

FURTHER MANDATE AGAINST THE UNAUTHORIZED PLAYING OF TRUMPETS (DRESDEN, 1736): INTRODUCTION AND TRANSLATION

Edward H. Tarr

My colleague Friedemann Immer recently came into possession of a rare copy of the Saxon mandate from 1736 against unauthorized trumpet playing. It was published in facsimile, together with a commentary by Klaus Thomeyer, in 2000 by the Stiftung Kloster Michaelstein. (For complete details of this and other publications mentioned here, see the bibliography below.) Immer then deposited it on permanent loan in the Bad Säckingen Trumpet Museum. It is now on display in the same glass case as an earlier Saxon mandate of 1711, formerly in the possession of Ernst W. Buser, which has been in the Trumpet Museum since its inception in 1985.

When HBS president Jeffrey Nussbaum asked me if I would like to make an English translation of the 1736 mandate, it was easy to accede, since I had translated the 1711 mandate ten years ago for the European Section of the International Trumpet Guild.

Before proceeding to the present translation, let me review in telegram style a few important dates relating to the Saxon mandates, as well as the trumpeters' and kettledrummers' Imperial Privilege on which they are based. Fuller details can be found in the introductions to the two mandates mentioned above.

As is well known, from the fifteenth and sixteenth centuries up through the entire Baroque period the trumpet was indispensable to European crowned heads for the role it played in the conduct of war. The Thirty Years' War (1618-48) and the Seven Years' War (1756-63) were only the most important conflagrations during a period in which principalities great and small constantly rubbed elbows with their neighbors. Since the correct rendering of military signals could decide on victory or defeat in battle, sovereigns and their trumpeters made every effort to see that trumpeters received good training and that their number be limited; the instrument thus came to be a symbol of royalty.

These preoccupations were set down in writing for the first time on 27 February 1623, with the founding—by Emperor Ferdinand II of the Holy Roman Empire of the German-Speaking People—of the Imperial Trumpeters' and Kettledrummers' Society or Guild. The Privilege granted on this occasion by Ferdinand II contained twelve articles. Of these, the seventh was the most important. It specified who could play trumpets, and where. "Trumpeters and kettledrummers perform solely for the Emperor, kings, electors, counts, lords of knightly rank, and similar persons of quality." "No respectable trumpeter" would perform with "jugglers, tower watchmen, city pipers, minstrels, or the like." Tower musicians and city pipers were allowed to play the instrument, but only in their restricted sphere of influence. Other articles regulated instruction: two years were the normal period

of training, with the principal military signals and some knowledge of clarino playing being the basic course of study. No one could teach unless he had earned the title of Field Trumpeter through participation in a military campaign. A teacher was allowed to instruct only one pupil at a time.

Two publications preceded the Guild's founding:

- 1548: The thirty-seventh article of the Decree of the Imperial Police, convening at the Augsburg Diet, stated that “weavers, barbers, shepherds, millers, customs officers, pipers, trumpeters, and bakers ... shall henceforth not be excluded from corporations.” This decree was confirmed in 1577.
- 1620: Caspar Hentzschel, an Electoral Brandenburg court trumpeter, published his book *Oratorischer Hall und Schall*, warning against the danger of a decline of the trumpeters' art “not only because of the great defects and lacks with which untrained people bring our profession ... into disrepute, ... but also because ... many bumblers and stumblers can be found in all cities and villages – ... mixing among our colleagues like mouse-droppings in pepper.”

The Imperial Privilege of 1623 was confirmed by every Holy Roman Emperor until 1767:

- 1623 (Ferdinand II): twelve articles
- 1630 (re-confirmation by Ferdinand II)
- 1653 (Ferdinand III): expansion to twenty-three articles, the tenth of which (an expansion of the former seventh article) became the most important—translated into English by Don Smithers in 1971 (see bibliography)
- 1706 (Joseph I)
- 1715 (Karl VI)
- 1747 (Franz I): reduction to twelve articles, retaining the revisions of 1653
- 1767 (Joseph II)

The Guild ceased to exist in various parts of the Empire at various times. Johann Ernst Altenburg reported that the “soldier king” Friedrich Wilhelm III of Prussia had dissolved the Prussian trumpet corps in 1713; from then on one or two trumpeters sometimes performed with the ubiquitous oboe bands, infantry groups often belonging to a Prussian general's household. (According to another report, the Prussian trumpet corps was not dissolved until 1810.) The Holy Roman Empire of the German-Speaking Peoples ceased to exist in 1806. Guilds of all sorts were abolished in Saxony in 1831, but the Dresden court trumpet corps itself did not cease to exist until 1918. The Viennese *Verein der Hoftrumpeter* disbanded in 1878.

