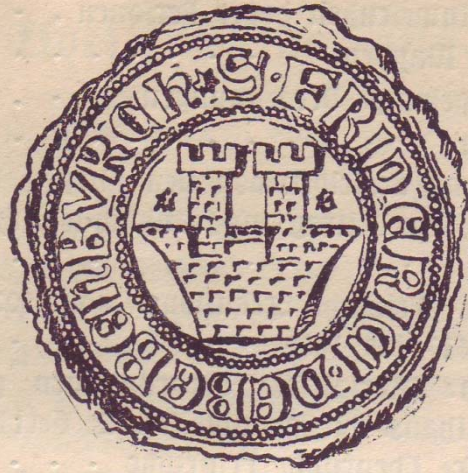
History of Research about the Rothenburg City Seal

The correlation between the little house in the Rothenburg Coat of Arms and the juridical rights of the Imperial City was asserted in the early 19th century already. Johann David Wilhelm von Winterbach was the first modern historian to do so in 1826. In his description of the Rothenburg Coat of Arms he writes that the tiny house is the Regional Court Tribunal (*Landgerichts-Tribunal*).¹⁹ The book doesn't include any pertaining picture, though. This was added in a reprint of Winterbach's book decades later. The reprint was made by Rudolf Albrecht, who added several pictures to Winterbach's text. In the very beginning of the book, right after the table of contents, Rudolf Albrecht inserted two images of allegedly Rothenburgian city seals.²⁰

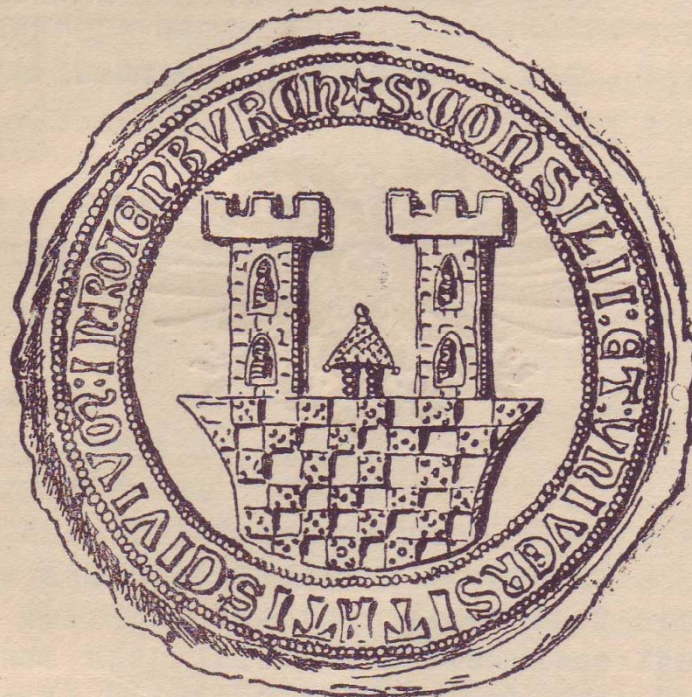
¹⁸ For information about the city council resolution see HOFFMANN, *Darstellungsformen* (like note 16), p. 62.

¹⁹ JOHANN DAVID WILHELM VON WINTERBACH, *Geschichte der Stadt Rothenburg an der Tauber und ihres Gebietes*, 1826, p. 162.

²⁰ JOHANN DAVID WILHELM VON WINTERBACH, *Rothenburger Chronik: Geschichte der Stadt Rothenburg o. T. bis zu deren Ende als freie Reichsstadt*, 1905, p. 8.



Siegel der Stadt Rothenburg o. Tbr. vor Errichtung des Landgerichtes.



Siegel der Stadt Rothenburg o. Tbr. nach Errichtung des Landgerichtes.

Rothenburg City Seal and Coat of Arms according to Rudolf Albrecht's edition of JOHANN DAVID WILHELM VON WINTERBACH, Rothenburger Chronik (like note 20), p. 8.

