

History
of the
Family von Kleist

by
Gustav Kratz (1862)

First part

Book of Documents

2nd Edition

Newly published with additions by

Sigurd v. Kleist (2022)

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Preface to the 1st edition

by Gustav Adolf Kratz, 1862

The public prize announcement of the von Kleist family of 16 June 1857 offered me the nearest occasion to undertake the history of this famous old Pomeranian noble house. After I, hindered until then by various circumstances, had begun the preparatory work only in the summer of 1858, I soon took such an interest in the matter that I resolved, in many respects, to go beyond the concise plan drawn up by the family, and in particular to add to the history a substantial book of documents, which I regard as the actual foundation of the history, to which one will always have to return again. This book of documents came into being alongside the collection of the material for the actual historical-biographical part, and could already in the summer of 1861 be presented finished to the historical commission of the family, which granted it approval. It had indeed at first been my intention to postpone its printing until the completion of the historical-biographical part, and to attach it to this as a second part; alone already upon consideration that, in the historical part, there must frequently be occasion to refer to page numbers and numbers of the book of documents, a preceding printing of it appeared necessary, and moreover it corresponded to the unanimously expressed wishes of the members of the house that the completed sections should be printed as soon as possible. For these reasons I already now hand over the book of documents, as the first part of the History of the House of von Kleist, to the public.¹

Preface to the 2nd edition

The present text is part of the task of making the content of the old family history, which exists only in a few copies, generally available to the family again in a 2nd edition, but also of making it readable for the rising generations who have difficulties with the Fraktur type used, further of creating the possibility of translating the texts into English with programs, as well as of supplementing the texts with new findings, archival materials and pictures.

The scanned texts have been processed with the Abbyy text-recognition program for Fraktur type. In the post-processing, recognition errors may have been overlooked. Because of the particular difficulties in the text recognition of the present volume, the frequent change of typefaces, the risk of errors is particularly high here. The original texts have been preserved as far as possible. The spelling of the old family history has been cautiously adapted. Substantive additions of the revision are made recognizable in the text by italic type, in the remarks by the year of the insertion.

Additions, which in the following volumes with the biographies concern above all references to documents in the Landesarchiv Greifswald, in the Staatsarchiv Stettin (Archiwum Panstwowe) as well as in the family archive in Hamm, further quotations from books of the 18th and 19th centuries opened up via Google-Books, exist for this volume so far only to a small extent.

Nevertheless I have also prepared a second edition for this volume, in order on the one hand to make the oldest part of the family history likewise well legible and available, on the other hand to lay the foundation for a future updating which includes the findings of historical research since 1873. Individual later works on the family history, in particular the work of von Sauer from 1939, have been taken into account in notes. The pages with the coats of arms and seals have been taken from the book of documents in this book, in order to facilitate the reading of the discussions about the coats of arms. The volume has been supplemented by a complete table of contents, information about the authors of the 1st edition, and a bibliography.

¹ The book of documents, Part 1 of the family history, is available with its supplements in the original version of the 1st edition on the internet under [\[www.v-kleist.com\]](http://www.v-kleist.com). (2007)

That Kratz, in the formulation of his preface, had an idea of the total extent which the biographical part of the family history later assumed with around 1000 pages, is doubtful.

What significance was ascribed to the family history is expressed in the discussions in a speech from the year 1908, which Georg von Kleist, the then chairman, delivered:

“To that belonged ... the edition of a family history decided upon at that time, without which an inner cohesion in a family cannot form. The principal promoter of this meritorious work was the indefatigable chairman. But the other members of the historical commission appointed for this purpose too must have spent much effort on the preparation of the work, for twice the editors changed. Begun by Archivist Kratz,² continued by Superintendent Quandt, only Pastor Kypke was able to bring it to an end and by far performed the greatest part of the work, especially in the biographical parts. A greater number of biographies have been edited by sons and nephews, the portrait of Field Marshal Count Kleist v. Nollendorf by the then riding master and today's chairman Georg. Thus the work has not received a quite uniform character and is altogether more a work of sources than a work of history and yet not only of greatest value for the family. Apart from all ideal purposes which it promotes, it is an inexhaustible and until now also not completely exhausted source for further research in the individual fields of our family history. We want only as an example to mention that here all material is brought together in order to be able to take from it a history of the movement of landed property in the Kleist family in Hinterpommern at all ...”

The family history was completed in the year 1887, thus required almost 20 years for its preparation. The costs amounted to 5326 Mark incl. honoraria. Its continuation in a worthy manner will only be possible if the individual branches collect biographical material about their departed, to which they are warmly requested. ”

This continuation then only took place in 1980.

With the digitization of the entire family history of the von Kleist family completed in 2007 (the book of documents without text recognition, only with pictures of the pages) a prerequisite has been created in order to be able to carry out future continuations in a more timely and less expensive way.

Another note for family members whom the scope and the scientific thoroughness of this volume frightens. The sections which are especially worth reading for them are printed in bold type in the table of contents.

On the author of this volume

Kratz, Gustav Adolf,³

Pomeranian historian, born on 19 November 1829 at Wintershagen, district Stolp, † on 7 November 1864 at Stettin, was the son of the manor owner Gustav Heinrich K. At first taught by a private tutor and neighboring clergymen, he attended from 1841–44 the higher secondary school at Stolp and 1844–47 the Joachimsthal Gymnasium at Berlin. During his Berlin period he was often fetched with other school comrades to Babelsberg as play companion of the young Prince Friedrich Wilhelm (later Emperor Friedrich), who therefore later once called him a “companion of youth.” In January 1848 he entered the newly founded Gymnasium at Anklam, which he left at Easter 1850 with the certificate of maturity, in order first to devote himself at Greifswald to the study of law and cameralia, where at the same time he satisfied

² Error of Georg about the sequence of the editors corrected (2007)

³ Taken from *Allgemeine Deutsche Biographie*, vol. 51, pp. 360–362, author Otto Heinemann.
(2007)

his military obligation with the local Jäger battalion. Easter 1851–53 he studied in Berlin and on 24 June 1853 passed at the royal appellate court at Köslin the examination as Auscultator. As such and from 25 December 1855 as Referendar he was employed at the royal district court at Stolp. An early awakened, earnest study and collecting nourished and confirmed his love for archival-historical work in the field especially of local history; but after he had pursued the practical legal career up to the threshold of the third examination, he was moved to offer his services to the royal herald's office at Berlin, and when he here endeavored in vain for an appointment, to offer them to the royal archive administration. In March 1858 he entered, on leave from the judicial service, the royal provincial, later state archive at Stettin as an auxiliary worker, at first without any salary and without any prospect of appointment. On 1 January 1861 he was then employed there on a provisional basis and on 27 June finally as second archivist alongside the provincial archivist Dr. Robert Klempin. In his new position K. could live wholly to his inclinations. Soon after his entry into the archive service he undertook, prompted by the public prize announcement of the v. Kleist family of 16 June 1857, the editing of the history of this old Pomeranian house, whose first, for the history of the country most important part, the book of documents, was handed over to the public in 1862 at Kratz' expense. In the following, especially for the family more important historical-biographical parts, which were published only 1873–87, Kratz' pen wrote only Part II, section 1: "General historical introduction" and 3: "Origin and coat of arms of the house of von Kleist."⁴

In the year 1863 followed the still indispensable "Registers and lists of the Pomeranian knighthood from the 14th to into the 19th century", in association with R. Klempin.⁵ The completion of his still today much used principal work "The cities of the province of Pomerania. Outline of their history, mostly based on documents" he no longer experienced. It appeared, with a longer introduction by Klempin's, only in 1865. Unfortunately in K. there had already shown itself in 1863 a predisposition to a severe chest disease, which compelled him to a leave of several months and finally developed into galloping consumption, to which he succumbed in the following year, after he still on 23 May 1864 at the University of Leipzig had been awarded the doctorate as Dr. phil.

After his death there appeared in 1865 from Kratz' pen an essay "The Pomeranian colors" (Balt. Studies XX, 2) and the fundamental treatise used as dissertation "The Pomeranian castle-sitters", which, by the author in his fatal illness already given into print, according to the wish of the son, "to let the little work as the last of his scholarly activity on the field of Pomeranian antiquity, genealogy and heraldry come before the public," was published by the father of the deceased. Kratz' early death meant a great loss for the research of German history, especially of the Pomeranian nobility, and for genealogy, heraldry and sphragistics. His rich collections of material on the history of the Pomeranian noble houses which came to the royal state archive at Stettin are still today an essential aid for research on Pomeranian noble history. A planned work by him about the Pomeranian seals did not get beyond the preparatory work, a rich collection of seal drawings and impressions made by himself, by one gifted with outstanding talent for drawing. Had he not been torn away by death in the full vigor of his creative power, then we would in any case possess such a work which still today belongs among the pious wishes of Pomeranian historians.

Obituary by L. Frhr. v. Ledebur in his archive for *Deutsche Adels-Geschichte* 11 (1865). — Family papers

⁴ Sauer, *The nobility during the settlement of Eastern Pomerania*, p. 59, "This distinguishes the two archivists (Klempin and Kratz) advantageously from the researchers in whom the family has played a role, while they must always be counted only as part of the whole. Thereby the history of an individual family is only an example for general processes, perhaps even as a means, such events to understand." (2007)

⁵ Sauer, *The nobility during the settlement of Eastern Pomerania*, p. 58, "Here there shows itself after the model of the 18th century the clear will, independent of tradition and regard, to research the origin of the houses of a landscape on the basis of documents on the particular wishes of a family." (2007)

in the possession of Kratz' sister Mrs. v. Uckermann at Groß-Machmin, district Stolp. — Files of the directorate of the royal state archives at Berlin and of the University of Leipzig.

Alten Stettin. 1 May, 1618.

Duke Francis grants his councillor Wilhelm Kleist⁵⁹⁸ of Muttrin the feudal expectancy to the village of Eschenriege.

According to the draft in the P. P. A.: Stett. Arch. P. II. Tit. 6. No. 8, and a certified copy in the L. A.: Tit. IX. Sect. 88. No. II. fol. 4.⁵⁹⁹

By the Grace of God, We, Francis, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Elected Bishop of Cammin, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., hereby attest and acknowledge for Ourselves, Our heirs, and the succeeding sovereigns that the high-born Prince and Lord Johann Friedrich, Duke of Stettin, Pomerania, etc., Our highly esteemed cousin of blessed Christian memory, formerly, on St Walpurga's Day in the year 1591, graciously granted and conceded to his vassal and then servant and captain at Colbatz, Reichart Kleist⁶⁰⁰, a newly established little village called Eschenrey, together with its appurtenances, on the condition that the said Reichart Kleist and his heirs should use the village cum omnibus pertinentijs for sixty-five years, but that, upon the expiration of the specified sixty-five years and upon receipt of 2,000 guilders, they should surrender and relinquish it, all as further set forth in the ducal concession then granted and subsequently renewed and confirmed on 16 December 1613. And whereas Our appointed chancellor, administrator of the Court of Justice, and councillors named below have now humbly reminded and informed Us that the honourable Wilhelm Kleist, Our councillor and faithful servant, residing at Muttrin, has now served for nearly nine years in this ducal government at Alten Stettin and has conducted himself so commendably that he has earned universal praise for his good conduct and faithful diligence; and that We might therefore, as a gracious recompense and reward for the services he has rendered, and so that he may remain obediently in Our service for a longer time and continue to display the same loyalty and diligence, graciously concede, grant, and bestow upon him, Wilhelm Kleist, and his male bodily heirs and other feudal heirs in perpetuity the expectancy, right of succession, and reversion in the aforesaid village of Eschenrey and its appurtenances, in such manner that, after the expiration of the aforesaid term of years, he and his male bodily heirs and other feudal heirs shall pay and deliver 2,000 guilders to the heirs of the aforementioned Reichart Kleist and shall thereupon take possession of the said village of Eschenrey, with all the fiefs belonging to it, for their use and benefit, and may retain, possess, and enjoy it hereditarily as a true ancestral family fief, in the same manner in which he possesses his other ancestral family fiefs, subject to the performance of the feudal allegiance, attendance, and service due from him.

Since We have found this humble recommendation to be timely and proper, We have graciously approved it and, in consideration of the humble and faithful services which the said Wilhelm Kleist has thus far obediently rendered to Our princely house, and which he shall, can, and may continue tirelessly to render to Us, Our heirs, and the succeeding sovereigns, have graciously granted and conceded to him and his male bodily heirs and other feudal heirs the expectancy, right of succession, and reversion in the aforesaid village of Eschenrey and its appurtenances in the manner stated above. We hereby, for Ourselves, Our heirs, and the succeeding sovereigns, concede, grant, bestow, and give to the said Wilhelm Kleist and his male bodily heirs and other feudal heirs the aforesaid village of Eschenrey and the fiefs belonging to it, as these were

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⁵⁹⁸ III. 133.

⁵⁹⁹ Also included as a transumpt in the feudal charter of 28 September 1621 (No. 594), and thus in the L. A.: I. c. No. I. fol. 50.

⁶⁰⁰ III. 87.

conveyed to Reichart Kleist by the aforementioned concession of the year 1591, including fields, meadows, woods, hunting, fisheries, jurisdiction both high and low and over life and limb, mill rights, tavern rights, and all other rights whatsoever, nothing excepted, in such manner that he and his male bodily heirs and other feudal heirs may in future, after the expiration of the aforesaid sixty-five years, pay to the heirs of the said Reichart Kleist the 2,000 guilders promised to them and then take possession of the specified Eschenrey fiefs in the manner stated above and peacefully use them according to feudal law.

Should he, before the expiration of that fixed period, reach an amicable agreement with the oft-mentioned heirs of Reichart Kleist concerning their claims and compensation, by one means or another, and purchase and acquire their rights, We shall not only graciously permit this to take place, but by virtue of this instrument also give and grant Our gracious consent and approval thereto.

In witness whereof, this instrument has been confirmed with Our ducal signature and signet seal and issued at Our court at Alten Stettin on 1 May 1618. Present as witnesses were the honourable Paul Damitz, Our privy councillor and chancellor at Möllen and Strachemin; Matthias von Carnitz, Our administrator of the Court of Justice at Neides; Henning Below, Our chamber councillor residing at Pustemin; and Michael Raddun, Our chamber secretary.

Franciscus mppria.

584.

Coßlin. 16 June, 1618.

Duke Francis, as Bishop of Cammin, enfeoffs Peter Kleist of Muttrin and Dargen with the peasant farms at Dargen purchased from the widow of Jürgen Warnin.

According to the draft and a certified copy in the L. A.: Tit. IX. Sect. 88. No. I. fols. 435 and 432.

By the Grace of God, We, Francis, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Elected Bishop of Cammin, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., hereby attest and acknowledge for Ourselves, Our successors in the Bishopric of Cammin, and all others whom it may concern that the honourable Peter Kleist, Our faithful servant, residing at Muttrin and Dargen, has humbly petitioned and requested Us graciously to invest him with the peasant farms at Dargen, together with their hides and other appurtenances, which he purchased hereditarily and acquired from the honourable and virtuous Veronica von Kitzerin, the surviving widow of the late Jürgen Warnin, with Our consent obtained sub dato Coßlin, 22 December 1613, and to issue him Our feudal charter concerning them.

Since We do not doubt that the aforesaid Peter Kleist will faithfully perform and fulfil toward Us and Our Church of Cammin everything which he promised in his sworn and duly rendered oath of fealty and which his feudal duty requires, We have graciously granted his humble petition. We accordingly enfeoff and invest him, Peter Kleist, and his lawful male bodily feudal heirs, as a true male fief, with the aforesaid property at Dargen, together with each and every appurtenance, privilege, right, use, and usufruct specified in the contract of sale, nothing excepted, in the same manner in which he acquired it from the widow of the aforesaid late Jürgen Warnin. He and his male bodily feudal heirs shall therefore have, possess, enjoy, and retain it from Us and Our successors in the Bishopric of Cammin as a true male fief, without interference from anyone, and shall and may receive it in fief from Us and Our successors whenever necessary, provided that at all times he shall perform, serve, render, and observe everything required by the law and custom of such a male fief.

Present as witnesses were the reverend, honourable, and highly learned councillors and faithful servants: Claus Bruchausen, Our court marshal at Gustin; Paul Damitz, dean of Our collegiate church at Colberg and

chancellor of Stettin at Strachmin; Henning Below, canon of Our said church and chamber councillor at Pustemin; Dr Andreas Bulgrin, canon and chancellor of the Bishopric; Matz Borck, Our chamberlain and master of the household of Our ladies at Zozenow; and Our protonotary and chamber secretaries, Matthaeus Engelbrecht and Simon Fischer.

In witness whereof, We have caused Our seal to be appended to this charter and have confirmed it therewith. Issued at Coßlin on 16 June 1618.

Franciscus manu propria.

585.

Alten Stettin. 26 September, 1618

Duke Francis I's charter of enfeoffment and joint investiture for all members of the Kleist family in Pomerania.

According to the draft in the L. A.: Tit. IX. Sect. 88. No. I. fol. 459v, and copies *ibid.* No. XIX.b fol. 183 and No. XXXIV.a fol. 202.⁶⁰¹

By the Grace of God, We, Francis the First of that name, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that, on this day, at the general hereditary homage held by Us, there obediently appeared before Us the honourable members of the Kleist family, Our vassals and faithful servants, residing in Our duchy and lands.

First, those belonging to the Muttrin line and to the Damen, Vietzow, and Dargen family lines descended from it, and who are the bodily feudal heirs or descendentes of Prißebuhr Kleist, namely: Wilhelm, Our court councillor, and Otto of Muttrin, Kikow, and Dubberow, on behalf of themselves and their brother Peter Kleist, residing at Dargen in the Bishopric, sons of the late Valentin, nephews of Andreas, great-nephews of Peter Kleist the Elder, and great-great-nephews of old Dubschlaff Kleist, otherwise called Brata; Gottfried of Kikow and Drenow, on behalf of himself and his brothers Andreas, Pribschlaff, and Dubschlaff, sons of old Otto Kleist and likewise nephews of the aforesaid Andreas Kleist; Daniel and Asmus of Dahmen and Zaetkow, on behalf of themselves and their brother Nicolaus at Glineke, sons of Asmus the Elder and nephews of old Pribschlaff Kleist; Pribschlaff the Younger, together with Marten and Jacob of Kowalek and Dimkuhr, sons of the late Adrian and nephews of the aforesaid Pribschlaff the Elder, all of them great-nephews of the aforementioned Peter Kleist and great-great-nephews of Dubschlaff Kleist; Jochim and Carsten, Our provincial councillors at Nemrin, Warnin, Zebblin, and Drenow, sons of the late Gurgen, nephews of Bisphrow Kleist and great-nephews of the aforementioned old Dubschlaff Kleist, on behalf of themselves and the sons of their brother Richard; Dubschlaff of Dahmen and Zarnekow, son of Matthias, nephew of Jochim Kleist and great-nephew of the aforesaid Bisprow; Christoff of Dahmen, son of the late Lorentz, nephew of Gurge Kleist the Elder, great-nephew of old Churtt Kleist, and great-great-nephew of the aforesaid Dubschlaff; and finally Jochim and Reimer of Voldekow and Schmentzin, sons of Churd the Younger, nephews of Andreas Kleist and great-nephews of the said Churd the Elder, on behalf of themselves and the sons of their brother Jurgen. All the aforementioned Kleists are

⁶⁰¹ Also included as a transumpt in the feudal charter of 28 September 1621 (No. 594), and thus in the L. A.: l. c. No. I. fols. 44v and 109. The original was still produced in 1791; it consisted of twenty-four parchment leaves, and the seal, enclosed in a tin capsule, hung from a red and yellow silk cord.

to be counted as belonging to the Damen family line.

Further, from the Vietzow line: Jochim of Zaetkow, son of the late Peter, on behalf of himself and his absent brothers Jacob of Klingebeke and Dolgen, Philipp of Potrowa, and Gurgin of Peterkow; also Achatius and Peter of Vietzow and Pomlow, sons of the late Wilhelm, formerly ducal provincial governor, on behalf of themselves and their brother Ewald at Dallentin; and further Georg Kleist, son of Ewald the Elder of Poberow, on behalf of himself and the minor sons of his brother Jacob. All the aforementioned Kleists were nephews of Jacob Kleist the Elder, residing at Bublitz and Vietzow, and great-nephews of old Peter Kleist, ducal captain at Neuen Stettin. Also Pribschlaff and Otto, sons of the late Hans the Younger of Borrentin, nephews of Pribslaj the Elder, the canon, and great-nephews of old Hans Kleist; Jacob the Younger, son of Andreas and nephew of the aforesaid Hans the Younger; Egidius, son of Hans of Crummensee, nephew of Henning and likewise great-nephew of the aforementioned old Hans; Carsten of Dentzin and Coßlin, son of Valentin, nephew of Jacob, great-nephew of Jochim the Elder of Coßlin, and great-great-nephew of Henning of Belgardt, on behalf of himself and the absent sons of his father's brothers Lorentz and Peter Kleist; and also other kinsmen of the line, namely the brothers Anthonius, Richard, and Christoff of Schonow, sons of Moritz; and Hans Friedrich of Eschenrej, son of Richard, ducal captain at Colbatz. All of these were great-great-nephews of the aforementioned Henning Kleist and, together with the other Kleists of the Vietzow line listed above, descendentes of old Bisprow Kleist.

Further, from the Dargen line: Jacob Kleist of Rusche, son of Gerson, nephew of Thomas, great-nephew of Jacob the Elder, ducal captain at Bütow, and great-great-nephew of old Pribschlaff Kleist, residing at Muttrin, on behalf of himself and his absent cousin Adrian of Dargen, son of Marten Kleist, ducal governor of the Bishopric.

Second, the Kleists belonging to the Dubberow, Tichow, and Krolow family lines and descended from old Georg Kleist, namely: Lorentz, residing at Dubberow and Krolow, son of Carsten, nephew of Christoff, and great-nephew of Peter Kleist the Elder; Henning and Georg of Wendisch Tichow, sons of Peter the Long, nephews of Henning the Elder, great-nephews of Georg Kleist of Tichow, and great-great-nephews of the aforementioned old Peter Kleist, on behalf of themselves and their cousin Gurg Kleist of Krolow in the Rügenwalde district; further, Jacob and Bernhart of Gross Tichow, sons of Carsten, nephews of Andreas, great-nephews of Bart Kleist the Elder, and great-great-nephews of old Hans Kleist, on behalf of themselves and Dinniges Kleist, son of their father's brother and residing at Voltzkow in the Electorate of Brandenburg; and further, the brothers Rudiger and Gurgin, sons of Hans, nephews of Jochim, great-nephews of Bart the Younger and great-great-nephews of Reimar, and likewise great-great-nephews or Atnepotes of the aforesaid old Hans Kleist.

After taking the oath of fealty, they humbly petitioned and requested Us, on behalf of themselves and their absent cousins of the Raddatz line residing in the district of Neuen Stettin—who at this time owe feudal service to the high-born and most reverend Prince and Lord Ulrich, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Elected Bishop of Cammin, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, Our dearly beloved brother—that We would graciously grant and enfeoff them and their male bodily feudal heirs with the fiefs and feudal rights which they hold, possess, and use from Us and the princely house of Stettin-Pomerania, etc.; and also with the right of joint investiture which the high-born Prince and Lord Bogischlaff the Tenth, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., Our beloved great-great-grandfather of Christian memory, first granted to the Kleists at Belgardt in the year 1477 over all their fiefs which they then possessed or might acquire in future and bring into the family, and which he subsequently confirmed at Rügenwalde in the year 1486; and which the high-born princes Lord Barnim the Ninth and Lord Johann Friedrich, Dukes of Stettin, Pomerania, etc., Our kindly beloved cousins, and thereafter the late high-born Prince Lord Philipp, Duke of Stettin, Pomerania, etc., Our beloved brother

now resting blessedly in God, all of blessed Christian and highly praiseworthy memory, renewed, confirmed, and extended in Our town of Belgardt on 6 May 1608. They further requested that We renew, confirm, ratify, and approve the joint and individual charters held by them and cause them to be inserted herein. Those charters read word for word as follows:

By the Grace of God, We, Philipp the Second of that name, etc. (No. 564.)

Whereas We, the aforementioned Duke Francis, have considered and taken into account the many faithful services which the Kleist family has hitherto humbly and willingly rendered to Our most blessed forefathers and to Us, and which they and their male bodily feudal heirs can, shall, and may continue to render to Us, Our heirs, and the succeeding sovereigns, We have therefore, and out of special grace, graciously granted, conveyed, and enfeoffed them with all the estates which they presently possess in Our duchy, principality, and lands, whether named or unnamed, together with the right of joint investiture, but without prejudice to the rights of nearer kin and relations under the privileges of Our knighthood and the customary usage of the land. We have also renewed, confirmed, and approved the aforesaid joint and individual feudal charters and charters of joint investiture.

Accordingly, We hereby grant, convey, and enfeoff them with those fiefs and estates, together with all their appurtenances in fields, woods, meadows, pastures, marshes, fens, hunting, fisheries, Stufeten, lakes, standing and flowing waters, mills, mill sites, ores discovered and undiscovered, church fiefs, high and low jurisdiction over life and limb, and every other form of use or usufruct, whatever its name may be, nothing excepted. We likewise grant, convey, and enfeoff them reciprocally, one in the property of the other, with the right of joint investiture, not only in the estates which the Kleists now possess, but also in any which they may in future bring into the family or acquire, jointly or individually. By virtue of this instrument, We renew, confirm, and approve the aforesaid old joint charters of the family and the separate feudal charters and charters of joint investiture held by each individual.