The Privilege met with opposition from the very beginning. As early as 1643 the Viennese Trumpeters' Society (*Kameradschaft*) called upon all Guild members to evict anyone not abiding by the rules.

At the Guild's founding the Elector of Saxony, in his office of Imperial Archmarshal, became the trumpeters' and kettledrummers' patron. He was to be the arbiter of any dispute arising from the administration of the Privilege. Between 1658 and 1769, six Saxon electors issued their own confirmations of the Privilege:

- 1658 (Johann Georg II)
- 1683 (Johann Georg III)
- 1692 (Johann Georg IV)
- 1709 (Friedrich August I)
- 1734 (Friedrich August II)
- 1769 (Friedrich August III)

Despite this seemingly firm legal foundation, misuses did arise. Electors of Saxony were called upon to issue mandates against unauthorized trumpet playing (and beating of kettledrums) on several occasions:

- 1650 (Johann Georg I)
- 1661 (Johann Georg II)
- 1711 (Friedrich August I)—the mandate translated in 1991 (see bibliography)
- 1736 (Friedrich August II)—the present mandate (see translation below)
- 1804 (Friedrich August I, King of Saxony)

Just what kinds of misuse arose can be seen from the 1736 mandate itself, reproduced below in English translation. It will be noted that this mandate was more restrictive than its predecessors, concerning places and persons who were allowed to play the trumpet: in 1658 comedians, jugglers, gamblers, tower watchmen, city pipers, and minstrels were allowed to play the trumpet in their own usual places of work, such as stages, stands, towers, etc.; but in 1736 they were forbidden to play trumpets and beat kettledrums during their performances, both in cities and in the countryside. In 1736 attention was also called to horns, so-called invention trumpets, and even trombones played after the manner of trumpets; in my opinion this may have applied to such instruments being played in the clarino register. Legal terminology in any language is often hard for the layman to understand, but German legal documents from the Baroque period are couched in almost incomprehensible terms. If the gentle reader feels that the sentences are overly long, he should have a look at the original German text, in which a single sentence could easily cover one or even two pages!

Bibliography (in chronological order):

Johann Ernst Altenburg, *Trumpeters' and Kettledrummers' Art* (English translation by Edward H. Tarr of *Versuch einer Anleitung zur heroisch-musikalischen Trompeter- und Pauker-Kunst* (Halle: Joh. Christ. Hendel, 1795; modern ed., Nashville: The Brass Press, 1974, now distributed by Editions Bim, Vuarmarens).

Don Smithers, "The Hapsburg Imperial *Trompeter* and *Heerpaucker* Privileges [*sic*] of 1653," *Galpin Society Journal* 24 (1971): 84-95.

Don Smithers, *The Music & History of the Baroque Trumpet before 1721* (Syracuse University: Syracuse University Press, 1973; second, revised ed., Buren: Uitgeverij Frits Knuf, 1988).

Detlef Altenburg, *Untersuchungen zur Geschichte der Trompete im Zeitalter der Clarinblaskunst (1500-1800)*, 3 vols., Kölner Beiträge zur Musikforschung 75 (Regensburg: Gustav Bosse Verlag, 1973; reproduces in vol. 2 all three versions of the Imperial Privilege (1623, 1653, 1747) and Hentzschel's *Oratorischer Hall und Schall*, as well as other similar documents.

Edward H. Tarr, *Trompetenmuseum Bad Säckingen: Katalog* (Bad Säckingen: Trompetenmuseum, 1985).

Edward H. Tarr, *Mandate Against the Unauthorized Playing of Trumpets and Beating of Military Kettledrums Dated the 23rd of July in the Year 1711: English Translation and Commentary* (*International Trumpet Guild Journal*, special supplement, 1991).

Bert Siegmund, ed., *Mandat Wieder Das unbefugte Trompeten=Blasen und Heer=Paucken=Schlagen (Dresden 1736)*, kommentiert von Klaus Thomayer, Michaelsteiner Forschungsbeiträge 20 (Blankenburg: Stiftung Kloster Michaelstein, 2000).

A complete English translation appears
on the ensuing pages,
followed by a facsimile of the 1736 mandate.