The caption of the first seal shown poses two theses that need to be examined. Firstly, it states that the seal shown is a seal of the City of Rothenburg. Secondly, it states that this seal was only used until the Imperial Regional Court was established in 1274. Both assertions turn out to be wrong. It's easy to see that this seal is not a seal of the City of Rothenburg, because a totally different name is given in the circumscription. It reads S. FRIDERICI DE BEBENBVRCH, Seal of Frederick of Bebenburg. Frederick of Bebenburg was Commander of the Knights Hospitaller in Rothenburg in the first half of the 14th century.²¹ Although this seal definitely shows the Rothenburg Coat of Arms in its picture part, it's far from being a Rothenburg City Seal. The reason why Frederick of Bebenburg used the Rothenburg Coat of Arms in his seal is to be found in his kinship to the *Reichsküchenmeister* family. In the 13th and 14th centuries, several members of the *Reichsküchenmeister* family held the position of a sheriff in Rothenburg, then the most important and powerful position in town. That leads to an easy answer to the question, why the Coat of Arms of Frederick of Bebenburg and the Rothenburg Coat of Arms are so similar: They share a common origin. But the assumption that Frederick of Bebenburg's coat of arms resembles an older, more original version of the Rothenburg Coat of Arms is purely speculative.

The second seal presented in Rudolf Albrecht's version of Winterbach's chronicle is the well-known Main City Seal, which was used till the early 19th century. The caption claims that this version of the seal was used after the installation of the Imperial Regional Court in Rothenburg. That's certainly not wrong, but it's only part of the truth. The caption suggests that this seal was created right after the installation of the Imperial Regional Court in 1274. At least the caption only claims that the new seal came up "after" the installation and not that it had been used "since" then. Some years later, in 1923, Martin Weigel presented the same two images Rudolf Albrecht had used, but gave them only one caption: "Coat of Arms of the City of Rothenburg before and after the acquisition of the Imperial Regional Court".²² By doing this, Martin Weigel not only adopted the inaccuracies Rudolf Albrecht had brought up, he added another mistake by talking about coats of arms instead of seals. In his accompanying remarks he repeats the idea that the tiny house represents the

²¹ For information about Frederick of Bebenburg see KARL BORCHARDT, *Die geistlichen Institutionen in der Reichsstadt Rothenburg ob der Tauber und dem zugehörigen Landgebiet von den Anfängen bis zur Reformation* (Veröffentlichungen der Gesellschaft für Fränkische Geschichte 9,37), 1988, p. 527–528.

²² MARTIN WEIGEL, *Rothenburger Chronik*, 1923, p. 55. Quote translated from the original German text: "Wappen der Stadt Rothenburg vor und nach Erwerbung des kaiserlichen Landgerichts".

Imperial Regional Court and he adds that this Imperial Regional Court was awarded to Rothenburg at the time of mayor Heinrich Toppler.²³ Heinrich Toppler was mayor almost every second year (immediate re-election was not allowed in medieval Rothenburg) between 1373 and 1408. According to Martin Weigel, Rothenburg acquired the Imperial Regional Court about 100 years after the 1274 privilege of Rudolf of Habsburg. That is totally wrong, of course. Just some years after the publication of Martin Weigel's book, another historian, Martin Schütz in 1939, repeated Weigel's mistake and even nailed it down to the contention that Rothenburg got the Imperial Regional Court in the year 1387.²⁴ His assumption is based on a charter that documents a loan agreement between Heinrich Toppler and King Wenceslaus of Bohemia.²⁵ The text of this charter, however, not only relates to a financial deal concerning the Imperial Regional Court, but also to the annual taxes Rothenburg had to pay. Moreover, the text doesn't say a word about the alleged acquisition of the Imperial Regional Court, it only addresses financial issues combined with respective collaterals. At least Martin Schütz doesn't continue the older misconception of intermingling coat of arms and city seal. On the other hand, he explains that although the coat of arms of the Bebenburg family is almost identical with the Rothenburg Coat of Arms, there was no connection between the two. Obviously, he didn't consider the close kinship between the Bebenburg und the *Reichsküchenmeister* families.