This is granted, however, on the condition that the aforementioned absent persons and those who are still minors—namely Peter of Dargen, son of Valentin; Andreas, Pribschlaff, and Dubschlaff, sons of Otto of Kikow; Nicolaus of Glineke, son of Asmus; Carsten of Tichow, son of Jochim; Tonnies, Richard, and Christoff, sons of Moritz of Dubberow; Reimar of Voldekow; Peter and Ewald, sons of Wilhelm of Vitzow; Gurgen of Tichow, son of Peter; and Jacob of Coßlin, son of Lorentz—shall at the proper time humbly appear before Us and bind themselves to Us in the same manner as the aforesaid persons who were present have done. The Kleist family and their bodily feudal heirs shall seek and receive their fiefs from Us, Our heirs, and the succeeding sovereigns whenever necessary, in accordance with the prescribed form of the oath of fealty, and shall perform all services required by the nature and custom of a male fief, without prejudice to Our rights or those of anyone else.

In witness whereof, We have caused this charter to be confirmed with Our pendant ducal seal and issued at Our castle of Alten Stettin on the twenty-sixth day of the month of September, in the year 1618 after the birth of Jesus Christ, Our sole Redeemer and Saviour. Present as witnesses were the honourable and highly learned councillors and faithful servants: Claus von Bruchhausen, Our lord high marshal at Gross Gustin, Drammin, and Korrentin; Paul Damitz, Our privy councillor and chancellor at Mollen and Strachmin; Jobst Borcke the Elder, Our captain at Satzig, residing at Strammehl; Mattias von Guntersberg, Our captain and castle judge at Pyritz, residing at Falckenwalde; Mattias von Carnitz, Our administrator of the Court of Justice at Neides; Hans Zastrow, captain of the castle at Alten Stettin, and Henning Below, both chamber councillors, residing at Wustranse and Nemmin, and at Pustemin respectively; Jeremias Öseler and Jurga Valentinus Wynther, Comes palatinus, both doctors of law; Friderich von Hindenburg of Schellin and Otto Flemingk of Martentin, all four court councillors; also Matzke Borcke, master of the household of Our ladies, chamberlain, and captain at Friderichswalde, residing at Zosenow; Our protonotary Antonius

Petersdorf; court secretary Georg Rahmel, residing at Claptow; chamber secretary Michael Raddun; archivist Jacobus Frost; and many others of Our servants worthy of honour and credence.

Genealogical overview of the Kleists in the year 1618.

Damen				
III. 8 Curt - Voldekow, Schwellin				
27 Andreas			28 Georg	
59 Curt			60 Lorenz	
118 Jürgen	119 Joachim	120 Reimar	121 Christopher	
190 Curt	191 Joachim	192 Michael		

III. 9 Bisprow - Damen, Zeblin				
34 Joachim		35 Georg		
66 Matthias	69 Richard		70 Joachim	71 Carsten
123 Dubislaß	125 Jürgen	126 Joachim	127 Christian	

III. 10 Peter - Damen, Zadtkow, Kowalk			
36 Andreas		37 Pribislaß	
72 Valentin	74 Otto	76 Asmus	78 Adrian
131 Peter	135 Andreas	141 Daniel	144 Pribislaß
133 Wilhelm	136 Gottfried	142 Asmus	145 Martin
134 Otto	137 Pribislaß	143 Nicolaus	146 Jacob
138 Dubislaß			

Muttrin				
III. 4 Henning - Cöslin				
17 Joachim				
44 Anton		45 Jacob		
86 Moritz	87 Richard	88 Lorenz	89 Valentin	90 Peter
149 Anton	152 Hans	153 Jacob	154 Carsten	155 Jacob
150 Richard	Friedrich			156 Martin
151				
Christopher				

III. 5 Peter - Muttrin, Vietzow, Zadkow					
20 Jacob					
47 Peter			48 Ewald		49 Wilhelm
95 Jacob	96 Joachim	97 Philipp	98 Georg	103 Jacob	104 Georg
				110 Achatz	
				111 Ewald	
				112 Peter	
				171 Ewald	
				172 Wilhelm	

III. 6 Hans - Krummensee			
21 Henning	22 Pribislaß		
51 Hans	54 Hans		
113 Egidius	114 Pribislaß	115 Andreas	116 Otto
	187 Jacob		

Ruschütz-Dargen	
III. 12 Jacob	III. 14
	Dubislaß
39 Thomas	43 Martin
82 Jerson	85 Adrian
147 Jacob	† 148 Thomas

Siehe Anmerkung zu 148 Thomas⁶⁰²

Dubberow und Wendisch Tychow		
II. 5 Peter		
13 Georg		14
		Christopher
23 Peter	25 Henning	26 Carsten
44 Georg	51 Peter	52 Lorenz
	67 Henning	69 Georg

(Groß) Tychow					
II. 6 Bartz			II. 11 Andreas (Drews)		
16 Joachim			21 Carsten		22 Jochim
31 Hans	32 Peter	36 Jacob	39 Bernhard	42 Carsten	43 Dinnies
54 Rüdiger	55 Georg	57 Joachim			

Raddatz					
IV. 5 Schir					
11 Volz					
14 Alexander			15 Asmus		
16 Daniel	17 Asmus	18 Michael	19 Volz	20 Adam	21 Alexander
			Joachim	Lüdtke	Jürgen

586.

Alten Stettin. 26 September, 1618.

Duke Francis I's feudal charter for the Kleists of the Damen line.

According to the original in the L. A.: Tit. XIV. Sect. 2. No. 18.

By the Grace of God, We, Francis the First of that name, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that, on this day, at the hereditary homage held before Us, there appeared the honourable members of the Kleist family, Our faithful servants, who belong to the separate Damen line and are descended from Dubschlaff Kleist, otherwise called Bratta, namely: Wilhelm, Our court councillor, and Otto of Muttrin, Kykow, and Dubberow, on behalf of themselves and their brother Peter Kleist, residing at Dargen in the Bishopric, sons of the late Valentin, nephews of Andreas, great-nephews of Peter Kleist the Elder, and great-great-nephews of old Dubschlaff Kleist, otherwise called Bratta; Daniel and Aßmuß of Dahmen and Zatkow, on behalf of themselves and their brother Niclaus at Glineke, sons of Aßmuß the Elder and nephews of old Pribschlaff Kleist; Pribschlaff the Younger, together with Marten and Jacob of Kowalck and Dimbkuhr, sons of the late Adrian and nephews of the aforesaid Pribschlaff the Elder, all of them great-nephews of the aforementioned Peter Kleist and great-great-nephews of Dubschlaff Kleist; Jochim

⁶⁰² Family history holds that Thomas — who is no longer listed here, having died before 1618 — had a minor son, and that neither this son nor his descendants appear in the letters of enfeoffment. (2021)

and Carsten, Our provincial councillors at Nemrin, Warnin, Zeblin, and Drenow, sons of the late Gorgen, nephews of Bisprow Kleist and great-nephews of the aforesaid old Dubschlaff Kleist, on behalf of themselves and the sons of their brother Reichardt; Dubschlaff of Dahmen and Zarnekow, son of Matthias, nephew of Jochim Kleist and great-nephew of the aforementioned Bisprow; Christoff of Damen, son of the late Lorentz, nephew of Gorgen Kleist the Elder, great-nephew of old Churdt Kleist, and great-great-nephew of the aforesaid Dubschlaff; and finally Jochim and Reimar of Voldekow and Schmentzin, sons of Churd the Younger, nephews of Andreas Kleist and great-nephews of the said Churd the Elder, on behalf of themselves and the sons of their brother Gorgen. All the aforementioned Kleists are to be counted as belonging to the Damen family line.

They diligently and humbly petitioned that We, as the presently reigning territorial prince and hereditary feudal lord, would grant, convey, and enfeoff them and their male bodily feudal heirs with the hereditary estates and fiefs which descended and passed to them from their ancestors or which they themselves purchased and acquired, namely all of Dahmen, Kaßkenhagen, Warnin, Gross Hansfeldt, Gross and Klein Voldekow, Eschenrej, half of Nemerin, Drenow, Zarnekow, Klein Hansfelde, Freigenstein, Lotzig, and whatever else their ancestors possessed at Muttrin, Gross Dubberow, Zatkow, Döbele, Kykow, Crossin, Kowalcke, Dünnekuhr, and Schmentzin.

Although they have, together with all their other cousins, obtained from one sovereign after another a general charter of enfeoffment and joint investiture concerning these estates, in which their genealogy is included for fuller information, they have nevertheless further humbly requested that We graciously cause a separate feudal charter concerning the aforementioned estates to be prepared and issued to them. They also requested that We renew, confirm, and ratify the feudal charter issued at Rügenwalde in the year 1486, on the Thursday during the Christmas season, by the late high-born Prince Lord Bogischlaff, Duke of Stettin, Pomerania, etc., Our beloved great-great-grandfather now resting in God, just as this was done by the likewise late high-born Prince Lord Barnim the Elder in the year 1546, on the Tuesday after Vocem iucunditatis; thereafter by Lord Johann Friedrich on 22 February 1575; and most recently by Our beloved brother, the late Duke Philipp, of blessed Christian and highly praiseworthy memory, under the date of 6 May 1608 in Our town of Belgardt. The aforesaid charter of Duke Bogischlaff reads word for word as follows:

By the Grace of God, We, Philipp the Second of that name, Duke, etc. (No. 565.)

Whereas We, the aforementioned Duke Francis, have considered and taken into account the humble and faithful services which the Kleist family has hitherto willingly and gladly rendered to Our most blessed predecessors, the Dukes of Stettin, Pomerania, etc., and to Us, and which they and their male bodily feudal heirs shall, can, and may continue to render to Us, Our heirs, and the succeeding sovereigns; and whereas the above-inserted feudal charter of Duke Bogischlaff is likewise inserted in the charter issued by Our aforementioned beloved cousin, the late Duke Johann Friedrich, on 22 February 1575, which has been presented to Us in the original and agrees word for word with the former charter, We have, in consideration of such humble services and also out of special grace, graciously granted their petition.

We have graciously granted, conveyed, and enfeoffed them with all the estates which they presently have, possess, and use in Our duchy and principality, or which they may in future acquire jointly or individually, whether previously named or not, together with the right of joint investiture, but without prejudice to the rights of nearer relatives under the privileges of the knighthood of Our lands. We have also renewed, confirmed, and ratified the charters of the aforesaid lords, namely Duke Bogischlaff, Duke Barnim, Duke Johann Friedrich, and Duke Philipp.

Accordingly, We hereby grant, convey, and enfeoff them with these fiefs and estates, together with all their appurtenances in fields, woods, meadows, pastures, marshes, fens, hunting, fisheries, Stufeten, lakes,

standing and flowing waters, mills, mill sites, ores discovered and undiscovered, church patronage, high and low jurisdiction over life and limb, and every other usufruct, privilege, and benefit, whatever its name may be, nothing excepted. We likewise grant, convey, and enfeoff them reciprocally with the right of joint investiture, not only in the estates specified above, subject to the aforementioned reservation concerning nearer kin, but also in any estates which they may in future acquire jointly or individually.

We hereby renew, confirm, and ratify the above-mentioned charters, and in particular the charter of Duke Bogischlaff inserted herein and issued specifically for this separate Damen line. This is granted, however, on the condition that the minors and other absent persons named above shall, when they come of age and enter the country, likewise appear before Us at the proper time and bind themselves to Us by the same feudal obligations as those who were present have done. They and their male bodily feudal heirs shall jointly seek and receive these fiefs and estates from Us, Our heirs, and thereafter from the succeeding sovereigns, whenever necessary, in accordance with the form of the oath of fealty sworn today, and shall perform, serve, render, and fulfil everything required by the nature and custom of a male fief and by the oath of fealty, without prejudice to Our rights or those of anyone else.

In witness whereof, We have caused this charter to be confirmed with Our pendant ducal seal and issued at Our castle of Alten Stettin on the twenty-sixth day of the month of September, in the year 1618 after the birth of Jesus Christ, Our sole Redeemer and Saviour. Present as witnesses were the honourable and highly learned councillors and faithful servants: Claus von Bruchausen, Our lord high marshal, war councillor, and captain at Colbatz, at Gustin and Correntin; Paul Damitz, Our privy councillor and chancellor at Möllen and Strachemin; Jobst Borck, Our captain at Satzig, residing at Strammehl; Matthias von Guntersberg, Our captain and castle judge at Pyritz, residing at Reichenbach; Matthias von Carnitz, Our administrator of the Court of Justice at Neides; Hans Zastrow, Our castle captain at Alten Stettin, residing at Wustranß and Nemmin; Henning Below of Pustemin, both being chamber councillors; Jeremias Oeseler and Jurga Valentinus Winter, Comes Palatinus, both doctors of law; Wilhelm Kleist⁶⁰³ of Muttrin; Friedrich von Hindenburg of Schellin; and Otto Flemingk of Martentin, all five being court councillors; also Matzke Borcke, master of the household of Our ladies, chamberlain, and captain at Friedrichswalde, residing at Zotzenow; Our protonotary Antonius Peterstorf; court secretary Georg Ramell, residing at Claptow; Our chamber secretary Michel Raddun; archivist Jacobus Frost; and many others of Our servants worthy of honour and credence.

On eight parchment folios bound together with a red and yellow silk cord, from which, however, no seal is suspended. The signature is also absent.

587.

Alten Stettin. 26 September, 1618.

Duke Francis's feudal charter for the Kleists of Vietzow, Zatkow, and Poberow.

According to the draft in the L. A.: Tit. IX. Sect. 88. No. I. fol. 504.

Francis, Duke, etc., hereby makes known and acknowledges for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that, on this day, at the general hereditary homage held by Us, there humbly appeared before Us the honourable Achatius, son of Wilhelm, of Vitzow, Our faithful servant, on behalf of himself and his absent brothers Ewald and Peter; Jacob, son of Peter, of Zatkow, on behalf of himself and his absent brothers Jochim, Philip, and Georg; and also on behalf of their absent cousin Georg, son of Ewald, residing at Poberow, all called Kleist.

⁶⁰³ III. 133.

They obediently petitioned and requested that We would graciously grant, convey, and enfeoff them and their male bodily feudal heirs with the hereditary estates and fiefs which descended and passed to them from their ancestors, and that We would renew and confirm their right of joint investiture.

Having considered the justice of their humble petition and the many faithful services which the ancestors of the Kleists and they themselves have hitherto humbly and willingly rendered to Our highly esteemed predecessors and to Us, and which they and their male bodily feudal heirs can, shall, and may continue to render in the same manner to Us, Our heirs, and the succeeding sovereigns, We have granted their petition. Therefore, and also out of special grace and upon the feudal obligations sworn to Us today, We have graciously granted, conveyed, and enfeoffed them and their male bodily feudal heirs with the following estates: the villages of Wussow, Poberow, Vitzow, Zamborßkj, and Lantzen; half of Konow, half of Nasebandt, half of Zernekow, and half of Drenow; and their shares in Zatkow, Kykow, Borrentin, Nemmerin, Raddatze, Dallentin, and Klingebeke, together with woods, fields, meadows, pastures, waters, streams, shores, lakes, hunting, fisheries, mills, marshes, fens, services, high and low jurisdiction over life and limb, and every other privilege, right, use, and usufruct, nothing excepted.

We hereby grant, convey, and enfeoff them with the aforesaid estates as true male fiefs, within their boundaries, limits, and landmarks, in the same manner in which their fathers possessed, used, and enjoyed them with the fullest freedom and exemption, and as these estates descended to them and are presently possessed and used by them.

This is granted, however, on the condition that those who are absent shall also appear obediently before Us at the proper legal time and, like those who are present, bind themselves to Us by the customary feudal obligation. They and their male bodily feudal heirs shall seek and receive the aforesaid estates, with all their appurtenances and rights, from Us, Our heirs, and the succeeding sovereigns, and from no one else, whenever necessary, in accordance with their sworn feudal obligations, the prescribed form of the oath of fealty, and the agreement concluded at Alten Stettin in September 1606 and in the year 1618. They shall also perform, observe, serve, and discharge everything required by the nature and custom of a male fief, by the oath of fealty, and by the duties appropriate and incumbent upon faithful vassals.

We also grant them in the aforesaid estates everything which We can grant them by grace and by law. We have further confirmed and ratified all their old feudal charters and charters of joint investiture, by virtue of which they have rights in the fiefs of all their cousins of the Kleist family, and the Kleist family in turn has rights in theirs, so that such rights exist reciprocally. We hereby confirm and ratify the same, without prejudice to Our rights or those of anyone else.

In witness whereof, this charter has been confirmed with Our pendant ducal seal and issued at Our castle of Alten Stettin on the twenty-sixth day of the month of September, in the year 1618 after the birth of Jesus Christ, Our sole Redeemer and Saviour. Present as witnesses were the honourable and highly learned councillors and faithful servants, etc.

588.

Alten Stettin. 26 September, 1618.

Duke Francis's feudal charter for the Kleists of Krolow, Dubberow, Wendisch Tychow, and Gross Tychow.

According to the draft and a copy in the L. A.: Tit. IX. Sect. 88. No. IV. fols. 38 and 148.

By the Grace of God, We, Francis, Duke of Stettin, Pomerania, etc., hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that

there appeared before Us the honourable Lorentz of Crolow and Dubberow, son of Carsten; Henning and Jurgen, sons of Peter the Younger, of Tichow in Our provincial district of Schlaw; Jacob, son of Carsten, of Gross Tichow; Dinnies, son of Joachim, of Gross Tichow; and also the brothers Rudiger and Jurgen, sons of the late Hans, of Gross Tichow in Our district of Belgardt, all called Kleist.

After performing their feudal obligations, they humbly approached and petitioned Us, on behalf of themselves and their absent cousins and brothers Georg the Elder, son of Peter the Elder, of Tichow, and Carsten, son of Joachim, of Gross Tichow, that We would grant and enfeoff them with their hereditary estates and fiefs, insofar as these had descended to them from their parents in Our principalities and lands and had been given, granted, and enfeoffed to them by Our most blessed forefathers and predecessors. They further requested that We confirm and ratify the old feudal charters and other instruments granted to their ancestors, to them, and to the ancestors of their entire family, and that We graciously remedy and make good the defect arising from the fact that they had not received the feudal charter which had been drafted and revised under the most recently reigning sovereign, the late high-born Prince Lord Philipp, Duke of Stettin, Pomerania, etc., Our beloved brother now resting in God, but had not been engrossed.

Having considered and taken into account the many services which their late ancestors and they themselves have hitherto willingly and readily rendered in humility to Our highly esteemed forefathers, predecessors, and to Us, and which they and their male bodily feudal heirs can, shall, and may hereafter continue usefully to render to Us, Our heirs, and the succeeding sovereigns, We have therefore, and out of special grace, granted and enfeoffed them and their male bodily feudal heirs with all their fiefs and feudal rights, as specified and set forth in the charters previously issued to them, together with the right of joint investiture under the charter of joint investiture granted to the entire family and all three lines.

We have confirmed and ratified the charters and privileges previously obtained by them and have also approved, remedied, and made good the defect concerning the most recent feudal charter prepared by Our aforesaid dearly beloved brother, Duke Philipp. We hereby grant and enfeoff, confirm and ratify, remedy and make good all these matters.

This is granted, however, on the condition that the aforesaid absent persons shall likewise appear at the proper time and bind themselves to Us by the same feudal obligations as those who were present have done. They shall all, together with their male bodily feudal heirs, seek and receive these fiefs, other rights, and the right of joint investiture from Us, Our heirs, and the succeeding sovereigns whenever necessary, in accordance with the prescribed form of the oath of fealty. They shall also perform, serve, and observe everything required by the nature of a male fief and the custom of joint investiture, and appropriate and proper for faithful vassals, without damage or prejudice to Our rights, those of Our heirs, or those of anyone else.

In witness whereof, We have caused this charter and the charter of Our aforesaid dearly beloved brother to be confirmed with Our pendant seal and issued in Our town of Alten Stettin on the twenty-sixth day of the month of September, in the year 1618 after the birth of Christ, Our Lord and Saviour. Present as witnesses were the honourable and highly learned councillors and faithful servants, etc.

589.

Alten Stettin. 27 September, 1618.

Duke Francis I enfeoffs Jacob Kleist of Ruschitz with his fief.

According to a certified copy in the L. A.: Tit. IX. Sect. 88. No. IV. fol. 69.

By the Grace of God, We, Francis the First of that name, Duke of Stettin, Pomerania, the Cassubians and

Wends, Prince of Rügen, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that, on this day, at the hereditary homage held here by Us, the honourable Jacob Kleist, residing at Rusche, son of the late Jarischlaff, Our faithful servant, humbly appeared before Us and obediently petitioned and requested that We would graciously grant and renew, confirm and ratify for him and his male bodily feudal heirs his fiefs and feudal rights, insofar as these had descended and passed to him from his ancestors, together with the right of joint investiture in the ancestral fiefs of the Kleists of Muttrin and Damen.

Having considered and taken into account the humble and faithful services which the ancestors of this Jacob Kleist have hitherto willingly and readily rendered to Our princely house of Stettin-Pomerania, and which he and his male bodily feudal heirs shall, can, and may continue to render in the same manner to Us, Our heirs, and the succeeding sovereigns, We have therefore graciously granted and enfeoffed the said Jacob Kleist and his male bodily feudal heirs with his fiefs and feudal rights, namely the entire village of Rusche in Our provincial district of Stolpe; also the meadows situated on both sides of the river, with the right of making hay and pasturing livestock; also the Rusche moor, lake, woodland, hunting, and pasture on the moor, within the boundaries and limits and extending as far toward all adjoining villages, sides, and places as the same moor was formerly possessed by his cousins Gurge and Jacob Kleist, who resided at Crolow, and by his grandfather Thomas Kleist, and before them by its first possessors, and as they used and enjoyed it with fisheries, hunting, pasture, woodland, and otherwise, together with the right of joint investiture.

Accordingly, We hereby grant and enfeoff him and his male bodily feudal heirs with the village of Rusche and each and every one of the aforesaid feudal rights, together with all the appurtenances of the village of Rusche, jurisdiction over life and limb, church patronage, mills and mill rights, rents, hunting, fisheries, woods, shrubs, Stufeten, marshes, fens, pastures, and every other privilege and feudal right. We also grant them the right of joint investiture, not only in their original ancestral family fiefs at Muttrin, Damen, Zatkow, Kykow, and Döbel, but also in all other fiefs of the Kleist family situated in Our duchy, principality, and lands, whether now possessed by members of the Kleist family or acquired by them in future.

We hereby grant, renew, confirm, and ratify all these rights as fully and effectively as this ought, can, or may be done, but on the condition that the aforementioned Jacob Kleist and his male bodily feudal heirs, and thereafter their nearest agnatic relatives, including Adrian Kleist, son of Marten, residing at Dargen, and his male bodily feudal heirs, and thereafter any other cousins who may acquire the fief by virtue of agnatic kinship and joint investiture, shall seek and receive the aforesaid fiefs and right of joint investiture from Us, Our male bodily feudal heirs, or, in their absence, in accordance with the oath of fealty now sworn, whenever necessary.

They shall also perform, observe, serve, render, and discharge everything required by the nature of a male fief and appropriate and incumbent upon faithful vassals, without prejudice to Our rights or those of anyone else. In witness whereof, We have caused this charter to be confirmed with Our pendant seal and issued at Our princely castle of Alten Stettin on the twenty-seventh day of the month of September, etc.

(as in No. 586.)

589a.

1618

Matriculation register of the University of Tübingen:

Adam Kleist,⁶⁰⁴ nobleman from Pomerania.

590.

Coßlin. 20 April, 1619.

Bishop Duke Ulrich enfeoffs Provincial Councillor Carsten Kleist of Zebelin with his fief.

According to the draft in the L. A.: Tit. IX. Sect. 88. No. I. fol. 440, and a certified copy, *ibid.* No. VI. fol. 5.⁶⁰⁵

By the Grace of God, We, Ulrich, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Elected Bishop of Cammin, etc., hereby make known and acknowledge for Ourselves, Our successors in the Bishopric of Cammin, and all others whom it may concern that the late high-born Prince Lord Francis, Duke of Stettin, Pomerania, of blessed Christian memory, Our beloved brother, during his episcopal government graciously granted and enfeoffed the honourable Carsten Kleist, Our provincial councillor and faithful servant residing at Zebbelin, with the said fief of Zebbelin. He had purchased it twenty-seven years earlier from the widow and sons of the late Anßhelm Knut, in accordance with the contract of sale concluded for that purpose and the confirmation issued concerning it, and had taken actual possession of it.

The aforesaid provincial councillor has humbly approached and petitioned Us that We would likewise grant and enfeoff him with the said fief of Zebbelin. Having considered the lawful title and manner of acquisition by which Carsten Kleist obtained the fief, and the faithful and substantial services, attendance, and duty which he has therefore often rendered to Our predecessors and now to Us and Our Bishopric, and which he, together with his heirs, shall, can, and will continue to render to Us, accordingly, and upon the oath performed, etc. etc.