Further
MANDATE
Against
the Unauthorized
Playing of Trumpets
and
Beating of Military Kettledrums,

Issued by
His
Royal Highness of Poland, etc.,
as
Elector of Saxony, etc., etc.,

as a
Renewal and Strengthening of the
Previously Issued Prohibition

in Dresden on the 17th of December in the Year 1736

With the most gracious royal Polish and electoral Saxon PRIVILEGE

Printed in Dresden by the widow of the court printer, Stösselin

We, Friedrich August, by the grace of GOD King of Poland, Archduke of Lithuania, Reuss, Prussia, Masovia, Shamatia, Kyovia, Vollhinia, Podolia, Podlachia, Livland, Smolensk, Severia, and Chernikov, etc., Duke of Saxony, Julich, Cleve, Berg, Engern, and Westphalia, Archmarshal and Elector of the Holy Roman Empire, Count of Thuringia, Margrave of Meissen, as well as of Upper and Lower Lusatia, Baron of Magdeburg, Princely Count of Henneberg, Count of the Marches, Ravensberg, and Barby, Lord of Ravenstein, etc., etc., offer Our greeting, grace, and favorable will to each and every one of our prelates, counts, lords, those of the knighthood, superior and subordinate district and local magistrates, mayors and councilmen in their cities, judges and village mayors in their communities, country towns, and villages, and otherwise all Our subjects, those who enjoy Our protection, and those who ply their trade in Our Electoral realms and territories, as well as everyone else.

In addition, We inform you that Our chief court and field trumpeters, as well as Our court and field military kettledrummers, have humbly brought to Our attention—because of the Privilege they have had of old and which has been confirmed from time to time, and especially contrary to those mandates which were published near and far in the years 1661 and 1711—that it has since then become quite common in Our Electoral realms and territories for city pipers, as well as city and peasant musicians, to play trumpets and beat military kettledrums without authorization. Such [individuals] should neither be permitted [to do so], be protected by Our subordinate authorities, nor be encouraged even more by the approval of the latter's high courts, through misuse and variant interpretations of the clause inserted in the last mandate from the year 1711: namely, that the playing of dances, alarms, and processional fanfares on trumpets and other instruments, especially on horns and so-called invention trumpets, shall

not be permitted—either by themselves or by their subordinates—at public events, meals, or at banquets with guests of honor, unless these functions are **performed** by ministers, knights, officers, or persons with a degree, persons in Our royal service, or those who otherwise fill a public office. [The above-mentioned supplicants] have fittingly requested a renewal and strengthening of the prohibition expressly decreed in those mandates [to which We have] alluded, by the publication of a further general order according to the disposition of the mandate from the 7th of March in the year 1661, which has the following content:

By the grace of God, We, Johann Georg the Second, Duke of Saxony, Julich, Cleve, and Berg, Archmarshal and Elector of the Holy Roman Empire, Duke of Thuringia, Margrave of Meissen, as well as of Upper and Lower Lusatia, Baron of Magdeburg, Count of the Marches and of Ravensberg, Lord of Ravenstein, etc., do hereby proclaim to everyone that Our Chief Court and Field Trumpeter, and trusty and well-beloved Hans Arnold, has humbly brought suit in the name of Our appointed court and field trumpeters and military kettledrummers, as well as all those trumpeters and military kettledrummers who are to be found in Our Electoral realms and territories, under presentation of the original charter. Accordingly, Our most honorable lord and father of most blessed Christian memory, responding to the most humble supplication tendered to him and by the other court and field trumpeters and military kettledrummers, published in an open charter, on the 10th of July of the 1650th year, that Privilege concerning trumpeting and drumming which the entire society of trumpeters and military kettledrummers had received on the 24th of October of the year 1630 at the public Imperial Diet in Regensburg from His late Roman Imperial Majesty, Lord Ferdinand the Second. Particularly noteworthy at that time was the seventh article, because of all kinds of misuses which had arisen and too closely affected this art.

Now that they otherwise most humbly begged Us for a renewal and further confirmation of such Privilege on the 4th of June in the year 1658, during the time We served

as Imperial Administrator, We have graciously granted their just request. The articles and decrees of the above-mentioned Privilege contain among others the tenth point, which word for word reads thus:

In the tenth place,

Because trumpeters and kettledrummers perform solely for the Emperor, kings, electors, counts, lords of knightly rank, and similar persons of quality, and therefore do not belong in common to everybody, no respectable trumpeter or military kettledrummer, under threat of a penalty to be decided upon by the fellowship, shall perform with jugglers, tower watchmen, city pipers, minstrels, or the like, whatever they may otherwise be called, even though they may somehow be associated with the art, for in so doing, the trumpeters will bring their art into great disrepute. Nor shall any comedians, jugglers, gamblers, tower watchmen, or even any city pipers or minstrels, perform on trumpets or military kettledrums outside of their stages, stands, or towers, or at weddings, baptisms, dances of rejoicing, church festivals, or other similar convocations, be they for counts, barons, nobles, townsmen, or others, nor shall they use them—and certainly not trombones as if they were trumpets—for processional fanfares, dances, or blowing alarms. If any of these circumstances should occur, the officials of each place, even without the trumpeters' or kettledrummers' request, shall forbid such actions under penalty of a heavy fine, thus helping always to maintain and protect the trumpeters and military kettledrummers with this decree, as it was graciously confirmed at that time by the Administrator of the Holy Roman Empire for Us, and for Our heirs and successors.

However, the above-mentioned **Hans Arnold** has now most humbly brought suit, in his own name and in both that of Our court and field trumpeters and that of Our court and field military kettledrummers, complaining that all kinds of abuses have arisen in Our Electoral realms and territories, near and far. Despite the severe penal mandates issued previously, not only tower watchmen, caretakers, jugglers, comedians, and gamblers

are sounding the trumpet (as is tolerated of them on towers, in comedies, juggling games, and gambling stands), but now many peasant musicians, besides the above-mentioned, have also commenced to do so anywhere and everywhere it pleases them, mainly at feasts, civic and peasant weddings, baptisms, annual fairs, church fairs, dances of rejoicing, and similar revels, indeed, even for persons of ill repute[, in all rank intemperance and vexatious living in these troubled times].* Some of them sound trombones as if they were trumpets,** [*Translator's note: The previous passage enclosed in square brackets and designated by a single asterisk has been placed in the present translation according to its position in the Imperial Privilege (see above). In the mandate of 1736, it appears where there are two asterisks.*] with the blowing of processional fanfares, marches, dances, and alarms, disturbing their fellows and thereby also grievously misusing the sound of the trumpet. They do so all the more because some of the delegated sub-magistrates of Our territories have up until now not only overlooked the actions of such unauthorized persons, but have also employed them themselves in various places, thus introducing such abuse themselves.

Since We were most humbly requested to take the entire society of trumpeters and military kettledrummers under Our most gracious protection, both in Our own and in neighboring Electoral and Princely territories, because of the office We hold of Imperial Marshal, We are not able to refuse them, but wish on the contrary to adhere to the indicated Privilege and to the mandate already issued on the 10th of June, 1650.

We accordingly decree to each and every one of Our prelates, counts, lords, provincial governors, those of the knighthood, superior, subordinate, and local magistrates, jurors, administrators, official commanding officers, mayors and councilmen in their cities, judges and village mayors in their villages, and all Our subjects and those dependent on Our protection in common to whom this Our charter or its publication might apply, that they neither allow, nor permit in the slightest, that comedians, jugglers, gamblers, city pipers, as well as each and every city or peasant musician, whatever they are called, play on trumpets or on trombones after the manner of a trumpet outside of their comedies, juggling games, gambling stands, and towers, nor at noble, civic, or peasant weddings,

baptisms, annual fairs, church fairs, dances of rejoicing, or similar revels, on penalty of a fine of a hundred Rhenish guilders of gold, which shall be levied uncompromisingly upon anyone offending against Our mandate, half of which shall be delivered into Our coffers, the other half, however, into the treasury of Our appointed court and field trumpeters, in return for a receipt, in order that rank and vexatious living and prevailing abuses may finally be put to a stop.

The above-mentioned superior and subordinate officials and subjects of Our territories shall also punish appropriately those offenders and wrongdoers who have up until now employed the trumpet unlawfully, and shall order their trumpets to be taken away from them and handed over to Our Chief Trumpeter.

Thus is done Our earnest will and intent. In witness thereof We have issued this charter with Our own Electoral signature and printed seal. Thus done in Dresden on the 7th of March, in the year 1661.

Johann Georg, Elector

(seal) **Wolff Siegfried
von Lüttichau**

Christoph Schindler

Now that We have graciously decided to defer to the supplicants' petition, so as to be able to put a stop to the prevailing bad habits, and after having studied the formerly issued public pronouncements as confirmation of the [supplicants'] correctly cited Privilege, We hereby wish the above-mentioned mandate of the year 1661 to be renewed, and furthermore the

clause inserted in the mandate of the year 1711—”at public events, meals, or at banquets with guests of honor, unless these functions are exercised by ministers, knights, officers, or by persons with a degree who are in our service or who otherwise full a public office”—to be restricted by virtue of the following, so that on similar occasions neither the use of other trumpeters and military kettledrummers be allowed than Our court and field trumpeters, or other trumpeters and military kettledrummers who have been correctly trained and accepted into the Society [of Trumpeters and Kettledrummers], if these can be obtained on the spot, nor shall it be allowed to anyone in Our service or in a public office to issue any dispensation therefrom; but rather this should be allowed only to persons [such as] Our servants and subordinate officials with a degree who are of the same rank as the highest superior officers.