The assumption that the Main City Seal was created in 1387 can easily be falsified by presenting older impressions of the same seal stamp. It took only two years till exactly that happened. In 1941, it was again Martin Weigel who presented new insights about Rothenburg's seal and coat of arms. He found an impression of the Main City Seal on a charter from 1303.²⁶ And he could also show that the Rothenburg Coat of Arms (not the seal!) can be traced back till at least 1227, when two local noblemen of the *Reichsküchenmeister* family, Heinrich of Nordenberg and his nephew Ludwig of Stolberg, used it in the

²³ For information about Heinrich Toppler see LUDWIG SCHNURRER, *Der Bürger als Grundherr: Die Grundherrschaft Heinrich Topplers aus Rothenburg († 1408)*, in: LUDWIG SCHNURRER, *Rothenburg im Mittelalter: Studien zur Geschichte einer fränkischen Reichsstadt*, 1997, p. 301–318.

²⁴ MARTIN SCHÜTZ, *Das Stadtwappen von Rothenburg o. d. T.*, in: *Die Linde* 29 (1939), p. 65–69, here p. 67–68. Original quote: "Im Jahre 1387 erfuhr die schlichtere Form des älteren Wappens plötzlich eine bemerkenswerte Abänderung. (...) Seit der Erwerbung dieses kaiserlichen Landgerichtes und der damit verbundenen uneingeschränkten Hoheitsrechte, führte die Tauberstadt ihr neues, erweitertes Stadtwappen."

²⁵ URR p. 816, no. 2078.

²⁶ WEIGEL, *Wappen und Siegel* (like note 15), p. 43.

picture part of their seals.²⁷ That has been the latest state of research till the present day. It may therefore be contended that the Rothenburg Coat of Arms was first used by some members (not all) of the *Reichsküchenmeister* family before it was also used by the Council and the Community of Burghers in Rothenburg. But note: Only the coat of arms was adopted, not the seal as a whole, as Martin Weigel incorrectly states.²⁸ Once again, Martin Weigel confuses seal and coat of arms. The burghers of Rothenburg only took over the picture part of the seal and integrated it into their own city seal. But the development towards a Rothenburg City Seal encloses a remarkable intermediate stage of a common seal of sheriff and city, as will be shown in the end of this paper.

When writing about the “court lodge” question, Martin Weigel’s argumentation becomes quite knowledgeable. He points out that Johann Ludwig Schäffer’s 18th century chronicle about the history of Rothenburg includes a sketch of the former castle area, where the actual courthouse was located.²⁹ And the courthouse in this sketch shows a close resemblance to the “court lodge” in the Main City Seal. Nevertheless, Martin Weigel doesn’t see this as clear evidence for the assumption that the tiny house in the seal should necessarily be interpreted as the Imperial Regional Court building. Instead, he points to the fact that the tiny house looks different in other Rothenburgian seals, namely the smaller version of the city seal and the secret seal. He poses the question, whether the tiny house couldn’t just as well represent the stone house of the *Schultheiß* also mentioned in Rudolf of Habsburg’s charter of 1274. Although Martin Weigel acknowledges the uncertainties, he eventually decides to stick with the traditional interpretation.³⁰ Looking at the sources, a more sceptical point of view could also be disputed. Maybe the different tiny houses in the seals mentioned don’t even resemble the same building, but in one case the Imperial Regional Court building and in the other case the stone house of the sheriff. Based on the sources available, this research problem can’t be resolved irrefutably.

²⁷ WEIGEL, *Wappen und Siegel* (like note 15), p. 24–25. Cf. URR p. 4., no. 6.

²⁸ WEIGEL, *Wappen und Siegel* (like note 15), p. 41. Original quote: “Als nun die Stadt 1274 reichsfrei wurde, war es selbstverständlich, daß sie das Siegel, mit dem bisher ihr Schultheiß gesiegelt hatte und das sich mit dem Namen der Stadt so völlig deckte, einfach als Stadtsiegel übernahm.”

²⁹ WEIGEL, *Wappen und Siegel* (like note 15), p. 10.

³⁰ WEIGEL, *Wappen und Siegel* (like note 15), p. 50. Original quote: “Später sah man in Rothenburg jedenfalls darin das Landgericht. So wollen auch wir es mit der Überlieferung halten.”