(worded identically with No. 563.)⁶⁰⁶

Present as witnesses were the reverend, honourable, and distinguished councillors, members of Our cathedral chapter at Colberg, and faithful servants: Antonius Bonin of Woientin; Frantz Bohne, Our chamber councillor, residing at Kulsow; Dr Andreas Bulgrin, Our chancellor; Matthaeus Engelbrecht, Our protonotary; Simon Fischer, Our chamber secretary; and several other honourable and trustworthy persons.

In witness whereof, We have signed this instrument with Our own hand and sealed it with Our great seal. Issued at Our court at Coßlin on 20 April 1619.

591.

⁶⁰⁴ III. 195.

⁶⁰⁵ With reference to this feudal charter, Mattheus Engelbrecht, princely protonotary of the Bishopric, and Nicolaus Werner, secretary to the government, certified at Coßlin on 22 December 1623: "Although the feudal successors of the late Carsten Kleist, provincial councillor of the princely Bishopric and hereditary resident of Zebbelin, did not apply for the renewal of their feudal charters during the lifetime of Duke Ulrich, etc., these charters were nevertheless drafted, together with other feudal charters for members of the nobility, under the date Coßlin, 20 April 1619. They were not, however, submitted to Our aforesaid gracious prince and lord, but were engrossed only after His Princely Grace's death in the year 1622 and, before the great seal of the Bishopric was cancelled at the princely funeral, were sealed and thus, by error, issued to the feudal successors under the date stated above at the most recent homage." L. A.: I. c. No. I. fol. 497.

⁶⁰⁶ After the words "which the Kleists possess in the Bishopric of Cammin or may yet acquire," the following is inserted here: "In the same manner as these were granted to them by Our predecessor."

Coßlin. (20?) April, 1619.

Bishop Duke Ulrich enfeoffs the Kleists of Schwellin, Dargen, and Klein Voldekow with their episcopal fiefs at Schwellin and Dargen and with the field mark of Darsow.

According to the draft in the L. A.: Tit. IX. Sect. 88. No. I. fol. 478.

By the Grace of God, We, Ulrich, Duke of Stettin, Pomerania, Prince of Rügen, Elected Bishop of Cammin, etc., hereby and by virtue of this instrument make known and acknowledge for Ourselves, Our successors as sovereigns of the Bishopric of Cammin, and all others whom it may concern that the honourable Carsten, Jochim, Reimer, Curdt, Jochim, and Michell, kinsmen and brothers of the Kleist family residing at Schwellin, Dargen, and Klein Voldekow, Our vassals and faithful servants, have humbly approached and petitioned Us, etc. etc.

(worded identically with No. 562.)

Present as witnesses were the reverend, honourable, highly learned, and distinguished councillors, members of Our cathedral chapter at Colberg, and faithful servants: Antonius Bonin, Our governor of the Bishopric at Woientin; Dr Andreas Bulgrin, Our chancellor; Frantz Boen, Our chamber councillor, residing at Kulsow; Mattheus Engelbrecht, Our protonotary; Simon Fischer, Our chamber secretary; and several other honourable and trustworthy persons.

In further witness whereof, We have caused Our great seal of majesty to be appended below. Done and issued in Our town of Coßlin on the ⁶⁰⁷ day of the month of April, in the year 1619 after the birth of Jesus Christ, Our sole Redeemer and Saviour.

592.

Neuwenn Stettinn. 29 September (Michaelmas Day), 1619.

Niclaus Kleist⁶⁰⁸ of Glienke sells his privileged house at Neustettin to Frantz Böhn of Culsow, episcopal chamber councillor, for 600 Pomeranian florins, reserving the right of first refusal.

According to a copy in the P. P. A.: Stett. Arch. P. II. Tit. 7. No. 72.

I, Niclaus Kleist, hereditary resident at Glineke, for myself, my heirs, and all those belonging to me, hereby and by virtue of this instrument attest and acknowledge that I have sold and conveyed to the reverend, noble, distinguished, honourable, and highly learned Frantz Bohn, canon, princely episcopal chamber councillor and captain at Cößlin and Casimirsburg, hereditary resident at Cülsow, my dwelling house situated outside the Belgardt Gate at Neuwenn Stettinn. The land and site of this house were hereditarily acquired with special privileges by the noble and honourable Teßen Kleist, formerly captain here at Neuwenn Stettin, from the burgomaster and council there under lawful title, in accordance with a separate agreement concluded concerning it under the date Neuwenn Stettinn, Michaelmas Day 1578, and with the original instrument issued concerning it.

Together with all the fields and meadows which he purchased for it and subsequently transferred to me, and everything affixed to wall, earth, or nail, nothing excepted, I have sold it to the aforesaid Frantz Bohn for 600 Pomeranian florins in ready money, each florin reckoned at nine Polish Dütken, to be used, enjoyed, built upon, inhabited, or occupied by others at his discretion, hereditarily for himself and his family. This has been done with the knowledge of my brothers and the consent of my wife, after proper payment, which

⁶⁰⁷ The day is missing from the draft.

⁶⁰⁸ III. 143.

was counted out to me on a board in full and to my satisfaction.

I have delivered, ceded, and henceforth placed all this in his own possession, with every privilege and freedom and nothing excepted, in the same manner in which my predecessor Teßen Kleist⁶⁰⁹ possessed, enjoyed, and used it, free of any ground rent or other burden. This also includes the building site opposite, which I purchased separately for fifteen thalers, and the foremost women's pew in the church, for which I paid twenty-one thalers to the churchwardens.

I also knowingly and deliberately release the aforesaid chamber councillor from all further claim concerning the 600 florins received, in the best and most effective manner in which this ought, can, or may legally be done. Should the chamber councillor or his family, either soon or at some later time, wish to sell the aforesaid dwelling house together with the fields and meadows belonging to it, which presently amount altogether to eighteen Morgen, it shall first be offered for sale to me or my family. I or my family shall then pay as much for it as an outside purchaser is prepared to offer. The chamber councillor has likewise agreed to observe this condition.

In witness whereof, I have knowingly and deliberately confirmed this instrument of sale and receipt with my hereditary signet and my own handwritten signature. Done at Neuwenn Stettinn on Michaelmas Day in the year 1619.

(L. S.) Niclauß Kleist

my own hand, mpp.

Register showing where the fields are situated and in which field divisions, together with the meadows, amounting to eighteen Morgen and purchased from Niclauß Kleist.

First, the Streitzker field.—A flax plot or cabbage garden and meadow very near the gardens here in the suburb; it adjoins the land of His Princely Grace, Peter Somnitz's meadow on one side, which he purchased from the organist, and on the other side the property of the aged widow of Master Heinrich the glazier.

2. A piece of arable land toward Streizigk, containing approximately four and one-half Morgen, adjoining Jacob Düsingk on one side.

3. Three-quarters of a Morgen situated by the lake, adjoining the church land.

4. A good Morgen of land near the Galow sheep farm, situated in Teker's plot.

The second field toward Turow.—1. One and one-quarter Morgen of land, together with a meadow near the council's brick barn, adjoining Hannß Hurter and Michel Lepke.

2. Beyond the Piek Bridge, one and one-half Morgen of land, situated in Schlichting's plot toward Turow.

The Kuddische field.—One and one-half Morgen situated behind Maleken Berg, adjoining Marten Potter and Jacob Radußke.

At the Faule Brücke, two Morgen together with the meadow.

Together with the meadows, this amounts to fourteen and one-half Morgen; three Morgen are lacking.

Land situated near the Dratzker Horst, belonging to this farm and adjoining the land of the carpenter Matz Dratzk.

592a.

Dahmen, 6 April, 1620.

⁶⁰⁹ III. 75.

Settlement between the feudal successors concerning an old legal dispute which began in 1575 between Valentin⁶¹⁰ and Otto Kleist on the one side and Tessen, Asmus, Daniel, and Adrian Kleist on the other, mediated by Joachim Kleist of Nemerin and Balzer and Arnd von Wolde of Wusterbarth, concerning the woods of Damen and Muttrin.

Original on paper, eight leaves sewn into a cover. Signature and seal in a paper-covered impression of Wilhelm Kleist. Eleven seals, not described, slightly damaged. Landesarchiv Greifswald, Rep. 2 Privata No. 887.

592b.

1620.

Matriculation register of the University of Frankfurt an der Oder:

Ewaldus Kleiste,⁶¹¹ a Pomeranian from Cammin, did not take the oath — 9 —

Stephanus von Kleiste⁶¹², hereditary resident at Damen, a Pomeranian knight.

592c.

1620.

Land-tax register of the Bishopric of Cammin. Stettiner Archiv: Rep. 4 P. I Tit. 97 No. 898 I.

The Kleists

Gürgen Kleist⁶¹³ of Dargen

13 village hides: 19 guilders 16 groschen; 1 cottage: 24 groschen; 2 taverns: 1 guilder 16 groschen; 1 mill: 24 groschen; 4 V. sheep: 3 guilders; total: 26 guilders 16 groschen.

Received at Colberg from Casper Macheln, mounted district officer, on 1 February 1620.

Jochim Kleist⁶¹⁴ of Voldekow

8 village hides: 12 guilders; 2 village hides held in rotation: 3 guilders.

Carsten Kleist's⁶¹⁵ widow at Zebbelin

16½ village hides: 24 guilders 24 groschen; 2 cottages: 1 guilder 16 groschen; 1 mill: 24 groschen; 5½ V. sheep; 2 shepherds' servants: 2 guilders 4 groschen; 3 guilders 83 groschen.

Peter Kleist⁶¹⁶ of Dargen

16 village hides: 24 guilders; 1 mill: 24 groschen.

N.B. Of this sum, 18 guilders 24 groschen were received at Colberg from Hans Volkmar on 28 March 1621.

Four village hides assessed at 6 guilders remain outstanding; Peter Kleist has established a sheep farm upon

⁶¹⁰ III. 72 (died c. 1615), 74 (died 1608), 140, 142, 141, 78 (died c. 1606), 70, 133.

⁶¹¹ It is doubtful whether he belonged to the nobility, since neither "von" nor eques is used.

⁶¹² III. 196.

⁶¹³ Jürgen of Dargen, III. 118, died before 1618. No other Jürgen can be identified.

⁶¹⁴ III. 119.

⁶¹⁵ III. 71.

⁶¹⁶ III. 131.

them for his knightly seat.

593.

26 September, 1621 – 30 January, 1635.

“Register of all members of the nobility who, at the homage to the Most Serene and High-born Prince and Lord, Lord Bogisslau XIV, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., either appeared in person, took the oath, and were thereupon enfeoffed, or, being absent or minors, were reported and entered by their kinsmen. Anno 1621.” (Continued.)

According to the original in the L. A.: Tit. V. No. 6, and a copy *ibid.*: Tit. IX. Sect. 88. No. I. fol. 82.

Present. Absent.

District of Belgard. 26 September 1621.

The Kleists.

Present:

Wilhelm.

Hans's sons: Pribschlaff and Otto.

Jacob, son of Andreas.

Jürgen, son of Carsten, of Zeblin.

Curdt, son of Jürgen, of Kowalck.

Carsten, son of Jochim, of Gross Tichow.

Achatius, son of Wilhelm, of Vietzow.

Adrian's sons of Kowalck: Pribschlaff and Martin.

Jürgen, son of Hans, of Gross Tichow.

Asmus's sons at Damen: Daniel and Asmus.

Gotfrid, son of Otto, of Kikow.

Dubßlaff, son of Matthias, of Damen.

Hans Friderich, son of Reichardt, of Eschenreihe.

Lorentz, son of Carsten, of Dubberow and Krolow.

Joachim of Nemmerin.

Rüdiger, son of Hans.

Hans, son of Joachim, of Zatkow.

Absent:

Jacob Kleist, son of Lorentz, of Coßlin; took the oath on 25 January 1622.

Carsten, son of Valentin.

Carsten, son at Tichow; took the oath on 5 September 1622.

Jürgen of Queßdow, son of Peter; took the oath on 19 January 1622.

Berndt.

Jacob.

Their brother Joachim, a minor.

Curdt's sons of Klein Voldekow: Joachim and Reimar.

Their brother Dinnies of Tichow; took the oath on 17 September 1622.

Joachim, son of Peter, of Tichow; took the oath on 6 September 1622.

Wilhelm's sons of Vietzow: Ewaldt and Peter.

Their brother Jacob.

Christof, son of Lorentz, of Damen; took the oath on 6 September 1622.

His brother Niclaß.

Georg Kleist the Elder of Klein (Gross) Tichow received a certificate of feudal entitlement and took the oath on 10 September 1622.

Carsten, son of Reichardt.

Peter, Wilhelm, and Caspar, brothers and minors.

Present. Absent.

Provincial District of Schlaw. 28 September 1621.

The Kleists.

Present:

Henning, son of Peter, of Tichow.

Jacob Kleist, son of Jarischlaff, of Rusche.

Absent:

Jürgen of Tychow and Crolow.

His brother Jürgen, son of Peter, of Tichow.

The Rügenwalde nobility. Hereditary homage held there in person on 14 July 1623.

The Kleists of Crolow.

Lorentz, who reports that he has never received feudal charters in this district.

Jürgen Kleist of Krolow, Schlagkow, and Egsow.

Homage at Neuen Stettin on 17 October 1623.

The Kleists.

Raddatz.

Völtz Jochim.

They have not yet received the charters.

(Fridrich) Adam, son of Asmus.

Daniell and Asmuß, sons of Alexander.

Niclauß Kleist.

Absent:

Dubßlaf and Michel, sons of Bogslaf Jorg, of Raddatz and Glineke.

Dalentin.

The Vietzow line.

Ewaldt and Peter, sons of Wilhelm.

Their brother Achatius.

Jacob, son of Peter, of Klingenbeke.

Register of those members of the nobility who, after the general hereditary homage had been received, sought and received their fiefs from His Most Illustrious Highness himself in the presence of the councillors.

19 January 1622. Jürgen, son of Peter, of Queßdow.

25 January 1622. Jacob Kleist of Cößlin.

6 September 1622. Christoff Kleist.

Bernd and Jacob, sons of Carsten, of Tychow.

Jochim, son of Peter.

10 September 1622. Georg.

23 October 1623. Joachim.

Carsten.

7 July 1627. Christian of Damen.

12 February 1631. Christian of Crolow and Dubberow.

1 March 1633. Caspar of Vitzow.

6 May 1633. Alexander Jochim of Volchow.

12 December 1633. Peter of Tichow and Crolo, in the archive.

2 May 1635. Alexander of Volchow, Kowalk, and Schmentzin.

30 January 1635. Ewaldt of Viezow.

594.

Alten Stettin. 28 September, 1621.

Duke Bogislaf XIV's charter of enfeoffment and joint investiture for all members of the Kleist family in Pomerania.

According to the draft in the L. A.: Tit. IX. Sect. 88. No. I. fol. 83, and a copy *ibid.*, l. c. fol. 22.⁶¹⁷

By the Grace of God, We, Bogischlaff the Fourteenth of that name, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and

⁶¹⁷ The draft lacks the transumpt of No. 583, while the copy lacks Nos. 547 and 553. In all the feudal charters transcribed here, the earlier charters quoted within them have been omitted.

all others whom it may concern that, on this day, at the general hereditary homage held by Us, there obediently appeared before Us the honourable members of the Kleist family, Our vassals and faithful servants, residing in Our duchies and lands.

First, those belonging to the Muttrin line and to the Damen, Vietzow, and Dargen family lines descended from it, and who are the bodily feudal heirs or descendants of Prisebur Kleist, namely: Wilhelm, Our Director of the Court of Justice, and Otto of Muttrin, Kykow, Dubberow, and Escherey, on behalf of themselves and their brother Peter Kleist, residing at Dargen in the Bishopric, sons of the late Valentin, nephews of Andreas, great-nephews of Peter Kleist the Elder, and great-great-nephews of old Dubschlaff Kleist, otherwise called Brata; Gottfriedt of Kykow and Drenow, on behalf of himself and his brother Dubschlaff the Younger, sons of old Otto Kleist and likewise nephews of the aforesaid Andreas Kleist; Daniel and Niclaus of Dahmen, Zatkow, and Glineke, on behalf of themselves and their brother Asmus, now residing at Dikow in the Electorate of Brandenburg, sons of Asmus the Elder and nephews of old Pribschlaff Kleist; Pribschlaff the Younger, together with Marten and Jacob of Kowalek and Dimkuhr, sons of the late Adrian and nephews of the aforesaid Pribschlaff the Elder, all of them great-nephews of the aforementioned Peter Kleist and great-great-nephews of Dubschlaff Kleist; Jochim, Our provincial councillor at Nemrin, Warnin, and Drenow, son of the late Gurgin the Elder, nephew of Bisprow Kleist and great-nephew of the aforesaid old Dubschlaff Kleist, on behalf of himself and the sons of his brother Richart; Jürgen, residing at Zebbelin in the Bishopric, son of Carsten and nephew of the aforesaid Jürgen the Elder, on behalf of himself and his minor brother; Dubschlaff of Dahmen and Zarnekow, son of Matthias, nephew of Jochim Kleist and great-nephew of the aforementioned Bisprow; Christoff of Dahmen, son of the late Lorentz, nephew of Gurge Kleist, great-nephew of old Churdt Kleist, and great-great-nephew of the aforesaid Dubschlaff; Jochim and Reimar of Voldekow and Schmentzin, sons of Churdt the Younger, nephews of Andreas Kleist and great-nephews of the said old Churdt; and Churdt the Younger, on behalf of himself and his brothers, sons of Jürgen. All the aforementioned Kleists are to be counted as belonging to the Damen family line.

Further, from the Vietzow line: Achatz, Ewaldt, and Peter of Vietzow, Drenow, Dallentin, Lanzen, and Pomlow, sons of the late Wilhelm, formerly ducal provincial governor, on behalf of themselves and their minor cousins at Poberow, Lanzen, and Wußow, namely the sons of Jürgen and Jacob and the nephews of Ewald the Elder of Poberow; likewise Hans Kleist of Zattkow, son of Jochim and nephew of Peter Kleist of Zattkow, on behalf of himself and his minor brothers Peter, Wilhelm, and Caspar, and also in the name of the sons of his father's brothers Jacob, Philipp, and Georg, some of whom resided in the Crown of Poland at Potrova, Peterkow, Ziskowa,⁶¹⁸ and Boke. All the aforesaid Kleists were descendants, nephews, great-nephews, and great-great-nephews of Jacob Kleist the Elder, residing at Bublitz and Vietzow, and of old Peter Kleist, ducal captain at Neuen Stettin.

Also Pribschlaff and Otto, sons of the late Hans the Younger of Borrentin, nephews of Pribislaus the Elder, the canon, and great-nephews of old Hans Kleist; Jacob the Younger, son of Andreas and nephew of the aforesaid Hans the Younger, on behalf of himself and his cousins residing at Crummensee in the Crown of Poland, who were likewise great-nephews and great-great-nephews of the aforesaid old Hans; Carsten of Denzin and Cößlin, son of Valentin, nephew of Jacob, great-nephew of Jochim the Elder of Cößlin, and great-great-nephew of Henning of Belgard, on behalf of himself and the absent sons of his father's brothers Lorentz and Peter Kleist; also other kinsmen of the line, namely the brothers Anthonius, Richardt, and Christoffer, residing at Schonow in the Crown of Poland, sons of Moritz; and Hans Friederich of Eschenrey, son of Richart, ducal captain at Colbatz. All of these were great-great-nephews and descendants of the

⁶¹⁸ The draft reads: Zichowa.

aforementioned Henning Kleist and, together with the other Kleists of the Vietzow line listed above, descended from old Bispraw Kleist.

Further, from the Dargen line: Jacob Kleist of Rusche, son of Gerson, nephew of Thomas, great-nephew of Jacob the Elder, ducal captain at Bütow, and great-great-nephew of old Pribschlaß Kleist, residing at Muttrin.

Second, the Kleists belonging to the Dubberow, Tichow, and Krolow family lines and descended from old Georg Kleist, namely: Lorentz, residing at Dubberow and Crolow, son of Carsten, nephew of Christoff, and great-nephew of Peter Kleist the Elder; Henning and Georg of Wendisch Tichow, sons of Peter the Long, nephews of Henning the Elder, great-nephews of Georg Kleist of Tichow, and great-great-nephews of the aforesaid old Peter Kleist, on behalf of themselves and their cousin Gurg Kleist of Krolow in the Rügenwalde district; further, Jacob and Bernhardt of Gross Tichow, sons of Carsten, nephews of Andreas, great-nephews of Bart Kleist the Elder, and great-great-nephews of old Hans Kleist, on behalf of themselves and their absent brothers, as well as Dinnies Kleist, the son of their father's brother, residing at Voltzkow in the Electorate of Brandenburg; further, the brothers Rüdiger and Gurg, sons of Hans, nephews of Jochim, great-nephews of Bart the Younger and great-great-nephews of Reimar, and also remote descendants or atnepotes of the aforesaid old Hans; likewise Jochim, son of Peter, of Gross Tichow, etc.

After taking the oath of fealty, they humbly petitioned and requested Us, on behalf of themselves and their absent cousins of the Raddatz line residing in the district of Neuen Stettin—who at this time owe feudal service to the high-born and most reverend Prince and Lord Ulrich, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Elected Bishop of Cammin, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., Our dearly beloved brother—that We would graciously grant, convey, and enfeoff them and their male bodily feudal heirs with their fiefs and feudal rights held, possessed, and used by them from Us and the princely house of Stettin-Pomerania, etc.

These consist particularly of the villages and field marks of Muttrin, Dahmen, Vitzow, Krolow, Rusche, Zattkow, Poberow, Wußow, Bulgrin, Kykow, Drenow, Zarnekow, Kowalk, Warnin, Gross and Klein Voldekow, Dimkuhr, Freyenstein, Lotzig, Gross and Klein Dubberow, Döbel, Bornentin, Nemmerin, Klein Kroßin, Klingebeke, Dallentin, Dolgen, Glineke, Eschenrej, Dentzin, and Lantzen; also Eggesow, Gross Queßdow, Gross Tichow, and Wendisch Tichow; and the villages of Boißin, Sittkow, Pomlow, Schlakow, Frantzen, Commetzin, Dubberzin, and Schlonuitz, together with the rights to the seashore in the Rügenwalde district; likewise Raddatz, Vilnow, Kucherow, Valkenhagen, Schneidemühle, Bramstedte, Zemmin, Juchow, Gißorken, etc.

They further requested that We graciously grant, convey, and enfeoff them with the right of joint investiture specially conferred upon the Kleists in all their fiefs which they now possess or might acquire in future and bring into the family; that We renew, confirm, ratify, and approve their existing joint and individual charters; and that We cause them to be inserted herein.

All this was first granted at Belgardt in the year 1477 by the high-born Prince Lord Bogischlaß the Tenth, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Count of Gützkow, and Lord of Bütow and Lauenburg, Our beloved great-great-grandfather of Christian memory, and subsequently confirmed at Rügenwalde in the year 1486. It was thereafter granted, renewed, confirmed, and extended by the high-born princes Lord Barnim the Ninth and Lord Johann Friedrich, Dukes of Stettin, Pomerania, the Cassubians and Wends, Princes of Rügen, Counts of Gützkow, and Lords of the lands of Lauenburg and Bütow, etc., Our kindly beloved cousins, and by the late high-born princes and lords Lord Philipp and Lord Francis, Dukes of Stettin, Pomerania, Our beloved brothers now resting blessedly in God, all of blessed Christian and highly praiseworthy memory, in Our town of Belgardt on 6 May 1608 and at Our residence of Alten Stettin on 26 September 1618. The charters read word for word as follows:

We, Bogischlaff, by the Grace of God, at Stettin, Pomerania, etc. (No. 125.)

We, Bogischlaff, by the Grace of God, at Stettin, Pomerania, etc. (No. 192.)

We, Barnim, by the Grace of God, at Stettin, Pomerania, etc. (No. 469.)

By the Grace of God, We, Johann Friedrich, Duke of Stettin, Pomerania, etc. (No. 503.)

By the Grace of God, We, Johann Friedrich, Duke of Stettin, Pomerania, etc. (No. 508.)

By the Grace of God, We, Johann Friedrich, Duke of Stettin, Pomerania, etc. (No. 497.)

By the Grace of God, We, Barnim the Eleventh of that name, Duke, etc. (No. 547.)

By the Grace of God, We, Bogischlaff the Elder, Duke of Stettin, Pomerania, etc. (No. 553.)

By the Grace of God, We, Philipp the Second of that name, Duke, etc. (No. 564.)

By the Grace of God, We, Francis the First of that name, Duke, etc. (No. 585.)

By the Grace of God, We, Francis, Duke of Stettin, Pomerania, etc. (No. 583.)

Whereas We, the aforementioned Duke Bogischlaff, have considered and taken into account the many obedient, faithful, and beneficial services which the aforesaid ancient Kleist family has hitherto humbly and willingly rendered to Our most blessed forefathers and to Us, and which they and their male bodily feudal heirs can, shall, and may continue to render in the same manner to Us, Our heirs, and the succeeding sovereigns, We have therefore, and also out of special grace, graciously granted, conveyed, and enfeoffed them with all the estates which they presently possess in Our duchy and lands, whether named or unnamed.