Our decree is therefore promulgated to each and every one of Our prelates, counts, and lords, those of the knighthood, and civil servants, however they may be called, as well as to city and village courts, that they not only comport themselves personally in accordance with Our herewith included and repeated mandate, and conform to it firmly and inviolably, in order to avoid scrupulous inquiry and inevitable punishment, but also and in particular [that they] forbid the playing of dances and processional fanfares on trumpets and other instruments, especially on horns after the manner of trumpets and on so-called invention trumpets, in their and their subordinates’ areas of jurisdiction, except in previously specified exceptional cases. They should in no case permit anything to happen which would injure or harm the oft-mentioned Society of Trumpeters and Military Kettledrummers. On the contrary, they should always offer them a helping hand and appropriate protection against the wrongdoers and offenders, applying to Us if necessary. They should proceed against these [miscreants] on their own

accord, if petitioned to do so, or otherwise act appropriately, guided by the mandates of the years 1661 and 1711, levying without delay upon each transgressor the fine of **one hundred Rhenish guilders of gold** prescribed therein, half of which shall be delivered into Our coffers, and the other half into the treasury of Our appointed court and field trumpeters, in return for a receipt; and they shall not permit comedians, jugglers, tightrope-walkers, or similar individuals to play trumpets and beat military kettledrums during their performances, neither in cities nor in the countryside.

Thus shall Our solemn will and intent be accomplished. In witness [thereof] the present mandate has been signed by Us personally, and We order it to be published near and far with the imprint of Our chancery seal. Thus transpired and done in Dresden, on the 17th of December, 1736.

AUGUSTUS REX

(seal)

**Erasmus Leopold von
Gerssdorff**

Johann Gottlob Otto, S[cribe]

Wohl dem, der sich an mich wendet.

Königl. Hof-
Königl. Hof. in Weippen, zc.
 Kurt-Christens zu Sachsen,
 KURFÜRST

WANDER

Wird unterthan
Trumpeten Gläser
Sack-Handen Schlägen,
 Erziehet sich zur Verbesserung des Verfalls
 rechtlich bestehendem Verfalls,
FRAGEN

Die Druckkosten des 17. Decembris Anno 1798,
 und alle die, welche sich, nach dem obigen
 Verfall, auch nicht anders, als nach dem obigen

Fürstlichen allen und jedem Unseren Procham,
 Grafen, Herren, denen von der Ritter-Schafft, Ober-
 Kreis-, Haupt- und Amts- Raths, Wirgermeistern
 und Raths in Städten, Richtern und Schulthei-
 sen in denen Gemeinden, Flecken und Dörfern, so-
 wohl allen Unseren Unterthanen, Schwag-Verwan-
 dten und denen, welche in Unserm Erb- Fürstenthum
 und Landen ihr Gewerbe treiben, auch sonst jederman-
 nlich, Unsern Rath, Gnade und geneigten Willen,
 und fügen ihnen hiermit zu wissen, wasgestalt Unsere
 Ober- Hof- und Reich- Trompeter, auch Hof- und Reich-
 Exerc- Paucken, wegen des, ihnen von Alters her ha-
 benden, und von Zeit zu Zeit confirmirten Privile-
 gien, insonderheit aber denen in anno 1661. und
 1711. ins Land publicirten Mandats entgegen, zeit-
 liche in Unserm Erb- Fürstenthum und Landen sehr
 gemein wordenen unbefugten Trompeten- Pflaß-
 und Exerc- Paucken- Schlägens derrer Stadt- Pflaß-
 auch Bürger- und Bauer- Musicanten, mercken
 diese durch Mißbrauch und ungleiche Ausdeutung der
 in dem letzten Mandat de anno 1711. eingeschloßenen
 Clausal, daß nemlich insonderheit das Lang- Per-
 men- und Puffhüge- Pflaß- auf Trompeten und an-
 deren Instrumenten, sonderlich aber mit Wald- Hör-
 nern und Invention- Trompeten, wenn nicht von
 Ministris, Cavaliers, Officiers, graduirten und
 Königlich- Dienern, oder sonst in officio publico
 seyen