After the publication of Martin Weigel's book, it took a long time till new research results about the Rothenburg City Seal were obtained. In 1959, city archivist Heinrich Schmidt presented a neat overview of the current state of research, but no new information was added.³¹ One year later, Karl Hoffmann supplemented Schmidt's overview by presenting an article in layman's terms composed as a fictional conversation about seal and coat of arms of Rothenburg.³² He especially elaborates on the broad variety of designs the Rothenburg Coat of Arms could obtain while pointing out that this is not true for the Rothenburg City Seal. He firmly states that seal and coat of arms should be analyzed and used separately. Unfortunately, Hoffmann's text also presents many mistakes, which cannot be discussed here in detail. Just one of them is to be inspected more closely. Hoffmann, like Schütz earlier, claims that Rothenburg obtained the Imperial Regional Court in 1387 and added the "court lodge" to its seal only afterwards.³³ This stands in contrast with his own paper where he also states that the Main City Seal (with the "court lodge") was used for the first time in 1303. Hoffmann doesn't conceive this clear contradiction.

After Hoffmann, it took several decades till a new paper about the Rothenburg City Seal was published. In 1987, accompanying an exhibition about Imperial Cities in Franconia, Hans-Ulrich Ziegler wrote about the seals and coats of arms of Franconian Imperial Cities.³⁴ Without reference to an identifiable source, Ziegler claims that the Rothenburg City Seal first appeared in 1288.³⁵ He also mentions the 1303 impression as the source of his seal description, but doesn't specify whether the 1288 seal was made with the same seal stamp. The source of Ziegler's information remains unclear, even with closer inspection. Ludwig Schnurrer's comprehensive collection of Rothenburgian charters, published twelve years later, doesn't mention a document with a Rothenburg City Seal dated 1288. It's a pity that the rest of Ziegler's article also poses more questions than it answers. Still on the same page, he refers to an image of the 1303 seal impression which should appear

³¹ HEINRICH SCHMIDT, *Alt-Rothenburger Siegel und Wappen*, in: *Die Linde* 41 (1959), p. 25–38.

³² HOFFMANN, *Darstellungsformen* (like note 16).

³³ HOFFMANN, *Darstellungsformen* (like note 16), p. 70. Original quote: "Seit der Erwerbung dieses kaiserlichen Landgerichts und der damit verbundenen uneingeschränkten Hoheitsrechte führte Rothenburg sein neues, erweitertes Stadtsiegel."

³⁴ HANS-ULRICH ZIEGLER, *Die Siegel und Wappen der Reichsstädte*, in: *Reichsstädte in Franken. Aufsätze 1: Verfassung und Verwaltung*, ed. RAINER A. MÜLLER (*Veröffentlichungen zur Bayerischen Geschichte und Kultur* 15), 1987, p. 217–228.

³⁵ ZIEGLER, *Reichsstädte* (like note 34), p. 217.

somewhere in the course of his paper.³⁶ But there is none. At least there is no image of the 1303 seal. Instead, another image of a Rothenburg City Seal is presented, which is labelled “13th century”.³⁷