We have also granted them the right of joint investiture in those estates which they presently possess or may in future bring into the family and acquire jointly or individually, but without prejudice to the rights of nearer kin and relations under the privileges of Our knighthood and the customary usage of the land. We have renewed, confirmed, and ratified the aforesaid joint and individual feudal charters and charters of joint investiture.

Accordingly, We hereby grant, convey, and enfeoff them with these fiefs and estates, together with all their appurtenances in fields, woods, meadows, pastures, marshes, fens, hunting, fisheries, Stüfeten, lakes, standing and flowing waters, mills, mill sites, ores discovered and undiscovered, church fiefs, high and low jurisdiction over life and limb, and every other usufruct, whatever its name may be, nothing excepted.

We likewise grant, convey, and enfeoff them reciprocally, one in the property of the other, with the right of joint investiture, not only in the estates which the Kleists now possess, but also in any which they may in future bring into the family or acquire jointly or individually. By virtue of this instrument, We renew, confirm, and ratify the aforesaid old joint charters of the family and the separate feudal charters and charters of joint investiture held by each individual.

This is granted, however, on the condition that the aforesaid absent persons and those who are still minors shall humbly appear before Us at the proper time and, like those who were present, seek and receive their fiefs. They shall perform, observe, attend, serve, and fulfil everything required by the nature and custom of a male fief, without prejudice to Our rights or those of anyone else.

In witness whereof, We have caused this charter to be confirmed with Our pendant ducal seal and issued at Our castle of Alten Stettin on the twenty-eighth day of the month of September, in the year 1621 after the birth of Jesus Christ, Our sole Redeemer and Saviour. Present as witnesses were the honourable and highly learned councillors and faithful servants: Christoff von Heimbo, Our lord high marshal at Eßbeke; Matthias von Carnitz, Our privy councillor and chancellor at Neides, Moyzow, and Küssin; Jobst Borcke, Our captain at Satzlig, residing at Strammehle; Hans Zastrow, captain of Our castle at Alten Stettin, residing at Wustransee and Nemmin; Johan Hagemeister, both being chamber councillors; Jeremias Öseler, director of Our

ecclesiastical consistory, and Jurga Valentinus Winter, Comes Palatinus, both doctors of law; Otto Flemming of Martentin and Bentz; Bertram Below of Gatz; Johan Christoff Schwalenberg, doctor of law, all five being court councillors; also Matzke Borcke, Our chief chamberlain and captain at Friedrichswalde, residing at Zotzenow and Curow; Christoff Görcke, Our chamberlain at Hanßhagen; together with Our protonotary, chancery secretary, and chamber secretaries Antonius Peterstorff, Georg Ramel, residing at Claptow, Michael Raddun, and Jacob Frost; and many others of Our servants worthy of honour and credence.

Bogislaus manu propria.

Genealogisches Übersicht über die Kleiste im Jahr 1621.

Damen			
III. 8 Curt - Voldekow, Schwellin			
27 Andreas		28 Georg	
59 Curt		60 Lorenz	
118 Jürgen	119 Joachim	120 Reimar	121 Christopher
190 Curt	191 Joachim	192 Michael	

III. 9 Bisprow - Damen, Zeblin			
34 Joachim		35 Georg	
66 Matthias	69 Richard	70 Joachim	71 Carsten
123 Dubislaß	125 Jürgen	126 Joachim	127 Christian
			128 Georg
			129 Joachim

III. 10 Peter - Damen, Zadtchow, Kowalk			
36 Andreas		37 Pribislaß	
72 Valentin	74 Otto	76 Asmus	78 Adrian
131 Peter	136 Gottfried	141 Daniel	144 Pribislaß
133 Wilhelm	138 Dubislaß	142 Asmus	145 Martin
134 Otto		143 Nicolaus	146 Jacob

Muttrin				
III. 4 Henning - Cöslin				
17 Joachim				
44 Anton		45 Jacob		
86 Moritz	87 Richard	88 Lorenz	89 Valentin	90 Peter
149 Anton	152 Hans	153 Jacob	154 Carsten	155 Jacob
150 Richard	Friedrich			156 Martin
151 Christopher				

III. 5 Peter - Muttrin, Vietzow, Zadkow						
20 Jacob						
47 Peter			48 Ewald		49 Wilhelm	
95 Jacob	96 Joachim	97 Philipp	98 Georg	103 Jacob	104 Georg	110 Achatz
						111 Ewald
						112 Peter
157 Peter	161 Hans	165 Peter	169 Werner	171 Ewald	173 Ewald	
Adam	162 Peter	166 Sebastian	170 Ewald	172 Wilhelm	174 Daniel	
	163 Wilhelm				175 Wilhelm	
	164 Caspar					

III. 6 Hans - Krummensee			
21 Henning		22 Pribislaß	
51 Hans		54 Hans	
113 Egidius	114 Pribislaß	115 Andreas	116 Otto
		187 Jacob	

Ruschütz-
Dargen
III. 12 Jacob
39 Thomas
82 Jerson
147 Jacob

Dubberow und Wendisch Tychow		
II. 5 Peter		
13 Georg		14 Christopher
23 Peter	25 Henning	26 Carsten
44 Georg	51 Peter	52 Lorenz
67 Henning	69 Georg	

(Groß) Tychow					
II. 6 Barte			II. 11 Andreas (Drews)		
16 Joachim			21 Carsten		22 Jochim
31 Hans	32 Peter	36 Jacob	39 Bernhard	42 Carsten	43 Dinnies
54 Rüdiger	55 Georg	57 Joachim			

Raddatz					
IV. 5 Schir					
11 Volz					
14 Alexander		15 Asmus			
16 Daniel	17 Asmus	18 Michael	19 Volz Joachim	20 Adam Lüdtke	21 Alexander Jürgen
		31 Dubislaß	32 Jürgen Bogislaß		

595.

Alten Stettin. 28 September, 1621

Duke Bogislaw XIV enfeoffs Peter Kleist⁶¹⁹ of Zatkow and Dolgen with the village of Dolgen, received in exchange for Zamborst.

According to the draft in the P. P. A.: Stett. Arch. P. II. Tit. 6. No. 73. fol. 77, and certified and ordinary copies *ibid.*, l. c., P. I. Tit. 114. No. 76; in the L. A.: Tit. IX. Sect. 88. No. III and No. V. fol. 10; and in the Kiekow Archives: Conv. IV. Tit. II. No. 4. fol. 23.⁶²⁰

By the Grace of God, We, Bogisclaff the Fourteenth of that name, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that, on this day, at the general hereditary homage of the territory held by Us, the honourable Peter Kleist, Our vassal and faithful servant, son of the late Jacob and residing at Zatkow and Dolgen, obediently appeared before Us and humbly reminded and informed Us that his late

⁶¹⁹ III. 157, father 95

⁶²⁰ Also included as a transumpt in the feudal charter of 7 November 1673 (No. 654), and thus in the L. A.: l. c. No. V, fol. 6v; No. XI, fol. 16v; and No. XII, fols. 47v and 58. The feudal charter has been placed at this point solely because it bears the date 28 September 1621. The relevant proceedings (Stett. Arch. P. II. Tit. 6. No. 73), however, show that it was not drafted and issued until July 1628. It was therefore antedated, the date of the general homage of the estates having been chosen for this purpose.

father had formerly exchanged the village of Samborst, which had been assigned to him and was situated on the Polish border, with the late high-born Prince Lord Philipp the Second of that name, Duke of Stettin, Pomerania, etc., Our beloved brother now resting blessedly in God, of Christian and highly praiseworthy memory. In return, His late Highness ceded, surrendered, and conveyed to his said father the village of Dolgen, together with the adjoining field mark of Kyhten and fourteen peasants, one village mayor, and two cottagers, together with their fields, likewise an oak wood and Lake Dolgen, with all other appurtenances. He therefore humbly petitioned that We, as the presently reigning territorial prince and hereditary feudal lord, would graciously enfeoff him and his male bodily feudal heirs with the aforesaid village of Dolgen and field mark of Kyhten, the oak wood and Lake Dolgen, together with their appurtenances, as a male fief.

Having found the aforesaid exchange and transaction to be entirely valid and undisputed, and therefore considering Peter Kleist's humble petition to be just, We have graciously granted and allowed it. In consideration of the feudal obligation performed to Us and the faithful services which he has willingly and readily rendered to Our princely house of Stettin-Pomerania, etc., and which he and his male bodily feudal heirs shall, can, and may hereafter continue usefully and faithfully to render to Us, Our heirs, and the succeeding sovereigns, and also out of special grace, We have graciously granted, given, and enfeoffed him and his male bodily feudal heirs with the aforesaid village of Dolgen and a part of the adjoining field mark of Kyhten, together with fourteen peasants, one village mayor, and two cottagers and their fields, as well as an oak wood and Lake Dolgen, as a true male and ancestral fief.

By virtue of this Our charter, We grant, give, and enfeoff him with this estate, together with every privilege and right in services, rents, hunting, fisheries, woods, marshes, Stufeten, meadows, mills, mill sites, jurisdiction over life and limb, church patronage, and all other things, nothing excepted, as the estate lies within its boundaries and landmarks and as his late father Jacob Kleist held, possessed, used, and enjoyed it, and as it descended and passed by inheritance to the said Peter Kleist, to be used freely and without encumbrance as a true male fief.

Peter Kleist and his male bodily feudal heirs shall, however, receive the aforesaid fief from Us, Our heirs, and the succeeding sovereigns, and from no one else, whenever required under the oath of fealty sworn by them. They shall also serve and fulfil their duties toward Us, Our heirs, and the succeeding sovereigns, the Dukes of Stettin and Pomerania, as the law and custom of a male fief require, and shall in future provide such mounted service as may be assessed upon the estate in accordance with its circumstances.

Whereas the high-born Princess Lady Hedwig, born of the princely house of Brunswick and Lüneburg, Duchess of Stettin and Pomerania, the Cassubians and Wends, Princess of Rügen, Countess of Gützkow, and Lady of the lands of Lauenburg and Bütow, Our kindly beloved aunt, sister-in-law, and sister, has an interest in Lake Dolgen and causes it to be fished during the winter season, this right shall remain free and undiminished to Her Highness, as before, for the duration of her dower.

We have also previously declared, in response to Peter Kleist's humble petition, that, should the village of Dolgen and its appurtenances be found not to be equal to the village of Zamborst quoad qualitatem et quantitatem, compensation should be granted to him. It is apparent from the report of the commissioners appointed by Us for this purpose that the village of Samborst contained 1,104 Morgen, excluding the fields of the pastor, village mayor, innkeeper, and miller, whereas Dolgen contains only 749 Morgen. We would therefore not be unwilling graciously to compensate him for this difference at the present time. Since, however, We cannot conveniently arrange this on this occasion, We shall graciously bear Peter Kleist in mind in this matter when the princely dower estate at Neuen Stettin falls vacant, but without prejudice to Our rights, those of Our heirs, or those of anyone else.

In witness whereof, We have caused this charter to be authenticated with Our pendant ducal seal and Our own handwritten signature and issued at Our castle of Alten Stettin on the twenty-eighth day of the month of September, in the year 1621 after the birth of Jesus Christ, Our sole Redeemer and Saviour. Present as witnesses were the honourable and highly learned councillors and faithful servants: Christoff von Heimbo, Our lord high marshal at Eßbeke; Matthias von Carnitz, Our privy councillor and chancellor at Neides, Moitzow, and Cussin; Jobst Borcke the Elder, Our captain at Satzlig, residing at Strammehle; Wilhelm Kleist,⁶²¹ Director of Our Court of Justice, residing at Muttrin and Dubberow; Hans Zastrow, captain of Our castle at Alten Stettin, residing at Wustransee and Nemin; Johan Hagemeister, both being chamber councillors; Jeremias Öbler, Director of Our Ecclesiastical Consistory, and Jurga Valentin Winter, Comes Palatinus, both doctors of law; Otto Flemingk of Martentin and Bentz; Bertram von Below of Gatze; and Johan Christoff Schwalenbergk, doctor of law, all five being court councillors; also Matz Borcke, Our chief chamberlain and captain at Friederichswalde, residing at Zosenow and Curow; Christoff Gorcke, Our chamberlain at Hanßhagen; together with Our protonotary, chancery secretary, and chamber secretaries Antonio Peterstorff, Georg Ramel, residing at Claptow, Michael Raddun, and Jacob Frost; and many others of Our servants worthy of honour and credence.

Bogislaus manu propria.

595a.

1621

Matriculation register of the University of Greifswald:

Johannes Georgius Kleist⁶²², nobilis Pomeranus 4 m, 27 April.

596.

Schneidemühl. 27 March, 1622.

Settlement between the Kleists⁶²³ of Raddatz and Schneidemühl concerning the Bauer-Pankow tract, the marsh called Laffken, and the new village or new Vier (Neudorf).

According to a copy in the Privy State Archives at Berlin: Rep. 30. No. 44. K. 62.

Following amicable negotiations, the following arrangement and settlement has hereby been made: the Raddatz Bauer-Panickow tract, insofar as that locality was taken away from the peasants of Raddatz and is still partly used by them, together with whatever fields belonging to it are possessed there by the lords and other interested parties, shall be combined and brought together into one corpus. The said Bauer-Panickow shall then be surveyed, divided, and equalised.

When this has been done, the principal Panickow sheep farm, or both Panickow sheep farms, shall, at Daniel Kleist's request, likewise be made equal by measurement in rods, and the aforesaid equalisation shall then be carried out. Should it then be found that anything is lacking from Daniel Kleist's Panickow or quota, Adam Kleist, together with the widow of Michel Kleist, has undertaken immediately to assign to Daniel Kleist, at the nearest Radestrauch, as much land as the deficiency is found to amount to. In all this, both the quality and the quantity of the fields shall be taken into consideration.

⁶²¹ III. 133.

⁶²² III. 186.

⁶²³ For the identification of the persons, see above, No. 594a, Raddatz

Adam Kleist has, however, stipulated that the enclosed fields which were taken from Klingebecke during his late father's lifetime and added to his Panickow and that of the widow shall not be included in this survey and division, but shall be exempted from it. Daniel Kleist has likewise reserved the right that, should any fields from Klingebecke also have been added to his Panickow, they shall not be included in this measurement. Nevertheless, should the field mark of Klingebecke be surveyed in future, any fields formerly added to either Panickow but belonging from ancient times to Klingebecke shall properly be included in the survey of that village.

Since the survey cannot now be continued because of the bad and wet weather and the deeply soaked fields and meadows, 13 May next, being the Monday after Jubilate, is hereby appointed for this purpose. On that day, all interested parties shall appear without further summons and shall and will attend the survey and final settlement. They have likewise agreed to procure the attendance of the village mayor and innkeeper Körnoky of Persantzke by means of an official order or otherwise and to pay him, each according to his quota, as is customary in the district.

The second matter, the marshy tract called the Laffcken, has likewise been amicably settled. Daniel and Völtz Jochim shall permit their respective cousins and brothers Adam and Aßmuß of Schneidemühle to hold and retain hereditarily the shares belonging to them in the locality situated on the left-hand side of the dam or path leading from Schneidemühle to Raddatz, as far as the locality retains the name Laffcken and the peasants can attest that name: Adam shall receive one share for his one-eighth part, and Aßmuß two shares. All the other interested parties shall take their portions therein pro quota.

Should Völtz Jochim or Daniel thereby be deficient in cleared meadows, they shall immediately reach an amicable settlement concerning them as kinsmen. Since it is also necessary to survey this locality, it shall be separately surveyed before St John's Day as soon as the water and other obstacles permit.

Finally, concerning the new village or new Vier, Völtz Jochim has made the following declaration to his kindly beloved brother: because this new village is greatly confined by the adjoining boundary of Raddatz, the site shall be carefully inspected as soon as possible and before the date fixed above, Monday before Jubilate, and they shall reach a brotherly agreement concerning one or several Morgen there.

It is further stipulated that, should anything disadvantageous or harmful now or in future be found or arise in any of these matters concerning the widows of the late Michel and Alexander Kleist, their rights, entitlements, and lawful claims, or those of their sons, shall remain wholly undiminished and unaffected hereby, since they did not have all their guardians present with them.

In further witness and for future information, all the interested parties, together with the princely captain, have signed this document with their own hands. Done at Schneidemühle, in the mill there, on 27 March 1622.

Peter Somnitz, princely captain, mpp.

Adam Kleist, with my own hand.

Daniel Kleist.

Aßmuß Kleist.

Völtz Jochim Kleist.

Martinus Kuhne nomine Viduae Alex. Kleisten.

Whereas, on 27 March 1622, at Schneidemühl in the mill and in the presence of the noble, distinguished, and honourable Peter Somnitz, princely captain at Neuen Stettin and hereditary resident at Grumsdorff, an arrangement was made between all the noble and honourable Kleists entitled to shares at

Schneidemühl and Raddatz concerning, among other things, the surveying and division of the Laffcken, whereby the marsh called Laffcken, extending from Schneidemühle on the left-hand side of the dam or path toward Raddatz, both cleared and uncleared ground, was submitted for division, and whereas Völtz Jochen Kleist would thereby be deficient in several cleared meadows, Daniel Kleist has undertaken and agreed that he will divide the cleared meadows on the other, right-hand side of the path with Völtz Jochim Kleist into two equal parts, in such manner that the share of the widow of the late Michel Kleist shall also be included therein pro quota.

In return, Völtz Jochen Kleist has agreed that, at every place where Daniel Kleist considers himself to be disadvantaged, he will undertake a survey with him and surrender to him one-half in accordance with the settlement, all this to be done before harvest time.

Should this not be carried out or compensated by either party, the princely mounted district officers shall, upon the prompt order of the aforesaid princely captain and at the earliest application of the party observing the settlement, be sent at harvest time to remove the grain or hay and grass and deliver it to the aggrieved party, without any delay or objection.

Actum anno die et loco ut supra, without fraud or reservation, in the presence of the aforesaid princely captain and both parties, as well as Georgius Plöntzig, princely protonotary, and the kinsmen Adam and Aßmuß Kleist, all of whom have signed this with their own hands.

In mea praesentia haec acta attestor.

Völtz Jochen Kleist.

Peter Somnitz, princely captain, mppria.

Martinus Kühne, N. P. scripsi et subscripsi.

Daniel Kleist.

597.

Cößlin. 8 April, 1622.

Bishop Duke Ulrich enfeoffs Peter Kleist⁶²⁴ of Muttrin and Dargen with the nine peasant farms at Dargen purchased from the widow of Georg Warnin.

According to the original in the P. P. A.: Schr. XIV. Chat. 9. No. 985.⁶²⁵

By the Grace of God, We, Ulrich, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Elected Bishop of Cammin, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., hereby attest and acknowledge for Ourselves, Our successors in the Bishopric of Cammin, and all others whom it may concern that the honourable Peter Kleist, Our faithful servant, residing at Muttrin and Dargen, has humbly presented to Us in the original the attached feudal charter issued and delivered

⁶²⁴ III. 131.

⁶²⁵ The draft of this feudal charter is in the L. A.: Tit. IX. Sect. 88. No. I. fol. 438 and bears the date April 1619, the space for the day having been left blank. Its formal issue was delayed until 8 April 1622, probably because of several additions in the draft which were not contained in feudal charter No. 584 and may have appeared questionable. The draft stated: "petitioned and requested that We would grant and enfeoff him not only with that which, by virtue of the same, etc.—he possesses and uses—but also with whatever he might yet purchase and acquire from the heirs of the late Marten Kleist"; and further: "acquired from the widow of the aforesaid late Jürgen Warnin and might yet acquire with Our consent." The first inserted passage was omitted from the formal charter; the second remained, perhaps merely through oversight. The witnesses are those named in the draft. See the first annotation to No. 590.

to him by the high-born Prince Lord Francis, Duke of Stettin, Pomerania, etc., Our kindly beloved brother and predecessor in the Bishopric of Cammin. That charter concerns the nine peasant farms at Dargen, together with their hides and other appurtenances, which he purchased from the honourable and virtuous Veronica von Kitzerin, Our especially beloved subject and surviving widow of the late Georg Warnin, and acquired with princely consent.

He has further petitioned and requested that We would graciously grant and enfeoff him anew with, and confirm and ratify, that which Our aforesaid brother of blessed Christian memory granted and enfeoffed to him by virtue of the said charter and which he presently possesses and uses. Since We do not doubt, etc. etc.

(worded identically to No. 584.)

Present as witnesses were the reverend, honourable, highly learned, and distinguished councillors, members of the chapter of Our collegiate church at Colberg, and faithful servants: Antonius Bonin, Our governor of the Bishopric at Woyentin; Frantz Boehne, Our chamber councillor, residing at Kulsow; Dr Andreas Bulgrin, Our chancellor; Mattheus Engelbrecht, Our protonotary; Simon Fischer, Our chamber secretary; and several other honourable and trustworthy persons.

In further witness whereof, We have caused Our great seal to be appended to this Our charter and have signed it with Our own hands. Issued at Our court at Cößlin on the eighth day of the month of April, in the year 1622 after the birth of Jesus Christ, Our sole Redeemer and Saviour.

The bishop's seal is attached by a parchment tag.

598.

1622. At the village newly established by the Kleists⁶²⁶ of Raddatz, situated between Raddatz and the two Panickows. 13 and 14 May (Monday and Tuesday after Jubilate).

Settlement between the Kleists of Raddatz and Schneidemühl concerning the boundary between Raddatz and the new village established between Raddatz and the two Pankows (Neudorf), and also concerning the boundaries and division of the Bauer-Pankow tract.

According to a copy in the Privy State Archives at Berlin: Rep. 30. No. 44. K. 62.

In the year 1622, on 13 May, the Monday after Jubilate, at the village newly established by the Kleists of Raddatz and situated between Raddatz and the two Panickows, the noble, distinguished, and honourable Peter Somnitz, princely captain at Neuen Stettin and hereditary resident at Grumbsdorff, appeared in person in accordance with the settlement and arrangement made on 27 March preceding, together with the brothers Daniel and Asmuß Kleist, the brothers Völtz Jochen and Adam Kleist, and the widow of their late brother Alexander Kleist.

First, the princely captain inspected the location of the village and the boundaries of the new village. Although the Kleists of Raddatz and those of Schneidemühl disagreed concerning the boundary—the Kleists of Raddatz maintaining that their boundary and their hides extended as far as the new village, while those of Schneidemühl were unwilling to allow it to extend so far—the boundary was ultimately established with the consent and unanimous agreement of all interested parties.

The permanent boundary between Raddatz and the new village shall henceforth run first from Schachtes Bruch to an oak marked with two crosses in the direction of Haßen's holding; from there to a broken or pollarded birch on Michel Kleist's hill, which birch stands upon the boundary; from there

⁶²⁶ For the identification of the persons, see above, No. 594a, Raddatz.

farther down toward the Rygen, across the road into the marsh, and along the marsh as far as the Kakuße or Witten Müße. Since all interested parties are agreed concerning their quotas, it has been unanimously resolved and agreed that each shall retain as his own whatever he possesses both in the field of Raddatz and in this new village.

Concerning the cottages in this new village, a plot ten rods wide from the front door and ten rods long toward the rear has been measured and staked out for each by Marten Manteyen and Peter Körnecken, the village mayor and innkeeper of His Princely Grace at Persantzke, who were officially appointed for this purpose. Boundary marks have been cut into trees and, where no trees were present, into stumps, at which each shall remain within his established plot. Should anyone extend by one or two rods into the farmstead of his nearest neighbour, he shall be obliged to move his fences or otherwise withdraw.

Concerning the cottages and dwelling houses, all interested parties have agreed that lots shall be drawn for the cottagers or peasants occupying the cottages and farmsteads. This is subject to the condition that anyone who receives an already constructed cottage by lot shall compensate the person who receives a deserted farmstead or Brink for such expenses as impartial peasants, *salva tamen adjunctione*, consider equitable.

For the eight peasants or cottages, eight slips were accordingly prepared, the name of one peasant being written on each slip. All the slips were placed in a hat, and each interested party drew a slip from it, with the following result:

First, Daniel Kleist received Gregern.

The widow of Michel Kleist received Clauwitern.

Völtz Jochim Kleist received Crollen.

Adam Kleist received Korffmachern.

The widow of Alexander Kleist received Croßin, which is deserted.

Daniel Kleist received Haßen.

Daniel Kleist received Kiekebusch, which is deserted.

Daniel Kleist received Rehten, which is deserted.

After the lots had been drawn and each had received that which the lot assigned to him, everyone was content. The princely captain, however, expressly reserved to the widow of Michel Kleist—since she was not present here and likewise had no guardians present—and also to the widow of Alexander Kleist—although she herself was present, she likewise had no guardians with her—their rights and lawful claims should they have been disadvantaged by these boundaries or by the drawing of lots for the peasants or farmsteads. He ordered this reservation to be recorded. Since it was then evening, everyone returned home.

Bauer-Panickow.

On the following day, 14 May, all the interested Kleists, in the presence of the princely captain, unanimously agreed upon the peasant Matthias Wieseán to walk the Bauer-Panickow tract within its boundaries and to show and identify the correct boundary, after which the survey was to be carried out once the boundary had been correctly established.

They nevertheless solemnly protested that, should it later be found that he had not followed the correct course or had not correctly shown the proper boundary of this Bauer-Panickow tract, which had been taken from the peasants of Raddatz, they reserved the right to contradict and challenge it.