schenden Verlehen, Aufschreymen, Ehren- und
Ewig-Wehre geschähen, nicht verachtet werden sollt,
von denen Untere-Oberkathen abschloget, auch gar
durch deren Decretorium Verfall noch mehr be-
stärket worden, in Unterthänigkeit Verstellung ge-
than, und wie dieselben und Erneuer- und Einbildung-
ung des dießfalls in angereaten Mandatis ausdrück-
lich beschriben Verbothe durch Publication eines
anderweilen Generals nach der Disposition des
Mandats vom 7. Mart. Ann. 1661. argwühend an-
geschuet, welches folgendes Inhalt ist:



**Im GOTTES Namen, Wir
Johann Georg Der Andere, Kö-
nig in Sachsen, Jülich, Cleve und Berg, des
Holl. Röm. Reichs Erb. Marckgraf und Chur-
Kurf. Landgraf in Thüringen, Margraf zu Hessen, auch
Ober- und Nieder-Pfalz, Burggraf zu Brandenburg, Graf
in der Mark und Ravensberg, Herr zu Hainstein, u.
Eben hernit und übermünster, wie des Heil. Röm. Ober-
Hof- und Kch-Trompeter, und vieler anderer, Hans He-
nrich, im Nahmen Unserer besoldten Hof- und Kch- auch
Kunstkinder in Unserm Chur-Fürstenthum und Landen be-
sonderer Trompeter und Chur-Pauker, mit Bevolgung des
Original-Patents, unerschwingt verbrachte, was wegen Unser
Hochschreiblicher Herr Vater, Churfürstlichen Erbendoms,
auf ihn, und der andern Hof- und Kch-Trompeter und
Chur-Pauker, beschriben unerschwinglich Suppliciren, das
im Jahr des christl. Jahrs laufende Privilegium, so die
sächsische Trompeter- und Chur-Pauker-Gesellschaft, wegen
des Trompeter-Hofens und Chur-paukens, von unsers
König.**

Kön. Majest. Herrn Ferdinando dem Kätzer, auf öffentlichen Reichs-Tage in Regensburg, den 24. October, Anno 1630. erhalten, und besonders demahls den Erblichen Fürst, wegen allerbald eingeziehens und halber Kunst zu nahe gehaltenen Willkürliche, durch ein öffentlich Patent publiciren lassen. Nachdem nun, den 4. April, Anno 1638. Seit Unserm getragenen Reichs-Vicariat, Sie andererseits und Verneuerung und fernere Confirmation solcher Privilegien unterthänigst gebeten, Und Wir dem gemelten Fürsten anständigst hier gegeben, ersehene Privilegia, Inrimen erhaltene Articul und Ordnungen, unter andern aber auch den folgenden Patent, welcher von Wort zu Wort also lautet:

Zum Behenden.

Woll die Trompeter und Oer-Pauker allein vor Könige, Fürst, Fürstlichen, Grafen, Herren, Rittermäßigen Standes und herglichen Qualitat-Perionen, excoctis, und dergleichen nicht abwesend sein. So soll kein anderer Trompeter und Oer-Pauker aus Chausseern, Thümmern, Stadt-Pfeiffen, Spiel-Pfeiffen, oder dergleichen, wie sie sonst Mahnen haben mögen, mit der Kunst einiger musikalischen Gemeinshaft halten, und dergleichen sich hören lassen, und dardurch die Kunst höchsten verhörmis, des Straffe, so die Comestabulität erkennet, wannmoriger aber soll einigen Orchestern, Chausseern, Stadt-Pfeiffen, Thümmern, außer ihrer Comestabulität-Spiel, Piläts-Pfeiffen, Thümmern, nach dessen einigen Stadt-Pfeiffen oder Comestabulität, des Pfeiffen, Pöcheren, Weichen, Pöcheren oder andern dergleichen, Amb-Tenken, Lede-Längen, Arch-Weisen, und andern dergleichen Zusammenkünften, mit Trompeten oder Oer-Pauken sich hören lassen, oder hören, wannig die Personen, als ob es Trompeten wären, mit Musiquen, Längen, Ermen-Massen, schlauden, und im nöthigen Fall ihnen ihre Orths Obrigkeit, auch ohne der Trompeter und Oer-Pau-

Paufer Musikern, solches bey hoher Straff verboten, und die Trompeten und Horn-Paufer jedermahl bey dieser Verordnung manuculiren und schützen lassen.