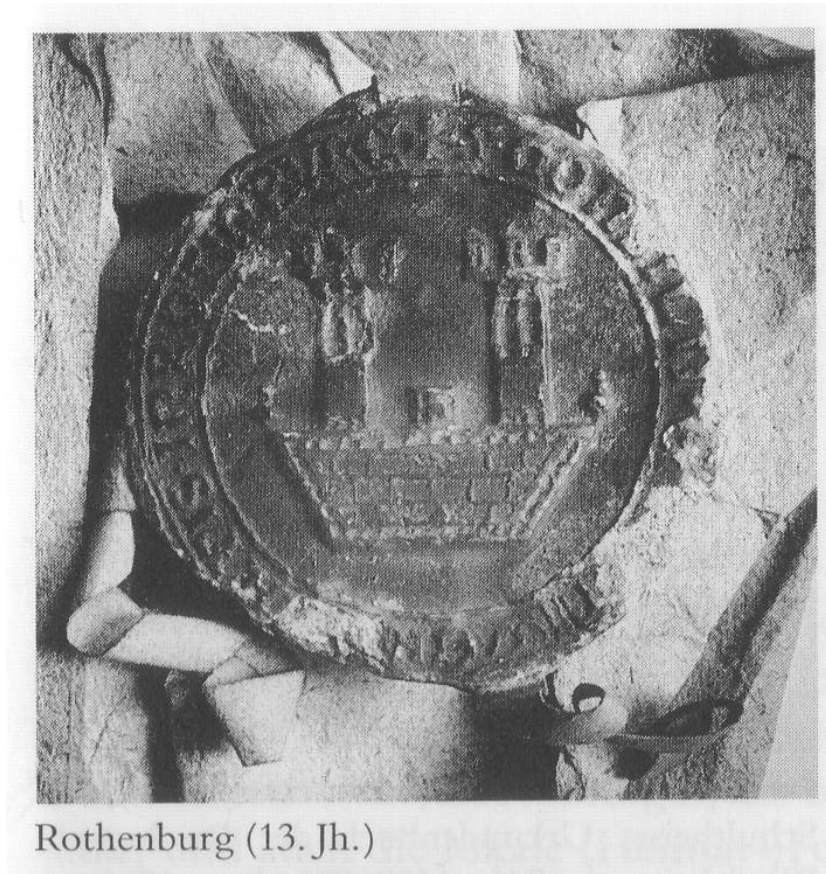


Fig. 4: A Rothenburg City Seal labelled “13th century” without source reference (ZIEGLER, Reichsstädte [like note 34], p. 227).

The source reference only says ‘Bayerisches Hauptstaatsarchiv, München’, which is totally insufficient, of course. The main question that remains unanswered (and isn’t even posed by Ziegler) is: Did the City of Rothenburg have an older seal stamp than the one used from at least 1303 onwards? The short answer is: yes, and Hans-Ulrich Ziegler could have noticed that. Even in the small picture accompanying Ziegler’s text, it’s easily discernable that neither the picture part nor the circumscription of the presented seal are identical with the 1303 seal. The two towers also have two windows each, but side by

³⁶ Original quote: “Schon der Siegelabdruck von 1303 (vgl. Abb.) enthält ein in der Form vom letzten Siegelbild der Nortenberger abweichendes Pfahlhäuschen mit Spitzdach auf der Mauer zwischen den beiden Zinntürmen.”

³⁷ ZIEGLER, Reichsstädte (like note 34), p. 227.

side and not one above the other. The stylized wall doesn't have small squares. It shows a brick structure instead. But most importantly, there is no tiny house between the two towers, only a simple merlon. The circumscription is only partly legible. It starts with S CON followed by SILII (fragmentary). Then several letters are missing. And it ends with ATIS IN ROTINBVRC. That's enough proof for the fact that this seal is a Rothenburg City Seal older than the one heretofore known. It's somewhat surprising that neither Ziegler nor any other researcher realized this.

A hitherto unknown Rothenburg City Seal

It's even more surprising for this writer that the Ludwigsburg Charter B 250 U 385 mentioned earlier hasn't caught any researcher's eye prior to his own studies in 2015. After all, its text had already been printed more than 100 years ago in a historical-critical edition.³⁸ The text of the charter announces a Rothenburg City Seal (*sigillo universitatis civitatis [...] roboratam*) and the editor's remarks present the remaining letters of the circumscription as † S...SCVL..TI.ET.CI...ROTEBVRC. Looking at the original document, it can be added that the C in the end is superscripted and that the letters IN are still somewhat legible before ROTEBVRC. The text of the circumscription probably read SIGILLVM SCVL TETI ET CIVIVM IN ROTEBVRC (Seal of the Sheriff and the Burghers in Rothenburg) originally. It's also possible that the beginning read S CONSILII instead of SIGILLVM. If that were the case, the seal would not only name sheriff and burghers, but also the city council – in the most prominent position. Considering that the sheriff is named first in the list of issuers, this proposition seems rather unlikely.