Likewise, since neither the widow of the late Michel Kleist nor the widow of the late Alexander

Kleist was present, and since their guardians were not present at this proceeding, the princely captain most solemnly protested on behalf of their rights and lawful claims should they be disadvantaged in any way by this indication of the boundary and the surveying of the Bauer-Panickow tract, and ordered this protest to be recorded.

Thereupon Matthias Wieseian, upon his conscience, as he had offered to take the matter upon his conscience, described the boundary of the Bauer-Panickow tract and for the most part also walked and pointed it out: from the stream called the Siggernitz toward Morotzken Kampe, along the Siggernitz as far as the Schotten Müße straight ahead; from there alongside the Schotten Müße, following the road as far as the small Schotten lake; from there directly upward to a dry, pollarded oak standing between the lords' Panickow and the Bauer-Panickow; from this oak downward past a marked Stüvett and small mounds raised with a spade, as far as Chim Rittken Kamp; from that enclosure farther downward to the enclosure belonging to Ties Weiseian, the present boundary guide, where an oak stump was laid upon the boundary beside the enclosure and a heap of stones was cast around it; from there down to Morotzken Kamp; and from Morotzken Kamp in a straight line as far as the stream called the Siggernitz.

The land situated within these boundaries was surveyed in four sections.

The first section, situated beside Daniel Kleist's Panickow and consisting of pure gravelly land, contains $7\frac{1}{2}$ Morgen.

The second section adjoining it, partly cleared and partly uncleared, contains 18 Morgen.

The third section, extending to the Schotten Müße and across the middle of the two tracts as far as the Rottbrüche, which is likewise to be regarded as gravelly land, contains $141\frac{1}{2}$ Morgen.

The fourth section, consisting of good Vierland and situated toward the dry, pollarded oak, contains 37 Morgen.

The whole Bauer-Panickow tract—said to be an oak wood—therefore contains altogether 202 Morgen, excluding the Vier near the Kakußen, which could not be surveyed because of its density but was divided into two parts, as described below, and approximately three Morgen lying close to the Schotten Müße across the road and assigned to the church at Raddatz.

Since Daniel Kleist possesses an entire enclosed field within the boundaries of the Bauer-Panickow tract, which he has used with his Panickow and which was included in the survey by rods, all the interested parties have agreed that, in place of this enclosed field, he shall receive in advance and for himself alone the first section of $7\frac{1}{2}$ Morgen situated nearest his Panickow.

Lots were drawn concerning the other three sections to determine who should have the outer boundary in each section and remain toward the outside of the fields. The lot for the side toward the Panickows fell to Völtz Jochen and his fellow interested parties, while Daniel Kleist, who possesses one-half of the Bauer-Panickow tract, shall remain toward the interior of the fields.

The second section of sixteen Morgen, which is sixty-six rods wide, was then divided into two equal principal portions, thirty-three rods in width being assigned to each party. Völtz Jochim and his associates shall take the first thirty-three rods toward the Panickows, while Daniel Kleist shall retain the other thirty-three rods toward the interior of the field and the Schotten Müße.

Concerning the third and fourth sections, which all interested parties combined into one section so that each party might receive some of the good land, the following agreement was made: Völtz Jochim Kleist and his associates shall hold and possess a strip forty rods wide extending from the Siggernitz to the boundary of the lords' Panickow. Immediately adjoining it toward the interior of the field, Daniel Kleist shall take and possess a strip forty rods wide, likewise extending from the Siggernitz to the

boundary of the lords' Panickow. Völtz Jochim Kleist et consortes shall then again take a strip forty rods wide, and Daniel Kleist another forty rods in the same manner as before, continuing alternately as far as the Schotten Müße, where Daniel Kleist shall receive the final allotment.

Should the last allotment not have the full width of forty rods, or should it perhaps contain more than forty rods, the two parties shall reach an agreement so as to divide and halve the last allotment so precisely that neither receives more of it than the other.

Since the land is wider below toward the Siggernitz, so that the strips attain their full width of forty rods there, but narrows to a point above toward the boundary of the lords' Panickow and the pollarded oak, the forty-rod strips extending upward as allotments must likewise taper. The width of each lot shall therefore be compared at three or four points across its breadth. In this manner, each shall receive as much of the upper Vierland as the other, as all the interested parties have agreed. The cleared and uncleared ground lying across the road beside the Schotten Müße, amounting to approximately three Morgen, has been assigned to the church at Raddatz with the consent of all the interested parties.

A dense fir wood situated near the Kakußen was likewise divided in half. The side toward the Kakußen fell per sortem to Völtz Jochim et consortibus, while the other side toward the road fell to Daniel Kleist. In the middle, where the wood was divided, lies a large stone covered with moss, beside which stands a medium-sized oak into which boundary marks have been cut.

The Kakuß meadow, which is said to be held by a subject of the widow of Michel Kleist at Klingebeck, shall be surveyed on the next appointed date, since it cannot now be measured because of the high water.

Record of the boundaries as they have been observed from ancient times and are now newly confirmed and ratified:

First, the boundary of Raddatz runs from Lake Raddatz into the stream which drives the mill at Schneidemühl, upstream from the corners and locality of the stream to Jochim Ritken Werder; from the Werder, along a small stream upstream as far as the ford before the Laffken toward Schneidemühle; from there along the marshy tract and the meadows directly toward Michalлови Pattoh; along the ford and stream where the road leads from Schneidemühle to Raddatz; from there to Espen-Werder, following a small brook and the stony tract.

599.

23 June, 1622.

Elector Georg Wilhelm of Brandenburg, as Duke in Prussia, issues Hans Heinrich Kleist⁶²⁷ a vidimus of the charter granting Hans Krommensehe forty hides at Remmen (Remmers) in the district of Schlochau, dated at Schlochau on 5 October 1429.

According to the draft in the Royal Privy Archives at Königsberg: Adels-Arch. sub fam. v. Kleist.

By the Grace of God, We, Georg Wilhelm, Margrave, etc., etc., with Our full title, hereby make known and acknowledge to all persons, and particularly to those whom it concerns and who need to know it, that the noble Hans Heinrich Kleist, Our dearly beloved subject, has most humbly petitioned Us to cause the charter granted to Hannos Krommenscho (!) concerning forty hides at Remmen in the district of Schlochau to be sought out in Our old chancery registers and to have a trustworthy vidimus issued to him concerning it. Since We consider his petition just, We have graciously resolved to grant it. The said

⁶²⁷ III. 180, father: III. 113.

charter accordingly reads word for word as follows:

Charter of Hannos Krommensehe concerning forty hides at Remmen in the district of Schlochau.

We, Brother Paul von Rusdorff, Grand Master of the Order of the Brothers of the Hospital of St Mary of the German House of Jerusalem, hereby make known and declare to all persons before whom this document may be presented that, in consideration of the diligent and faithful services which Our dear and faithful Hannos von Krommensehe has rendered to Us and Our Order and shall continue to render in future, We, with the advice, consent, and authority of Our fellow dignitaries, grant and convey to the said Hannos von Krommensehe, his lawful heirs and descendants, forty hides situated at Remmen in the district of Schlochau, comprising fields, meadows, woods, bushes, marshes, and scrubland within the boundaries shown to him by Our brethren, to possess freely, hereditarily, and in perpetuity under Culm law.

In return for this Our enfeoffment, the aforesaid man, his heirs and descendants, shall be obliged to render to Us and Our Order one proper service in plate armour, with stallion and armour, according to the custom of this land, whenever called upon for alarms, defence of the territory, military campaigns, expeditions, the building of new houses, or the repairing or demolition of old ones, whenever, however often, and wherever they are commanded by Us and Our brethren.

They shall furthermore be obliged to give Us one Krampfund of wax and one Culm penny in acknowledgement of Our lordship, and, because the soil there is so poor, one bushel of oats annually from every occupied hide, on the feast day of St Martin the Bishop.

For greater security and perpetual remembrance, We have caused Our seal to be appended to this charter, which was issued at Our house at Schlochau on the Wednesday after the feast of St Francis in the year 1429. Witnesses were the honourable brethren of Our Order: Erasmus Fischborn, Grand Commander; Johan Pomersheim, Commander at Schlochau; Lord Niclos, Our chaplain; Johan Gebertshagen and Rutger Schonewert, Our companions; Lucas and Martinus, Our scribes; and many other trustworthy persons.

We hereby certify under Our electoral privy seal that the charter incorporated above was found in this form in Our old chancery registers. Dated, etc.

Lord Court Master

Burgrave

Chancellor

Marshal — signed.

On the reverse: Vidimus for Hans Heinrich Kleist, 23 June 1622.

600.

Kowalck. 22 September, 1622.

Following the completed division of the field mark of Dimkuhlen, Reimar,⁶²⁸ Otto, and Curt Kleist of Schmenzin, Kiekow, and Kowalk convey a portion of it to their cousin Marten Kleist of Dimkuhlen in compensation for his efforts.

According to a copy in the estate archives at Dimkuhlen.

⁶²⁸ III. 120, 134, 190.

We, Reimar, Otto, and Curtt Kleist, hereditary residents at Schmentzin, Kickou, and Kowalck, hereby make known and acknowledge by virtue of this instrument, for Ourselves, Our heirs and successors, as well as Our brother and all others whom it may concern, that Our kindly beloved cousin Marten Kleist,⁶²⁹ hereditary resident at Dimkur, has for a considerable time diligently pursued and conducted Our joint case and legal claim concerning the division of the field mark of Demkuhr against the Versens. He also advanced all the expenses on Our behalf and brought the matter so far that the field mark was divided by judgment and law and each party was assigned its allotment by the drawing of lots.

Since he has incurred much trouble in this matter and has dispatched messengers and written letters concerning it, We, the aforementioned cousins, in grateful acknowledgement, have ceded and surrendered to Our cousin Marten Kleist, his heirs and successors, for his efforts and inconvenience, all fields, marshes, fens, woods, and everything situated below the dam and the Ritzmer dike toward Grabuffen which may yet fall to Our share from the division of the fields. He and his heirs and successors shall possess it perpetually and use it at their pleasure.

We hereby voluntarily bind Ourselves never at any time to contest it again, either Ourselves or through those belonging to Us, provided that Marten Kleist and his heirs shall defend it against the Versens at his own expense and that of his heirs.

For greater authentication and firm observance, We, the aforesaid cousins Reimar, Otto, and Curth Kleist, hereditary residents at Schmentzin, Kickou, and Kowalck, have signed this Our declaration and memorandum with Our own hands and names. Issued at Kowalck on 22 September 1622.

Reimar Kleist

my own hand.

Otto Kleist

my hand,

mpp.

Curth Kleist

my own hand.

600a.

1623.

Land-tax register of the Bishopric of Cammin. Stettin Archives: Rep. 4 P. I. Tit. 97 No. 898 II.

Collected in the village of Dargen from the subjects of Jürgen Kleist's widow as heavy money:

3 thalers from the peasants; 1 guilder from three cottagers in quarter-thalers; 1 quarter-thaler from the shepherd; ½ thaler from the shepherd's servant; and 1 quarter-thaler from the miller. Total: 5 thalers in heavy coin.

The nobleman George Kleist sends from Zebbelyn the land tax which fell due on St Lawrence's Day of the present year, namely 10 thalers and 18 argent in good currency from Zebbelin. Mr von Zeigern, the treasury clerk, is to receive it and issue a proper receipt.

Signed at Coßlin on 22 August 1623.

Georg Kleist

⁶²⁹ III. 145.

Register of the war tax: from sixteen hides, 8 thalers, and from one deserted mill, in which Marten Bonin holds his share, 6 argent. Mr von Zeiger, the treasury clerk, is to receive it and give me a receipt.

Dated at Dargen on 28 August 1623.

Peter Kleist

The second instalment of the war tax, namely:

From the Heger hide: 1 thaler.

The Kleists

Gürgen Kleist of Dargen:

6 thalers 12 argent from thirteen village hides;

6 argent from one cottage;

12 argent from two taverns;

6 argent from one mill;

18 argent from three V. sheep.

Total: 8 thalers 6 argent.

Received at Colberg in good currency according to the receipt on 18 September 1623:

4 thalers 18 argent in good currency, equivalent to 6 guilders 10 groschen 12 Pomeranian pfennigs, received from Jürgen Kleist's widow of Dargen at Colberg on 18 September 1623;

3 thalers 12 argent in good currency, equivalent to 4 guilders 21 groschen 6 pfennigs, received from Peter Meyer's widow of Dargen on 25 October 1623.

The widow of the late Carsten Kleist at Zebbelin, now his son Gürgen Kleist:

8 thalers 6 argent from 16½ village hides;

6 argent from one cottage;

6 argent from one mill;

2 thalers from eight V. sheep.

Total: 10 thalers 18 argent.

Received at Colberg in good currency according to the receipt on 2 September 1623.

Jochim Kleist of Voldekow:

5 thalers from ten village hides.

Total: 5 thalers.

Received according to the receipt in good currency at Coßlin from Jochim Schuenemann on 2 September 1623.

Peter Kleist of Dargen:

8 thalers from sixteen village hides;

6 argent from one mill.

Total: 8 thalers 6 argent.

Received in good currency according to the receipt from the mounted district officer Casper Macheln at Colberg on 9 October 1623.

600b.

16 June 1623.

Matriculation register of the University of Königsberg:

Steph. Kleist,⁶³⁰ Pomeranian nobleman, S.

600c.

September 1623.

Matriculation register of the University of Rostock:

Matthias Kleist,⁶³¹ Pomeranian nobleman.

“Those marked with this sign did not take the oath because of their age.”

601.

Coßlin. 14 August, 1624.

Duke Bogislaw XIV, as Bishop of Cammin, grants the Kleists of Damen, Kowalk, Dimkuhlen, and Bärwalde joint investiture in the fiefs of the Kleists in the Bishopric of Cammin, particularly Dargen, Schwellin, Zeblin, etc.

According to the draft in the L. A.: Tit. IX. Sect. 88. No. I. fol. 502.

By the Grace of God, We, Bogischlaff the Fourteenth of that name, Duke of Stettin, Pomerania, Elected Bishop of Cammin, etc., hereby attest and acknowledge for Ourselves, Our successors in the Bishopric of Cammin, and all others whom it may concern that, upon the humble petition made at Our episcopal homage by the honourable Christoff, Pribschlaff, Marten, and Jacob, cousins and brothers of the Kleist family residing at Damen, Kowalck, Dimkur, and Bredenwalde (!), We have granted them joint investiture and expectancy, together with the Kleists residing in Our Bishopric, in the fiefs of Dargen, Schwellin, Zebbelin, Voldekow, and similar estates.

We have done so in consideration of the faithful and numerous services which their ancestors and they themselves have rendered to Our forefathers in the Principality of Pomerania, as well as to the predecessors of Our Bishopric and Church of Cammin, and which they and their feudal heirs can, shall, and may continue to render.

By virtue of Our princely episcopal authority and this Our charter, We therefore grant and confer upon the aforesaid Kleists and their male bodily feudal heirs joint investiture in all the ancestral fiefs of their cousins residing in Our Bishopric, as those cousins possess, use, and enjoy them, together with all their appurtenances, privileges, and rights, with the fullest freedom and exemption, and as they descended to them from their ancestors and were possessed by those ancestors.

They shall hold such rights in accordance with the nature and custom of joint investiture and as required by the right of agnatic succession, the custom of these lands, and their privileges. This is, however, subject to the customary general clause that the rights and entitlements of Ourselves, Our Church of Cammin, and all other persons shall remain unharmed and unaffected.

Present as witnesses were the honourable and reverend, distinguished and highly learned Paul Damitz,

⁶³⁰ III. 196.

⁶³¹ III. 197.

Our governor of the Bishopric at Strachmin and Strippow; Antonius Bonin, dean of Our collegiate church at Colberg and Our government councillor residing at Woientin; Dr Sylvester Braunschweig, chancellor of Our Bishopric; Matthaues Engelbrecht, Our protonotary; and Nicolaus Werner, Our government secretary.

Issued at Our episcopal residence at Coßlin on 14 August, in the year 1624 after the birth of Jesus Christ, Our sole Redeemer and Saviour.

602.

Crossin. 20 December, 1624.

Settlement between the surviving sons of Jacob and Jürgen Kleist concerning the estates of Poberow, Vietzow, Wutzow, and Lantzen.

According to an old copy in the P. P. A.: Stett. Arch. P. II. Tit. 27 A. No. 10.⁶³²

Be it hereby known to everyone, and particularly to those who need to know it, that on this day, following diligent negotiations conducted by the noblemen named below, an hereditary settlement has been reached between the widows and sons of the late Jacob and Jürgen Kleist in the following form:

The estate of Poberow, with all its appurtenances, shall remain hereditarily with the sons of the late Jürgen Kleist. In return, the estates of Vitzow, Wußow, and Lantzen, cum omnibus pertinentijs, shall remain hereditarily with the sons of the late Jacob Kleist.

All litigation concerning the S qerschen (?) matter, and whatever else either party has sought or intended to pursue against the other, shall likewise be settled in such a manner that the widow and heirs of Jürgen Kleist shall suffer no loss. The widow and heirs of the late Jürgen Kleist shall, however, first receive 600 Pomeranian guilders in cash from the Wobeser estates placed in possession.

Since the assigned estates have not yet been sold, their sale shall be promoted at the expense of both parties, so that the estates may be alienated and converted into money. After the 600 guilders have first been deducted, the money remaining shall be divided equally between the two sets of heirs according to their respective shares.

Since the Kleists' paternal aunt, the maiden Agnes, prioress of the convent at Marienfließ, is likewise entitled to a share of the ready money, all the heirs have allotted her 400 guilders for her maintenance. She shall receive and enjoy the annual interest from this sum. After her death, however, the principal shall revert in equal shares to the Kleists.

All disputes, litigation, accounts, and counteraccounts which one party might have against the other are hereby fundamentally and entirely settled, annulled, and extinguished.

Present as guardians and negotiators were Joachim Kleist of Nemmerin, guardian of the sons of the late Jacob Kleist, and Zabel Zastrow, hereditary resident at Nemmin, guardian of the sons of the late Jürgen Kleist; also Frantz Boene, canon of the Bishopric at Colberg and resident at Culsow, and Ludewich Petersdorff, hereditary resident at Lubgust.

These guardians and friends who were present, together with the widows of the late Jacob and Jürgen Kleist as mothers, and Daniel and Ewald Kleist under authority from their absent brothers, confirmed this hereditary settlement with their own hands and signets and signed it.

Dated at the tavern at Crossin on 20 December, new style, 1624.

⁶³² This highly defective copy may have been made by Prioress Agnes Kleist, who produced it.

Zabel Zastrow

Joachim Kleist, for himself and the surviving widow of the late Jacob Kleist,
mpp.

Daniel Kleist,

in the name of myself and my brothers.

Ludewich Pettersdorff,

mpp.

Ewaldt Kleist,

for myself and my brother.

Frantz Boen,

wrote and signed.

603.

Wolgast. 16 May, 1625.

Duke Bogislaf XIV grants his chancellor Wilhelm Kleist⁶³³ of Muttrin and Dubberow the reversionary expectancy to Andreas Buggenhagen's fief of Nehringen.

According to the original in the library of the Society for Pomeranian History and Antiquities at Stettin: Löper Library, Msc. 7. No. 2.

By the Grace of God, We, Bogischlaff the Fourteenth of that name, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Elected Bishop of Cammin, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that the reverend and honourable Wilhelm Kleist, Our privy councillor, chancellor, and faithful servant, residing at Muttrin and Dubberow, served Our dearly beloved brothers now resting in God, the late high-born princes Lord Philipp and Lord Francis, Dukes of Stettin, Pomerania, the Cassubians and Wends, Princes of Rügen, Counts of Gützkow, and Lords of the lands of Lauenburg and Bütow, etc., for a considerable period as a councillor and Director of the Court of Justice.

Subsequently, after We assumed the princely government of the lands of Stettin, he served Us in the same high office with such faithful diligence and competence that his loyal devotion toward Us as his territorial prince, as well as his love for his beloved fatherland, were commendably demonstrated in practice.

Thereafter, at Our gracious request and desire, he also undertook the burdensome office of chancellor, without being remunerated by any allowance upon assuming office or by any other gratuities. We have therefore taken all this into consideration with the gratitude proper to a territorial prince and have deemed it entirely just that, as a memorial of Our princely favour, for his greater encouragement, and for the further continuation of his devoted service, he should be recognised and recompensed by the grant of a reversionary expectancy, as has been accorded to other deserving officers of Ours.

After mature consideration, with well-considered advice and intention and with the consent of Our privy councillors, We have therefore conferred and assigned to Our chancellor Wilhelm Kleist the reversionary

⁶³³ III. 133.

expectancy to the house and noble seat called Neringe, together with all the farms, sheep farms, villages, peasants, their services and rents, tavern rights, tithes, hearth taxes, fields, meadows, pastures, heathland, woods, marshes, fens, hunting, lakes, ponds, fisheries, mills and mill sites, high and low jurisdiction over life and limb, the right of patronage, and all other rights, privileges, uses, and usufructs belonging to it.

These are presently held, used, and enjoyed by the honourable Andreas Buggenhagen of Brock and Nering, Our land marshal and faithful servant, and, upon his death, have been promised and assigned for life to the high-born Princess Lady Agnes, born Margravine of the Electoral House of Brandenburg, Duchess of Stettin, Pomerania, the Cassubians and Wends, Princess of Rügen, Countess of Gützkow, and Lady of the lands of Lauenburg and Bütow, etc., widow

The reversionary expectancy is conferred and assigned in such a manner that, when the aforesaid princely widow has died and the aforementioned Andreas Buggenhagen, Our land marshal, has likewise died without bodily feudal heirs, the aforesaid Wilhelm Kleist, Our chancellor, and his male bodily feudal heirs, or the agnatic relatives named below, shall occupy, take possession of, use, and enjoy the said fiefs and estates without hindrance from Us, Our heirs, or the succeeding sovereigns.

We also grant joint investiture and succession in these estates to his brothers and their male bodily feudal heirs, and thereafter to his cousins according to priority of blood and degree of nearer kinship.

We shall not burden these estates with any obligations or encumbrances, but shall leave them entirely in the freedom in which these and similar fiefs revert to Us, Our heirs, and successors, free and unencumbered according to law. For Ourselves, Our heirs, and successors, We shall also graciously maintain, protect, and uphold Our aforesaid chancellor, his male bodily feudal heirs, and those included with him in these rights.

In return, however, he, his male bodily feudal heirs, and those included with him shall be obliged, whenever these fiefs become available and fall to him and his co-enfeoffed relatives, to seek, receive, and duly acknowledge them as fiefs from Us, Our heirs, and the succeeding sovereigns upon every new succession.

They shall also render the required mounted and personal military service and all other attendance, as the aforesaid Andreas von Buggenhagen has done and is obliged to do, and shall otherwise conduct themselves in every respect as is proper and becoming to valiant noblemen of knightly rank, faithfully and without fraud.

Issued at Our princely residence at Wolgast on the sixteenth day of the month of May in the year 1625.

Present as witnesses were the reverend and honourable councillors and faithful servants: Matthias von Carnitz, dean of the honourable cathedral chapter at Cammin, Our privy councillor and captain at Colbatz, of Neides, Cußin, and Moitzow, etc.; Christoff von Heimb, Our court marshal, of Especk and Poblitz; Friderich von der Osten, Our provincial councillor, of Plate and Wuldenburg; Matz Borcke, Our chief chamberlain, of Zosenow and Curow; Johan Hagemeister, Our chamber councillor, of Hohen Selchow; Sebastianus Hempelius, doctor of law and Our court councillor; Lewin Wedige Petersdorff, Our chamberlain, residing at Cöselin; Michael Radduen, Our chamber secretary; Jacobus Frost, Our archivist; and several others of Our servants worthy of honour and credence.

Bogislaus manu propria.

The Duke's seal is attached by a red and yellow silk cord.

Land-tax register of the Bishopric of Cammin. Stettin Archives: Rep. 4 P. I Tit. 97 No. 898 III.

The Kleists

The widow of Gürgen Kleist⁶³⁴, together with the widow of Peter Meiyer at Dargen: from 13 village hides—N.B. 2 hides are lacking—1 cottage, 2 taverns, 1 mill, and 3 quarters of sheep: 20 guilders 20 groschen. N.B. Of this, 7 Pomeranian guilders 22 groschen were received from Gabriel Sommerweiß at Dargen, namely from 5 village hides, 2 quarters of sheep, and somewhat more, on 7 November 1625.

10 Pomeranian guilders 20 groschen were received from Mrs Gürgen Kleist at Dargen, namely from 6 village hides, 3 cottagers, 1 mill, and 1 quarter of sheep, which the mounted district officer Schmiede delivered according to his receipt on 19 May 1626. A further 2 Pomeranian guilders 16 groschen remain outstanding on account of 2 hides held by Heinrich von Wolde.

The widow of Carsten Kleist⁶³⁵ at Zebbelin, now his son Gürgen Kleist: 20 guilders 20 groschen from 16½ village hides; 20 groschen from 1 cottage; 20 groschen from 1 mill; 5 guilders from 8 quarters of sheep. Total: 26 Pomeranian guilders 28 groschen. Received according to the receipt from Mathias Steingreber on 7 April 1626.

Joachim Kleist⁶³⁶ of Voldekow, the Provincial Councillor: 12 guilders 16 groschen from 10 village hides, TT 12½ guilders. Summa per se. Received according to the receipt from the mounted district officer Christoff Schmiede on 19 May 1626.