Als demselb. des Heil. Röm. Reichs Rerheser und künfftigen Landes-Fürst. Ruch und Churfürst wegen, der Hist. Landes-Frien und Reichs-Stetten gnädigt confirmiret, und aber Uns ersehener Haimb Ruch, vor sich und wegen Unserer Hof- und Feld-Trompeten, auch Hof- und Feld-Horn-Paufer, ihre unterthänigst Klage darbracht, was ihnen in Unserm Ehr-Präservandum und Nutzen, nahe und fern, allerhand Mißbräuch eingewissen, welche, ungewisheit befreit erdter ergangener Penal-Mandaten, die Thürmer und Haus-Frische, Gensdarmen, Comandanten und Hüßli-Regimenter, nicht nur die Trompeten (wie auch auch sonst auf Thürmen, bey Comedien, Brauch-Feuden und Hüßli-Regimenter) sondern auch alle Horn-Regimenter sich nicht abgesehen untertanen, alle mit ihrer Ordnung, da es ihnen beliebt, sturcheinlich in Heiden, Bürger- und Bauer-Gesellen, Kirch-Tausen, Jahr-Märkten, Kirch-Feuden, Feste Feuden und dergleichen Gelegenheiten, ja wohl gar bey anrühlichen Personen, ja wohl auch bey Personen, als ob sie Trompeten wären, in allerley Orten und öffentlichen Orten, bey wichtigen Gelegenheiten, mit Aufschlägen, Märschen, Tänzen und Feuden spielen, die Ansehens vermindern, sehr und bey Trompeten-Edell. sein höchsten Mißbräuch, und dieses um so viel desto mehr, weil solche von ihnen verordneter Unter-Churfürstlicher Herrscher Landes, solchen ungesetzlichen Verordnungen nicht allein widersprechen, sondern auch dergleichen an ungesetzlichen Orten nicht geduldet, und dardurch solchen Mißbräuch ungewisheit, demnach unterthänigst schreiben, die ganze Trompeten- und Horn-Paufer-Gesellschaft, ja wohl in Unsern, als auch wegen Unserer ersehener Reichs-Marschall-Hofes, in dem benachbarten Chur- und Reichs-Stetten, in geduldeten Orten ja nicht, ja Wir ihnen auch nicht abschlagen können.

nen, sondern wünscht über angeheuerem Privilegio, und dem
am 10. Junii 1790. allereit ergangenen Mandat, gehalten
haben wollen.

Obgleich demnach hiernach allen und jeden Untert
Fürsten, Grafen, Herren, Land-Äbten, denen von der
Kaiserliche, Ober- Oberger- und Reichs-Kämmer, Schöffen,
Verwaltern, Räte, Reichshofräthen, Bürger-Meistern
und Räten in Städten, Dörfern und Schenken ufm
Dörfern, und insgemein allen Unteren Unterthanen und
Edel-Verwandten, denen nicht diese Patente oder keine
Nöthen insonderheit werden müßte, Sie wollen denen Co-
mmissarien, Schatzkammern, Wäldt-Büchern, Stadt-Pfistern,
außerhalb der Comanden, Handel-Expediten, Wäldt-Bü-
chern und Thürmen, Insulden auch insgemein allen und
jedem Bürger- und Bauer-Expediten, wie die Requirat
haben, wider ihre Willen, Willkürlichen und Unrech-
tlichen, nicht Kaufen, Jahr-Verkäufen, Kauf-Verkäufen, Jahr-
Verkäufen und dergleichen Concessionen, mit der Freimüthigen, auch
mit der Freimüthigen, auch Freimüthigen-Kauf zu haben, im ge-
richtigen verhalten, auch zulassen, bei Strafe Hundert Reich-
thaler Geld-Bußes, welche von einem jeden, der sich
Unteren Missethäter jenseitigen ist, unmisslich ange-
bracht, hernach die Hälfte in Unsere Reichs-Kammer, die
andere Hälfte aber Unteren beschalteten Hof- und Reichs-Com-
missarien zu ihrer beständigen Coste, gegen Exaltation, eingeleitet
werden sollt, damit dem öpfigen kaiserlichen Erben und au-
geriffenen Reichthum nicht schaden werde, Es sollen
auch obgenannte Unser Ober- und Nieder-Obergerichten und
unterthanen Unserer Lande, die Verbrechen und Missethät-
ter, so die Freimüthigen höhere unrichtmüthig schenken, ge-
richtlichen Strafen, auch die Freimüthigen abschaffen, und sol-
che keinen Ober-Freimüthigen abfolgen lassen.