Whilst only part of the circumscription has survived, it's absolutely certain that this seal from 1269 is neither identical with the seal printed in the paper of Hans-Ulrich Ziegler nor with the Main City Seal used from 1303 onwards. Although the picture part of the 1269 seal is very similar to the seal presented by Ziegler, it's sure that two different seal stamps were used. The 1269 circumscription ends in ROTEBVRC (with a superscripted C) while Ziegler's seal of allegedly 1288 shows a circumscription ending in ROTINBVRC (C not superscripted). That is evidence enough for the contention that the 1269 seal impression is not just an older impression of a seal already known, but indirect proof for the existence of a hitherto unknown Rothenburg City Seal

³⁸ Württembergisches Urkundenbuch 7, 1900, p. 21–22, no. 2061.

Stamp. These recent insights shed a new light on the history of Rothenburg in the second half of the 13th century.

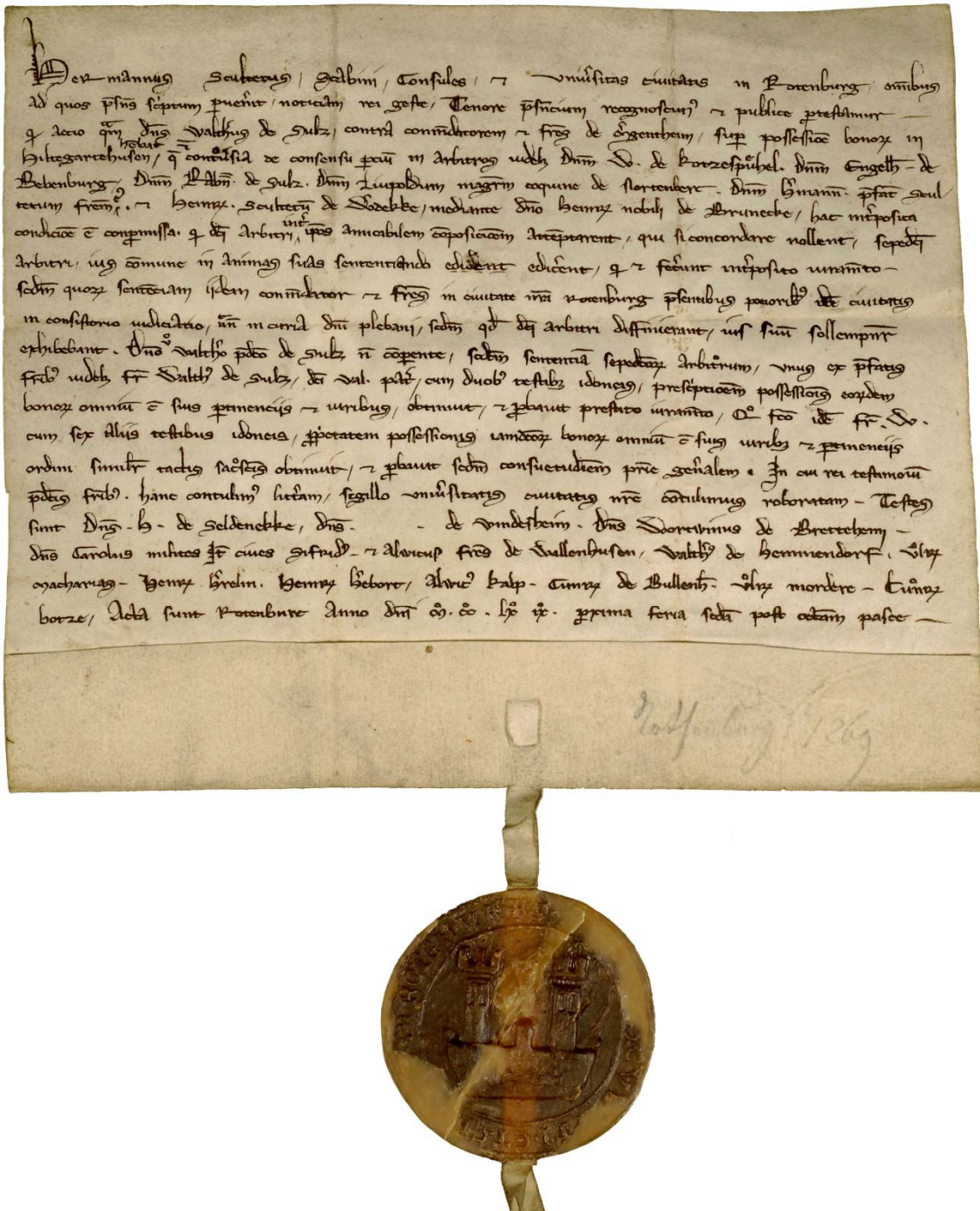


Fig. 5: 1269 Rothenburg Charter
(Staatsarchiv Ludwigsburg B 250 U 385).