Peter Kleist⁶³⁷ of Dargen: 20 guilders from 16 village hides and 20 groschen from 1 mill. Total: 20 Pomeranian guilders 20 groschen. Received at Colberg according to the receipt from the mounted district officer Christoff Schmieder on 19 May 1626.

Total received from the Kleists: 78 Pomeranian guilders 10 groschen, together with 2 guilders 16 groschen from Heinrich von Wolde of Wusterbahrde.

603b.

7. Februar 1625.

Zeblin. Marriage settlement between Philipp Steinkeller of Wiepkenhagen and the daughter of Carsten Kleist,⁶³⁸ Provincial Councillor of the Bishopric, of Zeblin and Drenow, and his wife Agnes, née von Hechthausen.

Original on paper, four leaves. Three applied seals lost; two signatures.

603c.

1625.

Matriculation register of the University of Frankfurt an der Oder:

Georg Heinrich von Kleist⁶³⁹ of Crolow, a Pomeranian nobleman — 18.

⁶³⁴ III. 118.

⁶³⁵ III. 71, 128.

⁶³⁶ III. 119.

⁶³⁷ III. 131.

⁶³⁸ III. 71, daughter Ursula.

⁶³⁹ II. 73.

1626. Schlaw, Belgardt, Cörlin und Pützerlin. 27. 29. 30. Juni und 5. Juli.

Inspection of the feudal service horses of Farther Pomerania. Extract from the muster records and muster rolls.

According to a copy of the muster roll in the P. P. A.: Stett. Arch. P. I. Tit. 96. No. 26. fols. 19v, 21v, and 25, and copies of the muster records in the Library of the Society for Pomeranian History and Antiquities: Löper Library, Msc. No. 163. fols. infra 67, 71v, 76v, 79v, 84, 87, 95v, 96v, 97, 104, 104v, and 114.

Muster held for Schlaw on 27 June 1626.

Provincial District of Stolp.

The Kleists of Rusche.

One mounted-service horse passed inspection.

Provincial District of Schlaw.

The Kleists on account of Tichow and Krolow.

Three mounted-service horses passed inspection: one on account of Tichow, one on account of Krolow belonging to old Jürgen Kleist, and one maintained by Henning and Jürgen the Younger on account of Tichow. Lorentz Kleist's horses are therefore lacking.⁶⁴⁰ According to the old assessment of 1563, the Kleists are to maintain four mounted-service horses from the Krolow fiefs and a further four horses from the fiefs of Tichow and Dubberow. Four horses are therefore lacking, as stated above. They subsequently presented them; see the Belgardt muster roll.

Done at Belgardt on 29 June 1626.

The Podewils family presented all their horses and expressed the hope that the muster would begin with them. Otherwise, they had reservations about participating.

Princely Commissioner Niclaus von Brockhusen: His Princely Grace had supplied him with a roll of the nobility of the districts of Belgardt and Neuen Stettin. Those who were unwilling to be mustered according to it might withdraw.

Jürgen Podewils, in the name of his cousins: They had appeared obediently and trusted that the Podewils family would be maintained in its privileges, or that reasons would otherwise be given. They wished most solemnly to protest, since the Podewils family had always ridden before the Kleists.

Dubschlaff Kleist, in the name of his cousins: They had likewise appeared obediently. He hoped that His Princely Grace would maintain the Kleists in their ancient privileges, particularly in that which had occurred at the muster held in 1583, when the Podewils family had ridden behind the Kleists. The commissioners would not approve the Podewils family's present attempt to force their way ahead, since it was contrary to the order in the roll.

Jürgen Podewils denied that there was any such intrusion. They had held three musters and had ridden first, which they were prepared to prove by living witnesses.

The Colonel-Lieutenant: He could not alter the roll, but must do what His Princely Grace had ordered. The Podewils family might seek redress from His Princely Grace.

⁶⁴⁰ Elsewhere the following addition appears here: "Jürgen Kleist the Elder is lacking one horse on account of Crolow"; and elsewhere again: "two horses for the equipment wagon."

The Podewils family wished to present their horses and, in God's name, ride first; otherwise, they wished to enter the most solemn protest.

Dubschlaff Kleist, in the name of the nobility of the districts of Belgardt and Neuen Stettin: Since the princely command referred to the great danger threatening the fatherland, which was well known, and since His Princely Grace therefore intended to take measures for its defence and had ordered the muster for this day, the nobility had appeared today with horses and men in fulfilment of its duty. Since, however, His Princely Grace had resolved to station the horses and men at particular places, and had previously given an undertaking that, whenever such or similar circumstances arose, free quarters should be provided in each district, the nobility wished to be informed by the commissioners whether this would also be done.

Princely Commissioner Niclaus von Brockhusen: The nobility had been informed on all sides of that which His Princely Grace had ordered him and his fellow commissioners to perform. The fact that the nobility had appeared would be commended in the report. Concerning fodder and board, His Princely Grace had discussed the matter with the Estates at the Diet and had granted half a guilder for each horse, which was to be paid.

Dubschlaff Kleist requested leave to withdraw and afterwards gave thanks for the gracious permission.

Those present then instructed him to state that, although they would willingly accept the nightly allowance of half a guilder for each horse in humble compliance with His Princely Grace, they could not answer for this to posterity. In various written undertakings issued in 1616 and 1621, His Princely Grace had bound himself to provide free quarters whenever an uprising occurred in the country. If this were not done, holes would be made in the privileges of the nobility.

They humbly hoped that His Princely Grace and the commissioners—if they wished to be regarded as faithful patriots—would arrange for this undertaking to be observed. It had frequently been experienced that the nobility was burdened with many charges. Only recently, a copy concerning the land tax had come into their hands in which an attempt had been made to impose a land tax contrary to the express words of His Princely Grace. They took this deeply to heart and would henceforth give no credence to or accept extracts of tax writs unless certified copies of the writs accompanied them.

They would now present their horses for inspection, but without accepting the roll. Since the tax writs also showed that the nobility was to be transferred to particular places, they considered that such a transfer was not yet necessary, because, thank God, the danger was not presently great. Much greater danger appeared along the Polish border because of the threat of various incursions. If the nobility were taken to distant places and the feared incursions occurred, His Princely Grace would thereby be exposed to disgrace and loss.

The nobility otherwise humbly offered to remain in constant readiness, provided that the inhabitants of Farther Pomerania were likewise called out. They trusted that His Princely Grace would not take this amiss and were prepared humbly to serve him with life and blood.

The princely commissioners: They had heard the nobility's declaration that it did not wish to surrender its ancient possession and must leave the matter at that. The commissioners knew nothing of the error in the princely extract from the tax writs, but would report it to His Princely Grace. The reasons advanced concerning the muster and the dispatch of the horses and men because of the impending threat from Poland must likewise be reported to His Princely Grace.

They hoped, however, that since the nobility was bound to His Princely Grace by oath and duty, it would refuse nothing but submit as obedient vassals. Should this, contrary to expectation, not occur, they would likewise have to let the matter rest. The deployment would be arranged in such a way that each man

could return to his own people.

Dubschlaff Kleist: The nobility did not intend to obstruct the muster, but merely desired an explanation concerning the quarters. Half a guilder was insufficient, and they wished once more to protest.

The princely commissioner: He had received no authority to grant more. This was almost the last place at which the muster was to be held, and he was greatly surprised that they behaved so obstinately. In other places, the people had offered humble obedience.

Dubschlaff Kleist: The nobility could not permit breaches to be made in its privileges.

The princely commissioner: Both Farther and Hither Pomerania had submitted to the muster. The nobility should therefore have no reservations and might take responsibility for its decision.

Dubschlaff Kleist: The nobility did not wish to hinder His Princely Grace in holding the muster, since it served the good of the common fatherland. They nevertheless lived in the humble hope that His Princely Grace would abide by the declaration made in 1616 at the muster held at Pützerlin, by the resolution given by the chancellor, and by the written undertakings issued, according to which free quarters were always to be provided in such circumstances. In God's name, they would submit to the muster.

The princely commissioner: In the name of His Princely Grace, he thanked them for this declaration. The princely instructions were now to be read aloud word for word.

Dubschlaff Kleist: Since the princely instructions stated that this muster should cause no prejudice to the privileges of the nobility, they were prepared to proceed. They nevertheless requested a copy of the princely instructions.

The princely commissioner: A copy would be supplied.

Jürgen Podewils again protested that the muster should cause no prejudice to the Podewils family. They would allow their horses to pass inspection.

The Kleists would not permit them to do so and were therefore inspected separately by the commissioner.

District of Belgardt.

The Kleists.⁶⁴¹

The Kleists of Damen allowed eight mounted-service horses to pass inspection, one of them without armour.

The Kleists of Gross Tychow near Zülów allowed three mounted-service horses to pass inspection. They were in good condition.

Lorentz Kleist of Dubberow sent three horses, although he is not entered in the roll: one and one-half horses on account of Krolow and one and one-half on account of Dubberow.

Four mounted-service horses.

Two wagons.

N.B. The mounted service of the other Kleists at Raddatz, Glineke, Eschenreihe, etc., follows below.

For the mounted service due from the estate of Wendisch Tychow near Schlaw and likewise from the Kleists of Rusche, see the Schlaw muster roll.

District of Neuen Stettin.

⁶⁴¹ In the record, the Kleists subsequently occupy the first position and the Podewils family the second.

Although the Zastrows stand at the beginning of the heading, the Kleists would not accept this, maintaining that no Zastrow had ever ridden before the Kleists. They therefore entered a protest.

The princely captain Peter Somnitz of Neuen Stettin submitted a written protest on account of Gonne and allowed one mounted-service horse to pass inspection in humble honour of His Princely Grace, but on the condition that this should not subsequently be treated as a precedent or cause him prejudice. He therefore repeated and renewed his written protest, awaited the decision of His Princely Grace, and humbly trusted that His Princely Grace would graciously approve the proposal made to the war commissioners that the Kleists of Eschenreihe and Glienke should join him in maintaining one knight-service horse. The said Kleists had been requested to do so at the place itself.⁶⁴²

The Kleists of Raddatz.⁶⁴³

Four mounted-service horses presented.

Done at Körlin on 30 June 1626. The following nobility of the Bishopric was mustered before the heath.

The Bonins and Kleists of Dargen, Woientin, Schwellin, and Dubbertech.

The governor of the Bishopric presented one horse on account of the episcopal fiefs. Peter Kleist and Heinrich von Wolde presented the remaining horse on account of the fiefs which they had received from the Bonins in earlier times.

Cordt Kleist presented one horse on account of their ancestral family fiefs.

The Kleists of Zebbelin, on account of the fiefs purchased from the Knut family.

Jürgen Kleist presented one horse.

Muster at Pützerlin on 5 July 1626.

Provincial District of Greiffenberg.

The Kleists of Poberow.

Because the village has been covered with drifting sand, no mounted service can any longer be maintained from it.

604a.

1626.

Matriculation register of the University of Königsberg:

Pe. Rudig. A. Kleist,⁶⁴⁴ Pomeranian nobleman, S.

605.

1627.

Assessment of the taxable hides in the district of Neustettin and the Bishopric of Cammin.⁶⁴⁵ Extract.

⁶⁴² A marginal note states: "This is to be approved for the sake of proper accuracy."

⁶⁴³ In the record, the Zastrows occupy the first position and the Kleists of Raddatz the second.

⁶⁴⁴ III. 178.

⁶⁴⁵ A note accompanying the copies of the register of hides of 1628, No. 606, states: "The compilers of the register of 1627 were Dean Wilhelm Kleist, administrator of the Court of Justice Bertram Below, castle captain Hans Zastrow, chamber councillor Hinrich Schwichel, provincial rent-master Daniel

According to the original in the P. P. A.: Stett. Arch. P. I. Tit. 97, appendix to No. 1, and copies *ibid.*: Tit. 97. No. 393. fol. 16, and in the Library of the Society for Pomeranian History and Antiquities: Löper Library, Msc. No. 127.

The following are the estates of the nobility in the district of Neuen Stettin.

Glincke.

7 hides, 2 cottagers, 1 mill, and 2 shepherds.

Niclaus Kleist: $3\frac{1}{2}$ hides, 1 cottager, 1 shepherd with 25 sheep, and $\frac{1}{2}$ mill — 4 fl. 14 sh.

The widow of the late Michel Kleist: $3\frac{1}{2}$ hides, 1 cottager, $\frac{1}{2}$ mill, 1 shepherd, and 10 sheep — 4 fl. 4 sh.

Schneidemühle.

Daniel Kleist:

20 hides and 8 cottagers — 20 fl. 0 sh.

1 tavern, outstanding; Asmus is to pay the tax.

$\frac{3}{4}$ mill — 15 sh.

1 shepherd with 50 sheep — $1\frac{1}{2}$ fl. 4 sh.

1 shepherd's servant with 25 sheep — $1\frac{1}{2}$ fl. 4 sh.

$\frac{1}{2}$ farm servant — 10 sh.

Total: 24 fl. 10 sh.

Asmus Kleist:

$26\frac{1}{2}$ hides, 8 cottagers, $\frac{3}{4}$ mill, 1 tavern, $\frac{1}{2}$ farm servant, 1 shepherd with 50 sheep, 1 servant with 25 sheep, and $\frac{1}{2}$ herdsman's cottage assessed as $\frac{1}{4}$ hide — 30 fl. 10 sh.

Raddatz.

$45\frac{1}{2}$ hides, 11 cottagers, $1\frac{1}{2}$ mills, 2 taverns, 1 herdsman assessed as 1 hide, 1 farm servant, and 3 shepherds, each with 50 sheep. Of these the following persons pay tax:

Voltz Jochim Kleist: 10 hides, 1 farm servant, three-quarters of one-half of a mill, three-quarters of one-half of a tavern, 1 shepherd with 50 sheep, and 1 servant with 25 sheep — $12\frac{1}{2}$ fl. 5 sh.

Adam Kleist:

$11\frac{1}{4}$ hides and 3 cottagers — 10 fl. 15 sh.

$\frac{1}{2}$ mill and $\frac{1}{2}$ tavern — 20 sh.

1 shepherd with 50 sheep — $1\frac{1}{2}$ fl. 4 sh.

Total: 13 fl. 3 sh.

The widow of the late Michael Kleist:

12 hides — 10 fl. 0 sh.

2 cottagers — $19\frac{1}{2}$ sh.

1 shepherd with 25 sheep, outstanding; 1 servant with 25 sheep, who is said no longer to exist; and one-eighth of a mill, outstanding.

Total: 10 fl. $19\frac{1}{2}$ sh.

The widow of the late Alexander Kleist:

11½ hides and 3 cottagers — 10 fl. 20 sh.

Three-quarters of one-half of a mill and three-quarters of one-half of a tavern — 15 sh.

1 servant with 25 sheep — 1½ fl. 4 sh.

Total: 13 fl. 3 sh.

Dallentin.

Ewald Kleist:

16½ hides — 13 fl. 18 sh.

1 tavern — 10 sh.

Total: 14 fl. 10 sh.

Dolgen.

Peter Kleist:

18 hides, of which 8 hides and 3 cottagers are assessed — 7 fl. 22 sh.

3 cottagers. Ten hides remain outstanding and are said to have been added to the demesne fields.

1 tavern, outstanding; 1 shepherd, who has not been taxed and likewise does not appear in the earlier registers.

Klingebeke.

Peter Kleist: 10 hides.

Daniel Monnike — 30 sh.

2 cottagers — 20 sh.

1 tavern — 20 sh.

1 farm servant — 20 sh.

1 shepherd with 50 sheep. Since the hides added to the demesne fields are taxed, the shepherd has not been taxed.

Total: 3 fl. 3 sh.

Lantzen.

Ewald Kleist:

15 cottagers — 6 fl. 6 sh.

1 tavern, said no longer to exist.

Daniel Kleist:

5 cottagers — 2 fl. 2 sh.

1 herdsman assessed as 1 hide, outstanding; said no longer to exist.

Grammentz.

Michael Magnus Glasenap: 10½ hides and 2 cottagers, of which:

Achatius Kleist: 5½ hides, outstanding.

Dubschlaff Kleist: 1 hide, outstanding, and 1 cottager, outstanding.

The four families and the little town of Berwalde follow.

Vilnow.

Andreas Kleist: 5 hides — 4 fl. 4 sh.

Assessment of the hides in the Bishopric in the year 1627.⁶⁴⁶

The Kleists.

Jürgen Kleist:⁶⁴⁷ 3 village hides, 3 cottagers at 8 guilders, 1 mill, and 1 quarter of sheep.

The widow of Peter Meuer at Dargenhagen:⁶⁴⁸ 5 village hides, 1 tavern, and 1 quarter⁶⁴⁹ of sheep — 4 fl. 4 guilders.

Heinrich von Wolde at Schwellin,⁶⁵⁰ from 2 village hides.

Jürgen Kleist at Zebbelin: 16½ village hides⁶⁵¹, 1 cottage, 1 mill, and 8 quarters of sheep — 5 fl. 12 guilders.

Jochim Kleist,⁶⁵² from 10 village hides — 2 fl. 16 guilders.

Peter Kleist,⁶⁵³ from 16 village hides and 1 mill — 4 fl. 4 guilders.

Total for the Kleists: 16 fl. 4 guilders.

605a.

1627.

Matriculation register of the University of Königsberg:

Ew. Kleist,⁶⁵⁴ Pomeranian nobleman, S.

606.

17. Januar, 1628.

“Register of the hides and houses, and of other taxable property in the land of Pomerania under the princely government of Alten Stettin, compiled on 17 January 1628 from the tax registers submitted in the years 1604, 1606, 1621, 1624, and 1627. It is to be observed that whenever one register did not agree with another and the variation could not be distinguished from personal knowledge, the higher figure was always retained, while any reduction resulting from sales and exchanges was to be investigated if the taxpayers should object.” Extract.

According to the draft and original—prepared after the year 1652—in the P. P. A.: Stett. Arch. P. I. Tit. 97. Nos. 80 and 152a respectively, and copies *ibid.* No. 169b, Copies I and II; in the Library of the

⁶⁴⁶ Additions and variations in the copy in the P. P. A.: 2017; see the following six annotations.

⁶⁴⁷ The widow of Jürgen Kleist.

⁶⁴⁸ Gabriel Sommerweis of Dargen.

⁶⁴⁹ Two quarters

⁶⁵⁰ At Wusterbardt.

⁶⁵¹ Sixteen village hides.

⁶⁵² At Voldekow.

⁶⁵³ At Dargen.

⁶⁵⁴ III. 170.

Society for Pomeranian History and Antiquities: Löper Library, Msc. Nos. 127, 128, 130, and 131, Copies III–VI; and in the Municipal Archives at Stolp: Tit. I. Sect. 1. No. 9, Copy VII.

It is to be noted that in this register all Heger hides and land hides, as well as houses, booths, and cellars, have been converted into and assessed as Hakenhufen:

1 miller; 1 tavern; 1 smithy; 1 bakehouse = 1 Hakenhufe.

1 cottager or cottage; likewise 1 garden; 1 shepherd; one quarter flock of sheep held in common; 1 shepherd's servant or wether servant; 1 herdsman; 1 weaver's holding; 1 farm servant; 1 quern = $\frac{1}{2}$ Hakenhufe.

The columns in the following entries are, in this order:

Hakenhufen | cottagers | millers | taverns | smithies | shepherds | shepherds' servants | herdsman | farm servants

The Rügenwalde knighthood.

II. The Kleists.

Lorentz at Krolow: $29\frac{1}{2}$ | 2 | $\frac{1}{2}$ | – | $\frac{1}{2}$ | – | – | – | –

Jürgen at Krolow: $16\frac{1}{2}$ | 2 | $\frac{1}{2}$ | – | $\frac{1}{2}$ | – | – | – | –

The knighthood of the Wollin district.

VIII. The Kleists.

Jürgen at Poberow *1: $6\frac{1}{2}$ | – | – | – | – | 1 | 1 | – | –

The knighthood in the Provincial District of Stolp.

Jacob Kleist at Rusche: 18 | 2 | – | – | – | 1 | 1 | – | –

Provincial District of Schlaw.

Lorentz Kleist at Schlaukow: 2 | – | – | – | – | – | – | – | –

Henning Kleist at Tychow: $32\frac{1}{2}$ | 2 | 1 | – | – | 1 | 1 | – | –

The leaseholder at Tychow: – | – | – | – | – | 1 | 1 | – | –

The leaseholder at Quesdouw: – | – | – | – | – | 1 | – | – | –

Jürgen Kleist at Tychow: $32\frac{1}{2}$ | – | 1 | – | – | 1 | 1 | – | –

The knighthood of the princely district of Belgardt.

I. The Kleists.

Wilhelm at Witzow: 32 | – | 1 | 1 | 1 | 2 | 2 | – | –

Joachim at Zattkow: $28\frac{1}{2}$ *2 | – | 1 | – | – | 1 | 1 | – | –

Jacob at Vitzow: $6\frac{1}{2}$ | – | – | – | – | – | – | – | –

Joachim at Klein Voldekow: $4\frac{1}{2}$ | 3 | 1 | – | – | 1 | 1 | – | –

Reimar at Schmentzin: $10\frac{1}{2}$ | 1 | – *3 | – | – | 1 | 1 | – | –

Lorentz at Dobberow and Crolow: 44 | – | 1 *4 | – | – | 1 | 1 | – | –

Lorentz at Crolow; Daniel pays: 4 | – | – | – | – | – | – | – | –

Asmus at Damen: 14 | 2 | 3 | – | – | 1 | – | – | –

Adrian at Kowalck *5: 13 | – | – | – | – | 1 | 1 | – | –

The heirs of Carsten the Elder at Gross Tichow: 10 | 1 | 1 | - | - | 1 | 1 | - | -

Dinnies at Gross Tichow: 12 | - | - | - | - | 1 | 1 | - | -

Valentin's heirs at Muttrin: 14½ | - | 1 | - | - | 1 | - | - | -

Otto's heirs at Kiekow: 7½ | 1 | 1 | - | - | 1 | - | - | -

Notes to the table:⁶⁵⁵

The columns remain in the same order:

Hakenhufen | cottagers | millers | taverns | smithies | shepherds | shepherds' servants | herdsman | farm servants

Hans's heirs at Gross Tichow: 6½ | - | - | - | - | 1 | 1 | - | -

Joachim at the same place: 6½ | - | - | - | - | 1 | 1 | *1 | - | -

Joachim at Nemmerin: 9 | 1 | 1 | 1 | - | 1 | 1 | - | -

Reichart's heirs at Dahmen: 16½ | 1 | 1 | 1 | - | 1 | 1 | - | -

Dubschlaff at the same place *2: 37 | 2 | 1 | - | - | 3 | 2 | - | -

Christoff at the same place: 20½ | 2 | 1 | - | - | 2 | *3 | 1 | - | -

Reimar at Kowalck: 8½ | 2 | - | - | - | 1 | 1 | *4 | - | -

Jürgen at Voldekow: 6 | 2 | - | - | - | - | - | - | -

Pribschlaff at Muttrin: 18 | 1 | 1 | 2 | - | 1 | 2 | - | -

Wilhelm at the same place and at Dubberow: 5 | - | - | - | - | - | - | - | -

Total *5: 334½ | 19 | 15 | 5 | 1 | 23 | 19 | - | -

From the princely district of Neuen Stettin: the reserved members of the nobility.

III. The Kleists.

Andreas and Otto at Borrentin: 14½ | 2 | - | - | - | 2 | 1 | - | -

Hans Friedrich at Eschenreich: 8 | 3 | 1 | 1 | 1 | - | - | 1 | 5

Alexander's heirs, Daniel and Asmus at Raddatz: 42½ | 16 | 1½ | ½ | - | 2 | 2 | 2 | 1

Asmus's heirs at the same place: 41½ | 14 | 1½ | 1½ | - | 2 | 2 | - | -

Alexander and Asmus: 4 | 17 | - | 1 | - | - | - | 1 | -

Jacob Kleist at Klingebeg: 12 | 1 | - | 1 | - | - | - | 1 | *6 | -

Peter at Dolgen: 30 | 2 | - | 1 | - | - | - | - | -

Ewald at Dallentin: 16½ | 1 | 1 | 1 | - | - | - | - | -

Total: 169 | 56 | 5 | 7 | 1 | 6 | 5 | 5 | 6

Notes to the table:⁶⁵⁶

⁶⁵⁵ *1 Note: "3½ were remitted in the year 1553 because of damage caused by sand." Copies I and V. *2 One-half is missing in all the copies. *3 All copies have one miller here. *4 All copies have two cottagers and three millers. *5 Note: "In the years 1613 and 1614, fourteen hides are stated; in 1620, however, it is recorded that one hide was assessed among the heirs of Valentin." Copy V.

⁶⁵⁶ *1 The shepherd and shepherd's servant are missing from all copies except Copy I. *2 Note: "6½ hides are lacking." *3 Copy V has 1. *4 The shepherd and shepherd's servant are missing from Copy V. *5 Despite the differences in the individual entries, the total is the same in all copies except Copy I.

Confirmed assessment of hides in the Bishopric in the year 1628.

According to copies in the P. P. A.: Stett. Arch. P. I. Tit. 97. No. 917b. fol. 4 and No. 393. fol. 26v.