Darum ersucht Unser erhabter Rath und Regierung, Zu
Urkund dessen haben Wir diese Patente unter Unserer e-
igen-

antiken Clarfürst. Unterschrift und verbrachten
Secret angeschlossen, So geschehen zu Teilsen, am
7. Martii, Anno 1661.

Johann Georg Chur-Fürst.



Hoff Rath
von Pölschen,

Christoph Schiller,

Wiermaßen Wir nun, diesen bereit Supplicanten
Suchen, zu Steuerung bereit eingerichteten Abteien
Gewerheiten, und nach Anweisung bereit zu Besid-
tiumg bereit wohl betrachteten Privilegien und Ver-
fügung, eheben eygenen öffentlichen Verordnun-
gen, zu dekreten, in Gnaden erschlossen; Als
wollen Wir verhandelt Mandat de anno 1661,
hierdurch renoviert, hingegen oberertheilt dem Man-
dat de anno 1711. mit eingerichte Clausal,

wenn nicht von Ministris, Cavaliers, Offi-
ciers, graduirten und in Unseren Diensten
oder sonst in officio publico stehenden Verseh-
en,

nen, Ausrichtungen, Ehren- und Gast-Wahl
 gehalten,

Krafft dieses dahin restringirt haben, daß bey der-
 gleichen Gelegenheiten weder die Gebrauchung anbe-
 reit, als Unserer Hof- und Leib- oder sonst bedeyt
 außgerueter und in die Gesellschaft aufgenomme-
 ner Trompeten und Horn-Pauker, wenn dergleichen
 in loco zu erlangen, frey stehen, noch auch allen und
 jeden, welche in Unseren Diensten, oder in einem öf-
 fentlichen Amte sich befinden, solche nachzulaßen, son-
 dern dieses nur Unseren mit denen letzten Ober-Offi-
 ciers und graduirten in gleichem Range stehenden
 Dienern und Unter-Obtrigatlichen Persohnen erlau-
 bet seyn solle;

Und erachtet demnach an alle und jede edelmestte
 Unsere Prelaten, Grafen und Herren, die von der
 Ritter-Schaft, und Verwandten, wie die Röhmen haben
 mögen, inkrachten an die Gerichte in Städten und
 Töchern, Unser Befehl, daß sie nicht nur vor ihrer
 Persohn, bey Vermeidung eunßen Einschens und un-
 nachbleiblicher Strafe, sich sothanem inkorirren und
 wiederholten Mandat gemäß bezeigen, und darüber
 frey und unverbechtlich halten, sondern auch insonder-
 berheit das Tang- Zreimen und Auffzug-Mosen auf
 Trompeten und anderen Instrumenten, sonderlich
 aber nur Halb-Hörnern auf Trompeten-Horn, und
 leuen

Denen hochachtbaren Inventionis-Trompeten, bey sich und denen andern, außer in denen vorher restituirten und ausgenommenen Fällen, untersagen, und darwider offentlichlicher Trompeten- und Fect-Vauden-Gesellschaft zum Schaden und Nachtheil, auf keine Weise etwas unternehmen lassen, vielmehr ihnen gegen die Ubertretere und Verbrechen jederzeit bis an Uns schädlichen Schutz und hülfliche Hand leisten, und wieder diese von selbst, oder wenn sie darumb angeklagt werden, nach Statutum beyr Mandate de anno 1661, und 1711, mit unverwehelter Einbeziehung der darinnen dictirten Einhundert Rheinischer Gold-Gulden Straff von jedem Contravenienten, wovon die Hälfte gleicherschalt in Unsere Reich-Kammer, die andere Hälfte aber Unseren besagten Hof- und Feld-Trompeten zu ihrer Calla, gegen Nothung einzuliefern ist, und sonst bedröck verfahren, auch denen Comedianten, Vauckern, Sait-Längren und dergleichen Leuten das Trompeten-Violen und Fect-Vauden-Schlagen bey ihren Spielen, weder in denen Städten, noch auf dem Lande, gestatten sollen.

Daran wird Unser eynlicher Wille und Meinung vortbracht. In Urkund ist gegenwärtiges Mandat von Uns eigenhändig unterschrieben, und unter Unsern

sein vorgebrachten Königlich-Secret ins Land zu pu-
blichen anfehlen worden. So geschehen und ge-
ben zu Preßden, am 17. Decembrii, 1736.

AUGUSTUS REX.



Erasmus Leopold von
Berghoff.

Johann Martin Otto, S.