As of yet, it is contended that the oldest clue for the existence of a Rothenburg City Seal is to be found in a charter of 1239. But even though five seals are announced in the text of that document, only four spots for the attachment of seals are present.³⁹ All seals are missing today, and the two middle seals were missing in the 18th century already.⁴⁰ According to the order of the seal announcements, the Rothenburg City Seal should have been in one of the middle positions. But there is reason enough to consider the idea that it was never there. Maybe the Rothenburg City Seal was created only later. This assumption is encouraged by the fact that the burghers of Rothenburg don't appear as negotiators in legal matters between 1239 and 1268. Considering the fact that almost 50 charters from that period are known to us, this is a remarkable issue. When city matters are decided, only Hermann, Sheriff of Rothenburg, a brother of Lupold of Nordenberg, *Reichsküchenmeister*, appears in the sources.⁴¹ Only in 1268 a Rothenburg City Seal is announced again.⁴² And only in 1269 city council members are mentioned for the first time. It may be just by chance, but the city council members' first appearance takes place in the same Ludwigsburg charter discussed above. This leads to the cautious conclusion that the Rothenburg City Council had only recently been constituted. Had it been existing earlier, it should appear in the vast number of charters at least every now and then. Moreover, the famous 1274 privilege of Rudolf of Habsburg also doesn't mention the Rothenburg City Council, which means that even in 1274 the council had not become the dominating assembly in Rothenburg yet. Even if the Rothenburg City Council already existed before 1268/69, it can still be said that its influence was marginal. After 1268, the Rothenburg City Council appears regularly in the sources and so does the Rothenburg City Seal. Between 1269 and 1290 four seal announcements are traceable, but none of the seal impressions survived.⁴³ So it's unclear how long the 1269 seal was used. The next seal impression this writer could find is from 1290.⁴⁴ The picture part of the seal is in good condition and the beginning and the end of the circumscription are still legible: S CONSI (...) BVRC. It certainly is an impression of the same seal

³⁹ URR p. 5, no. 8.

⁴⁰ JACOB FRIEDRICH GEORGII, *Uffenheimische Nebenstunden. Vierdtes Stuck. Darinnen eine Sammlung verschiedener, die Pfarr Buchheim betreffende Urkunden Enthalten, ingleichen Ein Academisches Bedencken von Einführung des Juramenti Ambitus*, 1741, p. 222.

⁴¹ See URR p. 8, no. 13 (1245), p. 9, no. 16 (1250), p. 13, no. 23 (c. 1254), p. 13–14, no. 25 (1255), p. 14–15, no. 27 (c. 1255), p. 20, no. 39 (1260), p. 22, no. 41 (1261), p. 24–26, nos. 46–48 (1265) and p. 28, no. 53 (1267). The kinship is mentioned in URR p. 31–32, no. 61, here p. 32.

⁴² URR p. 30, no. 58.

⁴³ URR p. 52, no. 111 (1281), p. 59, no. 127 (1285), p. 59, no. 128 (1285), p. 63–64, no. 138 (1287).

⁴⁴ Staatsarchiv Nürnberg, Reichsstadt Rothenburg MA U64.

stamp used to make the impression printed in Ziegler's paper. Moreover, this writer was able to identify a seal impression of 1301 as an impression of the Main City Seal previously believed to have been used from 1303 onwards only.⁴⁵

The new State of Research

In summary, it can be concluded that before the well-known Main City Seal from previously 1303ff., now 1301ff., at least two earlier Rothenburg City Seal Stamps must have existed. The oldest impression known is attached to a charter from 1269. The circumscription refers to both the sheriff and the burghers of Rothenburg, maybe even to the city council as well, but that is rather unlikely. For the following years till 1290, at least four announcements of the Rothenburg City Seal are known, but none of the corresponding impressions survived. Consequently, it can't be said how long this presumably first Rothenburg City Seal was used. In 1290 (maybe 1288, see the section about Ziegler's paper), however, a different city seal is used. This seal is neither identical with the 1269 seal nor with the seal used from 1301 onwards.⁴⁶ The 1269 and 1290 seals don't show a tiny house between two towers, but a plain merlon. If the tiny house in the seal 1301ff. was included with the intention of representing the Imperial Regional Court, the 1274 privilege can't be considered the immediate cause for this.