The Kleists: 55 Hakenhufen, 4 cottages, 1 tavern, 3 mills, and 9 quarters of sheep.

607.

9 – 15 June, 1628.

Register of the taxable hides at Zarnekow, Drenow, Schmenzin, Warnin, Gross and Klein Voldekow, Klein Crössin, and Döbel, following the reduction made because of damage caused by drifting sand by the ducal commissioners Baltzer and Marx von Wolde from 9 to 15 June 1628.

According to certified copies in the P. P. A.: Stett. Arch. P. II, Tit. 49, Nos. 77 and 50 (Copies I and II), and in the Gross Tychow Archives, Conv. IV, Tit. VI, Litt. C, No. 4, fol. 10 (Copy III).

Register of the hides situated in each village and in each field.

I. In the village of Zarnekow there are twenty-two hides, of which:

Dubslaff Kleist has 8 hides, including 6 knight's hides, and therefore 2 taxable hides.

Pribschlaff Kleist of Kowalcke has 1½ hides.

Hans Kleist of Zatkow has 1½ hides.

Peter Kleist of Vietzow has 9½ hides.

Jürgen Kleist of Kowalecke has 1½ hides.

Since 2½ hides and 1½ Morgen have been allowed in place of the six knight's hides out of the 7½ hides, the five taxable hides are apportioned as follows:

½ hide to Dubslaff Kleist.

½ hide to Pribschlaff Kleist.

½ hide to Hans Kleist.

3 hides to Peter Kleist.

½ hide to Jürgen Kleist.

II. In the village of Drenow there are twenty knight's hides:

namely, 8 belonging to Achatz Kleist, 2 to Pribschlaff Kleist, 5 to Otto Kleist, and 5 to the heirs of the late Carsten Kleist. There are 14½ taxable hides, of which:

6 belong to Pribschlaff Kleist of Muttrin.

2 to Dubslaff Kleist.

Copy I, which bears the title "Register of Hides of 1654," has several differences in the Belgardt district, although the names have been retained. Thus Wilhelm at Vietzow has 32¾ Hakenhufen; Jacob has an additional shepherd; Lorentz at Dobberow has 38 Hakenhufen and one shepherd's servant; Asmus and Valentin each have an additional shepherd's servant; the miller is missing from the entry for Reichart's heirs; Dubslaff has two shepherds; Jürgen at Voldekow has three cottagers, one shepherd, and one shepherd's servant; and Pribschlaff has two cottagers and one tavern. The final total is 329¼, 21, 12, 4, 1; the shepherds and shepherds' servants are assessed as 81 hides. Copy VII contains several differences for the district of Neustettin: instead of five farm servants, one weaver's holding; instead of one farm servant, one bakehouse. *6 The draft has one shepherd and one shepherd's servant instead of one herdsman.

6½ to the heirs of Carsten Kleist.

Since 5 hides and 6 Morgen have been allowed in respect of the twenty knight's hides, five taxable hides remain, of which:

2¼ hides belong to Pribschlaff Kleist.

¼ hide to Dubschlaff Kleist.

2¼ hides to the heirs of the late Carsten Kleist.

III. At Schmentzin there were formerly thirty-one hides, including seven knight's hides.

Taxable hides:

11 hides belonging to Reimar Kleist.

2 hides belonging to Dubschlaff Kleist.

4 hides belonging to Otto Kleist.

7 hides belonging to Zabel and Matz Versen.

Since four of the thirteen hides now remaining have been exempted as knight's hides, the following taxable hides remain:

4 hides belonging to Reimar Kleist.

½ hide belonging to Dubschlaff Kleist.

1½ hides belonging to Otto Kleist.

2 hides belonging to Zabel Versen, of which:

½ hide is held by Jaspar Zempke.

½ hide is the deserted farm occupied by Bartholomeus Versen.

1 hide consists of the deserted farms used by Zabel Versen himself.

1 hide belonging to Matz Versen.

Total: 9 hides.

IV. At Warnin there are 18½ hides, including 3 knight's hides. Taxable hides:

4½ belonging to Jochim Kleist of Nemmerin.

4½ belonging to Christian Kleist of Dahmen.

3½ belonging to Pribschlaff Kleist of Kowalcke.

3 belonging to Churdt Kleist.

Since 1½ of the ten hides now existing have been assigned as knight's hides, the following remain taxable:

2¼ hides belonging to Jochim Kleist of Nemmerin.

2¼ hides belonging to Christian Kleist of Dahmen.

1½ hides and 3 Morgen belonging to Pribschlaff Kleist of Kowalcke.⁶⁵⁷

1½ hides and 2½ Morgen belonging to Churdt Kleist.

⁶⁵⁷ Instead of the 3 Morgen: 5 Morgen in Copy II.

V. At Gross Voldekow there were formerly nineteen hides,⁶⁵⁸ of which the heirs of the late Adrian Kleist possess five knight's hides,⁶⁵⁹ and:

7 taxable hides are now held by Marten Kleist.

7 taxable hides by Reimar and Churdt Kleist.

Since three knight's hides⁶⁶⁰ are exempt from the eleven hides still existing, the following remain:

4 hides belonging to Marten Kleist.⁶⁶¹

4 hides taxable to Reimar and Churdt Kleist.⁶⁶²

VI. "At Klein Voldekow there were formerly ten hides, of which four knight's hides belong to the farmstead⁶⁶³ of Reimar and Churdt Kleist, and four taxable hides:

1 hide belonging to Pribschlaff Kleist of Kowalck.⁶⁶⁴

½ hide belonging to Otto Kleist of Kikow.⁶⁶⁵

½ hide belonging to the Versens of Tizow.⁶⁶⁶

Since 1½ hides have been exempted in place of the four knight's hides, the following taxable hides result:

1½ hides belonging to Reimar Kleist.

¼ hide belonging to Pribschlaff Kleist of Kowalcke.

¼ hide belonging to Otto Kleist of Kikow.

¼ hide belonging to the Versens."

VII. At Klein Cressin there were formerly thirty-two taxable hides, namely:

9½ belonging to Dubschlaff Kleist.

6 belonging to Dinnies Kleist.

½ belonging to Berndt and Jacob Kleist.

11 belonging to Adam Versen.

5 belonging to Herman Versen.

Of the fifteen hides now existing, the following are therefore to be taxed:

4½ hides belonging to Dubschlaff Kleist.

2¾ hides belonging to Dinnies Kleist.

¼ hide belonging to Berndt and Jacob Kleist.

⁶⁵⁸ 17 in Copy II.

⁶⁵⁹ 3 hides in Copy II.

⁶⁶⁰ 2 hides in Copy II.

⁶⁶¹ 4½ hides in Copy II.

⁶⁶² 4½ hides in Copy II.

⁶⁶³ "Knightly residence" in Copy II.

⁶⁶⁴ The word "hide" is omitted in Copy III.

⁶⁶⁵ 1 hide in Copy II.

⁶⁶⁶ Omitted in Copy II.

5 hides belonging to Adam Versen.

2½ hides belonging to Herman Versen.

VIII. At Döbel there were formerly nineteen hides:

7 hides belonging to Matthias Kleist, although 7¼ hides are entered in the tax register.

5½ hides belonging to Daniel Kleist.

1½ hides belonging to Otto Kleist of Bornentin.

2½ hides belonging to Otto Kleist of Kikow.

2½ hides belonging to Jacob Kleist of Bornentin.

Since 14½ hides still exist and, according to the report, the damage caused by the sand did not affect the entire village but chiefly the subjects of Matthias Kleist, and since Pagel Witte's farm is assessed at 1½ hides although only one hide exists, it is equitable that Matthias Kleist should now be allowed a reduction of two hides for the two peasants Paul Witte and Jürgen Maßke;

Daniel Kleist, 1½ hides;

Otto Kleist of Kikow, ½ hide;

Otto Kleist of Bornentin, ¼ hide;

Jacob Kleist of Bornentin, ¼ hide.

As the interested parties named above have no knowledge of the hides at Wußow, Achatius Kleist shall submit a report concerning them.

The following taxable hides therefore remain:

Dubschlaff Kleist, 6 hides; 9½ hides are deducted.

Pribschlaff Kleist of Kowalcke, 2½ hides and 1½ Morgen; 3½ hides and 1½ Morgen are deducted.

Hans Kleist of Zatkow, ½ hide; 1 hide is deducted.

Peter Kleist, excluding Wußow, 3 hides; 6½ hides are deducted.

Jürgen Kleist of Kowalck, ½ hide; 1 hide is deducted.

Pribschlaff Kleist of Muttrin, 2½ hides; 3¾ hides are deducted.

The heirs of the late Carsten Kleist, 2¼ hides; 4¼ hides are deducted.

Reimar Kleist of Schmentzin, 4 hides at Schmentzin, 4 hides at Gross Voldekow, and 1½ hides at Klein Voldekow; altogether 13½ hides are deducted at Schmentzin, Gross and Klein Voldekow, and also at Zarnekow on account of his son Jürgen Kleist, including the 1½ hides which Marten Kleist holds in pledge.

Marten Kleist retains 4 taxable hides; 2 hides are deducted.

Otto Kleist of Kickow, 5 hides; 2¼ hides are deducted.

Jochim Kleist of Nemmerin, 2¼ hides; 2 hides are deducted.

Christian Kleist of Dahmen, 2¼ hides; 2 hides are deducted.

Churdt Kleist, 1½ hides and 2½ Morgen; 1½ hides and 2½ Morgen are deducted.

Of Zabel Versen's two deserted hides: 1 hide; Jaspar Zempke, ½ hide; Bartholomeus Versen, ½ hide; Matz Versen, 1 hide; 4 hides are deducted.

January, 1629.

“Divided assessment of the hides in the Bishopric in the month of January 1629, based upon the confirmed assessment of 4 April 1628, showing what was deducted at that time from the said confirmed assessment.” Extract.

According to the draft in the P. P. A.: Stett. Arch. P. I, Tit. 97, No. 393, fol. 42x, and a copy *ibid.*, No. 917b, fol. 22v.

The Kleists.

The heirs of Jürgen Kleist: 1¼ Heger hides.

Jürgen Kleist of Zebbelin: 4? Heger hides.

The heirs of Jochim Kleist, namely Reimer Kleist and Jacob Heidebrech: 2½ Heger hides.

Peter Kleist: 4 Heger hides.

Deduction: 1? Heger hides, four half-cottages, one tavern, three mills, and nine quarters of sheep.

The Kleists now pay tax on a total of 11? Heger hides.

Belgard. 10 June, 1629.

Indemnity issued by the knighthood of the Belgard quarter to its director, Daniel Kleist of Damen.

According to three certified copies in the P. P. A.: Stett. Arch. P. II, Tit. 4, No. 182.

Since urgent necessity requires that we, the undersigned, have earnestly and diligently urged and petitioned our director, the noble, distinguished, and honourable Daniel Kleist, hereditary resident at Dahmen, to undertake for a further period, as he has already done previously, the administration of our impoverished quarter with all faithful diligence; and considering that the Croats cause him great burdens and molestation and that he can expect nothing other than that they may take away his property, just as happened to the two former commissioners, we therefore all promise, upon our steadfast ancient German faith as noblemen, upon our highest honour, and upon our true word, that, should the contribution assessed upon all the hides not be received in full, whether from the peasants of His Princely Grace or those of the Duchess, and should our director consequently be required to procure it elsewhere or should his property upon his estates be ruined and taken away, and should he be able to prove to us what he has paid to the companies, we shall reimburse and repay him every heller and pfennig.

For this purpose, we subject all the livestock and property which we possess to military execution. Should one or another of us be unable through lack of means to pay his contribution, we others shall stand one for all and all for one. Our director shall be free to select whomever he chooses and shall have authority to recover the sum by military execution without any complaint, from which no legal remedy shall protect us or come to our aid, whether such remedy has already been devised or may be devised in future.

Done at Belgardt on 10 June 1629.

Hans von Hechthausen, mpp. Peter Kleist, mpp.

Christoff Kleist, mpp. Baltzer von Wolde, mpp.

Achatz Kleist, mpp. Jochim Podewilß, mpp.

Claus von Hechthausen. Claus Wopersnow.
 Dubschlaff Kleist, mpp. Jochim Wopersnow.
 Jochim von Wopersnow, mpp. Christoff Podewilß.
 Jacob von Wopersnow, mpp. Reimar Kleist, my own hand.
 Georg Podewilß, mpp. Berndt Kleist, mpp.
 Hans Georg Kleist, mpp. Hans Kleist, mpp.
 Hermann Verssen, mpp. Marx von Wolde.
 Marten Kleist, my own hand. Jürgen von Hechthausen.
 Christian Kleist.

610.

9 January, 1630.

Register of the taxable hides deleted from the tax register on 9 January 1630 because of damage caused by drifting sand, belonging to the proprietors of Zarnekow, Drenow, Schmentzin, Warnin, Gross and Klein Voldekow, Klein Crössin, Döbel, and Wutzow.

According to copies in the P. P. A.: Stett. Arch. P. II, Tit. 49, No. 77 (Copies I and II), and P. I, Tit. 97, App. 1 (Copy III), and in the Gross Tychow Archives, Conv. IV, Tit. IV, Litt. C, No. 4, fol. 10 ff. (Copy IV).

2½ hides belonging to Jochim Kleist of Nemrin.⁶⁶⁷

12 hides belonging to Reimar Kleist.

11½ hides belonging to Dubschlaff Kleist.

5½ hides and 1½ Morgen belonging to Pribschlaff and Marten Kleist, as the heirs of Adrian Kleist.⁶⁶⁸

3¾ hides belonging to Pribschlaff Kleist of Muttrin.⁶⁶⁹

3 hides belonging to Otto Kleist of Kickow.

1½ hides belonging to Daniel Kleist of Damen.

3¾ hides belonging to Dinnies Kleist.

2¼ hides belonging to Christian Kleist of Damen, as the heir of Richard Kleist.

2¼ hides belonging to the heirs of the late Carsten Kleist of Zebblin.

1½ hides belonging to Jochim Kleist of Kowalck, as the heir of Jürgen Kleist.

7 hides belonging to the heirs of Jochim Kleist of Zatkow, namely Hans and Peter Kleist.

¼ hide belonging to Otto Kleist of Bornentin.

5 hides belonging to Adam Versen.⁶⁷⁰

⁶⁶⁷ 2¼ hides in Copies III and IV.

⁶⁶⁸ 6½ hides and 1½ Morgen in Copy II; 6¾ hides and 1½ Morgen in Copy III; 5½ hides and no Morgen in Copy IV.

⁶⁶⁹ Omitted in Copies I and IV.

⁶⁷⁰ 3 hides in Copy IV.

3½ hides belonging to Herman Versen.⁶⁷¹

3 hides belonging to Zabel and Matz Versen of Schmentzin.⁶⁷²

611.

Stettin. 24 January, 1631.

Duke Bogislaf XIV grants his privy and court councillors Marx von Eichstedt of Roten Clempenow and Matthias Kleist of Damen the reversionary expectancy to the fiefs of the Zozenow family at Alten-Schlage, of Thomas Stucke at Reblin, of Nicolaus von Brochhausen at Drammin and Correntin, and of the von Rammin family at Stolzenburg.

According to the draft in the P. P. A.: Stett. Arch. P. I, Tit. 102, No. 34, fol. 5.

By the Grace of God, We, Bogischlaff the Fourteenth of that name, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Elected Bishop of Cammin, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that We have been graciously mindful of the humble and obedient services which the honourable Marx von Eichstedt, residing at Roten Clempenow, and Matthias Kleist, residing at Damen, Our privy and court councillors and faithful servants, have for a considerable time rendered and performed with commendable skill, not only at Our princely Courts of Justice and Consistory at Stettin and Wolgast, but also in embassies entrusted to them to His Roman Imperial Majesty, the electors and princes of the Holy Roman Empire, and other sovereign powers, as well as in commissions within and outside the country undertaken for the welfare and advancement of the entire fatherland, and which they will continue to perform in the same praiseworthy manner.

We have therefore considered it just, since in these exceedingly burdensome times they have been unable to obtain their salaries but have instead been obliged to expend and lose a considerable amount of their own property, to recognise and reward them, in accordance with the privileges of the land, by granting them certain noble fiefs in reversion, especially as no other means of recompensing them are presently available during this manifest distress of the country. They shall thereby retain for themselves and their noble families a visible memorial of the services which they have rendered well to the fatherland and may transmit it to their posterity.

Accordingly, upon obtaining the advice of Our faithful councillors, after due deliberation and with full knowledge and consent, We have graciously promised and assigned as fiefs of grace and reversionary expectancies to the aforesaid von Eichstedt and Kleist jointly, and to the male bodily feudal heirs of both of them, the following fiefs and estates: within the government of Stettin, those now held, used, and enjoyed by the noble Zozenow family at Schlage and by Thomas Stucke at Rebbelin; likewise those of Nicolaus von Brochhausen at Drammin and Correntin, in the event that the person presently entitled in expectancy, Christof Zastrow, Director of Our Court of Justice at Stettin, should die without male bodily feudal heirs; and, within the government of Wolgast, those held by the von Rammin family at Stoltzenburg, which constitute a new fief and are not included in the joint investiture of their other kinsmen.

By virtue of this instrument, We once again grant and assign to them all these fiefs, together with all the knightly residences, demesne farms, livestock farms, sheep farms, wether enclosures, villages, fields,

⁶⁷¹ 3¼ hides in Copy IV.

⁶⁷² In Copy III the four members of the Versen family are omitted; instead it reads: "The Kleists and Glasenapps are entitled to nineteen hides in the village of Wußow."

peasants and their services, rents in money and grain, tithes, heathland, woods, marshes, fens, hunting, pasture grounds, routes for driving sheep to and from pasture, herding grounds, meadows, pastures, waters, lakes, ponds and pond sites, mills and mill sites, high and low jurisdiction over life and limb, the right of patronage, and every other privilege, right, use, and usufruct belonging to them, as each of the aforesaid families lawfully possesses them, as they are more fully specified in their feudal charters, and as they may improve them or establish them anew.

This grant is made in such manner that, whenever one or another of the aforesaid fiefs, successively or simultaneously, should become vacant and revert solely to Us through the complete extinction of one or another of the families, so that no member of that family remains alive, the two grantees or their male bodily feudal heirs shall succeed equally to all such vacant fiefs. They may divide them equally between themselves or otherwise reach an agreement concerning them which is acceptable to both parties.

We and the succeeding sovereigns shall be bound as territorial princes, whenever such a case occurs, to place them jointly in possession of each such fief as soon as it becomes vacant, whether simultaneously or successively. Should this not be done, they shall be authorised to occupy one or another of them upon their own authority.

All this is, however, subject to the reservation that, should it be found that anyone has previously obtained a right of reversionary expectancy to all or any individual part of these fiefs—although, following an inquiry in Our princely archives and chancery, We have found no record of any such right—We shall in that event be under no obligation to provide a warranty against eviction. Nevertheless, they may propose an equivalent to Us or to the succeeding sovereigns, which shall be granted, and We or they shall without refusal compensate the grantees and those included with them by that means.

Should the fiefs at Stoltzenburg become vacant during von Eichstedt's lifetime and should he receive his share in them, he shall in return surrender and reconvey to Us and Our successors the village of Berntzlow belonging to Our district of Stettin.

The two grantees shall further be obliged, in accordance with the privileges of the nobility and the statutes and customs of this duchy, to provide dowries for any widows and unmarried daughters of the former possessors who may remain at the time of such extinction and vacancy of any of the fiefs, and to compensate them in accordance with law and the custom of these lands.

They shall also discharge and pay in equal shares, without action on Our part, all other burdens already placed upon and attached to the estates with Our consent. In future, We shall not consent to any new burdens without their approval and thereby prejudice them as interested parties.

They shall likewise seek and receive such vacant fiefs from Us and the succeeding sovereigns, perform the feudal acts, render the mounted service due from each share, and do and perform toward Us everything which the former possessors did and were obliged to perform, in accordance with the oath of fealty and as is fitting and incumbent upon a valiant vassal under his sworn oath and duties, faithfully and without fraud.

In witness whereof, issued under Our princely signature and seal at the general assembly of the country in Our residential city of Alten Stettin on the twenty-fourth day of January in the year 1631.

Present as witnesses were the reverend, honourable, distinguished, and highly learned privy councillors and councillors of Our Court of Justice and faithful servants: Volcmer Wolf, Baron of Putbus and Commander at Wildenbruch, governor of Our princely government at Wolgast; Paul von Damitz, governor of Our Bishopric and president of the Privy Council, residing at Rabenstein and Strachmin; Philipp Horn, canon of Our cathedral chapter at Cammin, residing at Schlatkow and Divitz; Niclaus von Ahnen, Our chancellor at Wolgast, residing at Natzevitz; Johan Zastrow, captain of Our castle at Alten

Stettin and chamber councillor, residing at Nemmin and Bansckow; Johannes Christophorus Schwalenberg, doctor of law; Matz Borcke, Our captain at Friedrichswalde and chief chamberlain, residing at Zotzenow and Curow; Jacobus Frost, Our archivist; Jodocus Newmarck, Our protonotary; Johan Strucke, secretary; and several others of Our servants worthy of honour and credence.

611a.

1630.

Matriculation register of the University of Königsberg:

Ew. Kleist,⁶⁷³ Pomeranian nobleman, S.

612.

Alten Stettin. 2 August, 1631.

Duke Bogislaf (XIV) confirms for Hans Friedrich Kleist of Dubberow the deed of gracious grant concerning Eschenriege, specifying the boundary between Eschenriege and the field marks of Repplin and Persanzig.

According to the draft in the P. P. A.: Stett. Arch. P. II. Tit. 6. No. 9. fol. 220, and a certified copy in the L. A.: Tit. IX. Sect. 88. No. II. fol. 40.

By the Grace of God, We, Bogischlaff, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Elected Bishop of Cammin, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, etc., hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that the honourable Hans Friedrich Kleist, Our vassal and faithful servant residing at Dubberow, has humbly petitioned and requested that We graciously ratify and confirm the concession issued and granted for a period of sixty-five years by the late high-born Prince Lord Johann Friedrich, Duke of Stettin, Pomerania, etc., Our kindly beloved cousin and father of most praiseworthy Christian memory, to the petitioner's late father Reichardt Kleist, formerly princely captain at Colbatz, in recognition of his meritorious services, under the date Alten Stettin, St Walpurga's Day in the year 1591, concerning the field mark of Eschenreihe or Reppelin, situated in the district of Neuen Stettin. This concession was subsequently confirmed for the petitioner personally for the remaining years by the likewise late high-born Prince Lord Philipp, Duke of Stettin, Pomerania, etc., Our kindly and piously beloved brother of blessed memory, on 16 December 1613.

He has further requested that, for greater certainty concerning the boundaries between the said field mark and village of Eschenreihe and the field marks of Reppelin and Persantzke, the boundary and marking of the limits carried out on 25 October 1624 under Our commission issued for that purpose to Peter Somnitz, captain at Neuen Stettin, and concerning which a report was humbly submitted to Our princely chamber on 1 March of the following year, 1625, should be incorporated into this confirmation.

Since We find this petition to be in every respect consistent with the records, We have graciously granted and allowed it. The boundaries were accordingly established as follows:

1. First, in the presence of the people of Persantzke, near the forked beech on the Grammentz road, on the right-hand side coming from Neuen Stettin, the first boundary mark was made by raising a round mound and driving a short oak stake into its centre.

⁶⁷³ III. 170.

2. As the second boundary mark, an oak standing upon a small dry island in a broad marsh was marked, earth being heaped and thrown around it and an X cut into it.
3. As the third boundary mark, proceeding along the marsh, the first charcoal-burning site was selected. A mound was raised upon it, a beech stake was driven into it, and, for clearer identification, an X was cut into a nearby beech.

Note: The village mayor of Persantzke and several peasants who were present accompanied the party as far as this point and then turned back.

Note: Farther beyond the mound, across the boundary line running there, a cross was cut into a beech to indicate the distance more clearly.

4. For the proper principal and fourth boundary mark, beneath Dumbke's clearing, two old charcoal-burning sites surrounded by birches were enclosed by mounds on the left-hand side of the boundary line, so that young trees within both charcoal-burning sites were enclosed. An oak standing between the two raised charcoal mounds was marked with an X.
5. As the fifth principal boundary mark, northward and uphill from Dumbke's clearing, there is a height which Mewes Dumbke of Eschenreihe had formerly cleared and which is now once again overgrown with young woodland, following the course of the boundary line which remains on the right.
6. The sixth boundary mark is the hollow called the Clear Water, a fairly round depression upon a hill.
7. From the Clear Water, proceeding straight ahead alongside the great marsh, several beeches standing on the right-hand side of the great marsh were marked with an X as the seventh boundary mark.
8. From the beeches beside the great marsh, the boundary proceeds straight ahead to the Schmucker Berg and as far as the road leading from Dallentin to Kußow. This is the eighth principal boundary mark. Since the princely captain and commissioner considered it unnecessary to mark the road as far as the Glasenapp boundary of their village of Storckow, because the road itself forms a clearly visible boundary and requires no further markers, a mound was raised around a large oak beside the road as the visible eighth principal boundary mark, and an X was cut into the oak, etc.

We accordingly hereby and by virtue of this instrument confirm and ratify the said boundary and, together with it, the aforesaid previously confirmed concession, for those years which still remain of the sixty-five years granted from the year 1591, in all its clauses, provisions, and contents, as these are expressly worded and contained in the instrument.