It is especially remarkable that three different Rothenburg City Seals were used in the period of just 32 years between 1269 and 1301, despite the tendency of leaving seals unchanged. In the beginning, the sheriff sealed independently with his personal seal. In 1269, sheriff and burghers sealed together using a common seal. Not later than 1290, the council and the burghers used their own seal separately from the sheriff's seal.⁴⁷ And not later than 1301, the long-lasting stamp of the Main City Seal was created and used till the beginning of the 19th century. The appearance and development of the Rothenburg City Seals mirror the political changes of the second half of the 13th century with a rising authority of the Rothenburg City Council and a decreasing influence of the sheriff. As a result of its dwindling power, the

⁴⁵ Staatsarchiv Nürnberg, Reichsstadt Rothenburg MA U87.

⁴⁶ The seal stamp of the seal used from 1301 onwards still exists. It's kept safe in the Rothenburg City Archive.

⁴⁷ Cf. Staatsarchiv Nürnberg, Reichsstadt Rothenburg MA U64, where both the seal of the sheriff and the city seal are attached.

Reichsküchenmeister family had to give up the sheriff position in Rothenburg in 1348.⁴⁸ After the Black Death, the *Reichsküchenmeister* family got into deep financial trouble and in 1383 had to sell its ancestral castle in Nordenberg and most of its remaining possessions to its outpacing rival, the Imperial City of Rothenburg.⁴⁹ Soon afterwards, the *Reichsküchenmeister* family disappeared.

Other Source Material and Open Research Questions

Beginning in 1274, the Imperial Regional Court and the administration of the Imperial City of Rothenburg produced thousands of pages of written source texts. The two oldest court books only give the names of people who were banned⁵⁰ while from 1329 onwards detailed information about the court's decisions is available.⁵¹ These Rothenburg court books are among the oldest in Germany and have therefore often been mentioned in literature, but only rarely been worked on. An edition of these early sources has been demanded for decades, but it has never been accomplished. That's why the Rothenburg court books are still not easily accessible. The opposite is true for the early Rothenburg charters. All charters up to the year 1400 have been edited by the former Rothenburg archivist Ludwig Schnurrer; not in full text though, but in short regesta.⁵² The publication of the charters made it possible to get a far deeper insight into the history of Rothenburg in the 13th and 14th centuries. The result is that we now know much more about the early history of the Imperial City than about later centuries. Our knowledge is especially limited when it comes to events and developments in the 15th century.

Two more source books that also date back to the 1300s comprise information about the Rothenburg City Law, namely the earliest statutes of the city. The first of them is the so-called *Willkürenbuch* which was written in the first half of the 14th century, the second one is the so-called *Statutenbuch* from 1382. The content of these books was published more than 100 years ago.⁵³

⁴⁸ URR p. 331, no. 809.

⁴⁹ URR p. 730–731, no. 1864.

⁵⁰ Staatsarchiv Nürnberg, Reichsstadt Rothenburg, Akten 487a and 487b.

⁵¹ Stadtarchiv Rothenburg B 296: Das Rothenburger Landgerichtsbuch I (1329–1370).

⁵² See note 6.

⁵³ RUDOLF WALTHER VON BEZOLD, *Die Verfassung und Verwaltung der Reichsstadt Rothenburg ob der Tauber (1172–1803)*, 1915.

Although plenty of source material is available about Rothenburg, only few detailed studies have been conducted about Late Medieval Times. We especially lack a prosopographical approach to the members of the Rothenburg City Council, not to speak of the other citizens. Although the ruling families of Rothenburg are known, their origins, relationships and developments have not yet been examined.

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