In return, the petitioner shall be obliged obediently to defend the boundaries and, together with his subjects, to preserve the woods on the hills of Reppelin and Viltow, in the manner prescribed by the original concession.

Upon the expiration of the specified term of years, the successor, namely the reverend and honourable Wilhelm Kleist, Our privy councillor and dean of Our cathedral chapter at Cammin, residing at Muttrin and Dubberow, together with his male bodily feudal heirs, shall be obliged to pay the aforesaid Hans Friedrich Kleist or his surviving heirs the 2,000 florins promised to him in return for surrendering the fiefs of Eschenreihe, without prejudice to Our rights or those of anyone else.

In witness whereof, We have confirmed this Our confirmation with Our princely seal and signature. Issued at Alten Stettin on 2 August in the year 1631 after the birth of Christ.

Present as witnesses were the reverend, honourable, and highly learned councillors and faithful servants: Paul von Damitz, president of Our Privy Council and governor of the Bishopric, residing at Rabenstein and Strachmin; Christof von Heimbo, Our court marshal at Especk and Poblitz; Hans Zastrow, Our castle captain and Director of the Privy Council, residing at Nemmin and Bansekow; Johannes

Christophorus Schwalenberg, doctor of law and Our privy councillor; Johannes Hagemeister, residing at Hohen Selchow; Henricus Schwichelt; and Johannes Vergin, residing at Schweßin, all of them Our chamber and economic councillors; Daniell Brochwedell, Our provincial rent-master; Jacobus Frost, Our archivist; and several others of Our servants worthy of honour and credence.

Bogischlaff m. p.

613.

Alt Stettin. 17 March, 1632.

Duke Bogislaf (XIV) assigns to Peter Kleist of Dolgen three deserted peasant farms at Sparsee and a claim amounting to 4,143 florins, as compensation for the determined lower value of Dolgen compared with Zamborst.

According to the draft in the P. P. A.: Stett. Arch. P. II. Tit. 6. No. 73. fol. 115v.

By the Grace of God, We, Bogischlaff, Duke of Stettin, Pomerania, etc., hereby make known and acknowledge for Ourselves, Our heirs, the succeeding sovereigns, and all others whom it may concern that the honourable Peter Kleist, Our vassal and faithful servant residing at Dolgen, has had a claim against Us and Our district of Neuen Stettin for a deficiency of approximately 737 Morgen of land resulting from the exchange and substitution of the village of Zamborst for Dolgen.

To compensate him for this deficiency, We have today hereditarily ceded and transferred to him three deserted peasant farms at Sparse, comprising six Hakenhufen, which until now had been inhabited and cultivated by Jürgen Jendeken, otherwise called Wold, Drewes Saletzken, and Berndt Schachtten. This has been done with the knowledge of the high-born Princess Lady Hedwig, born Princess of Brunswick and Lüneburg, widowed Duchess of Stettin, Pomerania, etc., Our kindly beloved aunt, sister-in-law, and sister. For the duration of Her Highness's life and enjoyment of her dower, he must pay her annually twenty-four florins in service money, in accordance with the agreement concluded with Her Highness through Our sovereign consent.

Since these six Hakenhufen are nevertheless insufficient to make good the deficiency, We have additionally, in full settlement for him and his heirs, delivered and assigned to him Our claim against Hans Fritzsche, formerly rent-master at Neuen Stettin, consisting of 3,000 florins in principal, 705 florins in accrued interest, and a further 438 florins arising from the inventory, amounting altogether to 4,143 florins.

We hereby and by virtue of this instrument cede, transfer, deliver, and assign to Peter Kleist and his male bodily feudal heirs, first, the aforesaid six hides at Sparse together with all their appurtenances, subject, however, to the burden stated above, and, second, the 4,143 florins charged upon the property of the aforesaid Hans Fritzsche.

The said three deserted peasant farms and the six Hakenhufen belonging to them shall, subject to the aforementioned exception, be held, possessed, enjoyed, and used by him hereditarily and shall subsequently be incorporated into the renewed feudal charters. He and his heirs may also seek recovery of the aforesaid 4,143 florins from the property of the said Fritzsche by the best available legal means. He shall thereby be fully satisfied and shall, for himself and his feudal heirs, entirely release Us, Our heirs, and successors from every further claim arising from the village of Zamborst.

Since, however, concursus creditorum proceedings have been instituted concerning the property of the said Fritzsche, We shall assume no liability for warranty should that property prove insufficient. The prosecution of the claim and the risk connected with it shall rest entirely with the petitioner.

In witness whereof, We have confirmed this instrument with Our princely seal and signature. Issued at Alt Stettin on 17 March 1632.

613a.

January 6, 1631

Neustettin, on the Day of the Holy Three Kings. The guardians of the heirs of Egidius Hertzberg of Barenbusch, Daniel⁶⁷⁴ and Dubslaw Kleist, pledge the estate of Barenbusch to the heirs of Hans Blauwert, citizen of Neustettin, for 500 talers at 6 percent annual interest. Notary: Martinus Kuhno.

Original on paper. Two impressed seals, three signatures. Greifswald State Archives, Rep. 2 Priv. 2 No. 921.

614.

Cörlin and Schlawe. October 30, November 4 and 28, and December 7, 1633.

Muster of the Farther Pomeranian feudal cavalry horses and musketeers. Extract from the muster records and muster rolls.

From copies in the P. P. A.: Stettin Archives, P. I, Tit. 96, No. 70a, fol. 99 and 103 ff., and Dreger's copies in the Library of the Society for Pomeranian History and Antiquities: Löper Library, Manuscript No. 163, fol. 16–21, 24, 29 *infra*.

Roll of the Pomeranian feudal cavalry horses that were mustered on October 30, Anno 1633, in the presence of Colonel Siegfried von Damitz and the Stettin Chancellor Niclaß Podewils before the house at Cörlin.

Belgard District.

I. The Podewilses present 26 horses, some of which were ridden by members of the nobility themselves, including 12 feudal cavalry horses, etc. etc.

II. The Kleists rode past with 41 horses, but afterwards had their feudal cavalry horses entered in the register as follows:

The Damen Kleists: 8 horses.

Christian Kleist on account of Krolow and Dubberow: 3.

The Tychow Kleists: 3.

The Vitzow Kleists are to keep: 4.

Of these, District Councillor Achatz Kleist is obliged to keep 2 horses; these are omitted because he has been summoned to Alten Stettin.

The Borrentin and Zatkow Kleists: 2.

Neustettin District.

Captain Peter Somnitz, Peter Damitz, and Hans Friedrich Kleist: 1.

On October 31 appeared:

Alexander Kleist's son with: 1.

Roll of the feudal cavalry horses of the Stift, which were mustered on October 30, 1633, before Cörlin on

⁶⁷⁴ Kleist on Raddatz, since Bahrenbusch belongs to the Neustettin district. IV. 16, 31

the common.

Peter Kleist is ill: 1.

The others: 0 horses.

Carsten Kleist's son of Zebbelin is present in person: 1.

The heirs of Adebahrs at Bußow and Lorentz Stoyentin's widow.

Jürgen Kleist present in person: 1.

On November 4, 1633, in the presence of the gentlemen Colonel Siegfried von Damitz, Chancellor Niclaus Podewils, Landvogt of Stolpe Bertram von Below, and Captain of Belgard Johann Hechthausen.⁶⁷⁵

Jacob Kleist of Rusch: 1 horse.

Peter Kleist at Tichow: 1.

Jürgen Kleist of Quesdow: 1.

Peter Kleist: 1.

Actum Schlawe, November 28, Anno 1633.

By order of the high princely authority, and pursuant to a common resolution, the following soldiers were presented extraordinarily, in the name of God, by the knighthood of the Stolp and Schlawe districts for the general defense of the country.

Matthias Böhne at Besow, Henning Kleist at Tichow, Jacob Putkamer at Poberow, Claus Brünnow at Qvatzow, and Peter Kleist at Tichow certify that they today, November 28, delivered five musketeers to Lieutenant and leader Peter Haßen at Malchow, and had their names written on the roll which the leader carries with him.

Register of the musketeers who were presented and mustered from the Stift at Cörlin on December 7, Anno 1633.

Musketeers.⁶⁷⁶

Jurig Caspar Kleist on account of Todenhausen: —

The heirs of Jürgen Kleist at Dargen: —

The Kleists at Zebbelin: 1.

Reimer Kleist's heirs on account of Schwellin: —

The Honorable District Councillor Peter Kleist: —

615.

Alten Stettin. March 17, 1634.

Duke Bogislaf XIV extends the exemption from the land and castle courts granted by Duke Bogislaf X to

⁶⁷⁵ This muster, perhaps held at Schlawe, concerns only the landvogt districts of Stolp and Schlawe. Here 123 horses were mustered.

⁶⁷⁶ 124 were presented, including 39 from the towns. Already in the year 1627 the estates of the land had resolved that one musketeer was to be provided for each horse.

the descendants and nearest agnates of Chancellor Georg Kleist⁶⁷⁷ of Dubberow, see No. 169, also to Privy Councillor and Dean Wilhelm Kleist of Muttrin, Dubberow, and Barnimskunow and to his feudal heirs.

From the draft in the L. A.: Tit. IX, Sect. 88, No. I, fol. 526.

Bogislaf, the fourteenth of this name, Duke of Stettin, Pomerania, etc., Prince of Rügen, elected Bishop of Cammin, etc., do hereby certify and acknowledge, for Ourselves and for the succeeding lordship, that the honorable and steadfast Wilhelm Kleist, Our Privy Councillor, also Dean of Our Cathedral Chapter at Cammin, Our dear faithful subject, resident at Muttrin, Dubberow, and Barnimskunow, has humbly reminded Us and made known to Us in what manner, a few weeks ago, his cousins and neighbors, the Dubberow and Crolow Kleists, humbly petitioned for the renovation and renewal of the princely concession which had been granted by Our late highly honored ancestor, Lord Bogislav, the tenth of this name, Duke of Stettin, Pomerania, etc., of most praiseworthy and Christian memory, to the old Pomeranian Chancellor Georg Kleist, to the end that the said Chancellor and his descendants, as well as his nearest agnates, should be exempt from the jurisdiction of the land and castle courts.

Since he now possesses mixed and joint feudal estates with the aforementioned Dubberow Kleists in the villages and field-marks of Gross Dubberow, Muttrin, and Zatkow, and since he also recalls how, under Our princely government, various persons of the nobility, especially from the family of the Glasenapps, likewise the Podewilses, have received similar exemptions from the castle courts as courts of first instance, and since also, in the month just past, Our Stift Vogt Nielaus Podewils obtained a like exemption with respect to the Belgard castle court, he has therefore most humbly and diligently petitioned and asked Us that We, as a like high favor to him as Our faithful old servant, might graciously exempt him, together with the feudal heirs of his body, in the same manner from the jurisdiction of Our land and castle courts, and might cause a princely charter in the customary form to be issued for such gracious intent.

Since such exemption is rightly granted to the petitioner, and this on account of the humble and faithful services which the said Our Privy Councillor and Dean has willingly and gladly rendered for more than twenty-four years to Our forefathers, now resting blessedly in God, as also to Us Ourselves, in various distinguished offices, and which he shall and will continue to render and show obediently hereafter, We have therefore graciously granted his humble request, and have exempted him and also the male feudal heirs of his body from the aforementioned jurisdiction of the land and castle courts.

We hereby and by virtue of this Our letter knowingly and deliberately release, free, and exempt him and the male feudal heirs of his body from the same, in such manner as We, by reason of law and of princely power and authority, can and may do most forcefully and permanently. We therefore command Our landvogts, castle judges, and other officials, in particular also Our presently appointed captain at Belgard, and thereafter all other appointed captains there, graciously and earnestly willing that after this time they shall not summon the petitioner and the male feudal heirs of his body before Our land and castle courts, but that, if anyone believes he has any matter to bring against them, they shall refer such person hither to Our princely court tribunals for due proceeding and judgment, and shall allow them actually, peacefully, and inviolably to enjoy this Our exemption, release, and freedom granted to them as a special favor.

In witness whereof We have caused this letter to be authenticated with Our appended princely seal and also with Our own handwritten signature, and to be issued in Our residence city of Alten Stettin, on the

⁶⁷⁷ II. 4, III. 133.

seventeenth day of the month of March, in the year after the birth of Jesus Christ, Our only Redeemer and Savior, one thousand six hundred thirty-four.

616.

Neu Stettin. May 9, 1635

The knighthood of the Neustettin quarter appoints Daniel Kleist⁶⁷⁸ of Raddatz anew as their Director, and promises him indemnification.

From an authenticated copy in the P. P. A.: Stettin Archives, P. II, Tit. 49, No. 39.

We, whose names are written below, do hereby make known and publicly acknowledge that, after Our Director Daniel Kleist, hereditary possessor on Raddatz, complained that, for the hides previously assigned and conceded to him, he could not perform the labor, trouble, and burden daily imposed upon him on account of the quarter and the frequent running-in and overrunning by soldiers, and after he had accordingly properly resigned before us in public convention and had given up such his commissariat office, while also offering to render account at once for the one tax or contribution, namely the fourth, which he had in hand, We took this into good consideration, namely that We cannot be without a Director, since great discord or inconvenience would arise from it.

He has therefore, upon Our diligent seeking and request, allowed himself to be moved and persuaded to take upon himself such commissariat and direction for yet a time, and for as long as it shall please him. In order that the aforementioned Our Director Daniel Kleist may receive some satisfaction for his trouble, burden, and labor, We, all noble contributors of the Neustettin quarter, bind ourselves by Our noble honor, true words, and good German faith, one for all and all for one, that We will give, provide, and pay to the aforesaid Our Director whatever Our gracious prince and lord shall ordain for the commissaries throughout the whole land. And because the hide taxes cease, We will consider other means by which he shall unfailingly receive by another way that which has been promised to him.

Furthermore, by the above obligation, We promise that, if soldiers consume anything at Our Director's house, this shall be properly and fully reimbursed to him in every respect, as has previously been done for the other commissaries. In return, he binds himself to account properly for every contribution, and to conduct himself as befits a faithful Director.

In witness whereof We have corroborated and authenticated this with the signature of Our hands. Done at Neu Stettin, May 9, Anno 1635.

Felix Zarte. Voltz Jochim Kleist.

Peter Rüdiger Kleist.⁶⁷⁹ Frantz Hertzbergk.

Tetzlaff Hertzbergk. Alexander Hertzberg.

Henningk Wolde. Casper Falcke.

Silvester Lemke. Arndt Vangerow.

Jochim Ernst Bonin. Paull Hertzbergk.

Gerdt Zastrow. Jürgen Vangerow.

Hanß Jochim Bonin. Hanß Friderich Kleist.

⁶⁷⁸ IV. 16

⁶⁷⁹ III. 178, IV. 19, III. 152, IV. 34? Very young.

Ludewig Peterstorff. Hanß Lemmcke.

Peter v. Damitz. Casemir Glasenap.

Henning Zastrow. Asmus Kleist.

Michel Ernst Glasenapp. Jurgen Glasenap.

Crispin Lemke. Marx v. Wolde.

Michel Glasenapp.

617.

Alten Stettin. June 10, 1635.

Duke Bogislaf XIV enfeoffs District Councillor Achatz Kleist⁶⁸⁰ of Vietzow with several peasant farms at Grünewald, which he had won by legal proceedings from the Glasenapps.

From the original in the L. A.: Tit. XIV, Sect. 2, No. 19.

By the grace of God We, Bogislaf, the fourteenth of this name, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, elected Bishop of Cammin, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, do hereby, for Ourselves, Our heirs, and the succeeding lordship, and otherwise for everyone, make known and acknowledge that the steadfast Achatz Kleist, Our District Councillor and dear faithful subject, resident at Vietzow, has humbly petitioned and asked Us that We might grant and allow to him, and also to his male feudal heirs of the body and agnates, the investiture for several feudal pieces consisting of peasants and woods, which he has in the village of Grönenwolde and which he obtained by judicial judgment from the likewise steadfast Glasenapps, Our vassals and dear faithful subjects entitled in the same village.

Since, according to the records present in Our princely court tribunal, the said Our District Councillor Achatz Kleist was judicially placed in possession of several peasant farms situated in the aforesaid village of Grönenwalde, as well as of the Grönenwald and Grammentz bush or wood, to the extent that Michell Magnus Glasenapp was entitled therein, and since the peasant farms which he now has in possession and use in the village of Grönenwalde, together with their appurtenances, have been adjudged to him in satisfaction of a debt, We have therefore graciously granted the humble and rightful request of Our District Councillor Achatz Kleist.

We have graciously granted, conveyed, enfeoffed, and assigned to him, and also to his male feudal heirs of the body and agnates, as a true male fief, the peasant farms which he now has in possession and use, and which have also been adjudged to him, whether occupied or unoccupied, with each and every appurtenance in fields and meadows, pastures and woods, as well in the Grönenwald as in the Grammentz district, to the extent that the peasants have used them from of old, nothing excluded therefrom. In such manner We hereby and by virtue of this knowingly and deliberately grant, convey, enfeoff, and assign all and each of these things to Our District Councillor Achatz Kleist and also to his male feudal heirs of the body and agnates.

This is, however, under the condition that Achatz Kleist, on the basis of the feudal obligation rendered to Us at Our princely general hereditary homage, shall do, perform, and pay, with respect to the above-specified peasant farms and their appurtenances, that which the character, nature, and custom of a male fief require, and which is included in the aforementioned juramentum fidelitatis. His feudal heirs of

⁶⁸⁰ III. 110

the body and agnates shall also, in the future and on each occasion that may arise, duly seek from Us, Our heirs, and the succeeding lordship the renewal of investiture, both for the feudal pieces mentioned above and for his other ancestral feudal estates; and when they come into possession of the same, they shall likewise perform what belongs and is proper to faithful vassals.

If, moreover, another renewal of the feudal letters takes place, these feudal pieces of the village of Grünenwolde may be inserted into the old feudal letter which was given to the Vietzow Kleists concerning their feudal estates, and thus be brought together into one feudal letter, without prejudice to Our rights and to the rights of everyone.

In witness whereof We have confirmed this letter with Our princely appended seal, and have caused it to be issued at Our castle of Alten Stettin, on the tenth day of the month of June, in the sixteen hundred and thirty-fifth year.

Present and in attendance were the venerable and honorable, well-born noble, steadfast, and highly learned Our councillors and dear faithful subjects: Volckmar Wulff, Baron of Puttbusch and Commander at Wildenbruch, Our governor in both princely governments; Paull von Damitz, President of Our Privy Council and episcopal governor in the Stift at Rabenstein, Strachmin, and Strippow; Christoff von Heimbo, Our Upper Court Marshal at Eßbeke and Pobelitz; Johan Christoff Schwallenberg, Doctor of both laws, Our Chancellor; Johan Zastrow, Our castle captain at Alten Stettin and Director of Our economic administration at Nemmin, Beerwalde, and Bansekow; Christoff Zastrow, Director of Our court tribunal here, also Vicedominus of the venerable Cathedral Chapter at Cammin at Drammin and Cortentin; Matthias Kleist,⁶⁸¹ Director of Our Ecclesiastical Consistory at Dahmen and Lindenhoff, Our Privy Councillor; Johannes Hagemeister, Our Chamber Councillor at Hohen Selchow; Fridericus Runge, Doctor of both laws, Our Privy and Court Councillor; Heinrich Schwichell, Our Chamber Councillor; Andreas von Wolde, Our Court Councillor at Ostenfelde and Wusterbardt; Matz Borcke, Our Upper Chamberlain and Captain at Friederichswalde, at Zotzenow and Curow; and Levin Wedige Peterstörff, Our Chamberlain at Cößlin; together with Our Court Councillor and Archivist Wilhelm Mildnitz, resident at Wangeritz; Protonotary Jodocus Neumarek; and Chamber Secretary Michael Raddun; as well as many more of Our people worthy of honor and belief.

Bogislaus mpp.

The Duke's large seal hangs on a red and yellow silken cord.

617a.

1635

Matriculation Register of the University of Greifswald.

November 4. Jochim Henning a Kleist,⁶⁸² nobilis Pomeranus, took the oath, 2 florins, p. 551.

1636

Matriculation Register of the University of Greifswald.

⁶⁸¹ III. 197.

⁶⁸² II. 59.

July 4. Otto Kleist,⁶⁸³ nobilis Pomeranus Coslinensis, 1 Reichstaler, p. 557.

618.

Gellin. October 8. 1637.

Voltz Jochim Kleist⁶⁸⁴ on Raddatz reaches a settlement with Peter von Damitz on Rützow concerning the fiefs left by Michel Kleist on Raddatz, and cedes to him the estate of Glienke.

From a copy in the L. A.: Tit. IX, Sect. 88, No. IV, fol. 110.

Let it hereby be publicly known and made known to everyone, especially to those whom it concerns: after, through the death of the late well-born, stern, and steadfast Michell Kleist, hereditary possessor on Raddatz, and of his sons, the fiefs had descended and fallen to the well-born, stern, and steadfast Voltz Jochim Kleist, hereditary possessor on Raddatz, but he had until now not reached a settlement or definite agreement with the sons-in-law of the said Michell Kleist concerning their wives' marriage portions, he has therefore, on the date written below, agreed and concluded with the well-born, stern, and steadfast Peter von Damitz, hereditary possessor on Rützow, as marital guardian of his beloved wife Ursula Kleist, daughter of the late Michell Kleist, in the following manner.

First, Voltz Jochim Kleist, on account of the marriage portion of the said wife of his friendly dear uncle and brother-in-law Peter von Damitz, has assigned and ceded to him, as hereditary and proprietary property, the estate of Glinke, as it was won at law by the late Michell Kleist, together with the peasants belonging thereto, all appurtenances, rights of lordship, and privileges, as he now has the same in use. By virtue of this, Peter von Damitz shall henceforth be authorized and empowered to possess and use it as his hereditary and proprietary estate, and to deal with it according to his own best pleasure, benefit, and discretion. And Voltz Jochim Kleist will warrant this estate of Glinke to Peter von Damitz as free and clear against every claim and demand, from wherever such claim or demand might now arise or originate.

Secondly, Voltz Jochim Kleist has undertaken and bound himself that, as soon as Almighty God shall have freed our dear fatherland from the burdensome hardships of war to such an extent that the courts are opened and judicial proceedings can be advanced, he will have all the feudal estates of the late Michel Kleist, including the estate of Glinke, duly appraised. And if it should be found and judicially adjudged that more is due and to be paid to the wife of Peter von Damitz as her marriage portion than the value of the Glinke estate, he shall pay and deliver the same to him without delay and without refusal. For this purpose all the fiefs of the late Michell Kleist shall, by virtue of this document, remain mortgaged and pledged to Peter von Damitz by way of *constitutum possessorium*.

In return, Peter von Damitz has also undertaken and promised that, if after the completed appraisal it should be found that his wife is not entitled from the estates of her late father to as much as the estate of Glinke is worth, he will likewise, without any delay, pay to Voltz Jochim Kleist whatever he should in such case be found still bound to return to him. But if Voltz Jochim Kleist should prove negligent in advancing the appraisal, Peter von Damitz shall be entitled, after such delay has become apparent, to take possession again of a portion of the feudal estates of the late Michell Kleist, to put himself into them by his own authority, and to use and enjoy them until he has been fully compensated and satisfied with respect to what is due to his wife. In such case Voltz Jochim Kleist sets and constitutes Peter von Damitz as the true possessor of all the feudal estates left by the late Michell Kleist.

⁶⁸³ Assignment difficult, since several Ottos who come into consideration are said to have died young. III. 237?

⁶⁸⁴ IV. 19, 18.

Both parties have hereby deliberately renounced and waived all benefits of the law, however these might be or could be devised, especially the exception that the matter was not done thus but otherwise, that something different was said from what was written, and likewise that a general renunciation is not valid unless a special one has preceded it. All faithfully and without fraud.

Done at Gellin, October 8, Anno 1637, in the presence of the well-born, stern, and steadfast Daniell Kleist, Christian Hertzberg, and Hans von Wolde, hereditary possessors on Raddatz, Gross Lewin, and Eulenburg, who, together with the parties to the transaction, have signed this settlement below as witnesses.

Voltz Jochim Kleist. Peter von Damitz mpp.

Philip Kleist.⁶⁸⁵ Christian Hertzberg mpp.

That this was thus transacted I, Daniell Kleist, attest with this my hand, mpp.

Hans von Wolde as witness to this settlement, mpp.

618a.

April 5, 1639.

Stolp. Pledge of the estate of Crolow by Christian Heinrich von Kleist⁶⁸⁶ to Ernst Bogislaw von Budritzki for 7,800 gulden.

Original on paper, eight leaves sewn, six signatures, five impressed seals, bound by stitching with electoral consent of June 20, 1690.

Greifswald State Archives, Rep. 2 Privata No. 1019.

618b.

Elbing. June 21, 1639.

Marriage of Friedrich von Polentz on Pachollen with Ursula Lucretia von Eickstedt, widow of Matthias von Kleist⁶⁸⁷, princely Pomeranian Privy Councillor. 21,000 Polish florins. Marriage agreement dated Elbing, June 21, 1639.

Privy Archive at Königsberg, Confirmations and Consents of 1639. Reference in Collection of Marriage Settlements and Jointure Letters of Knightly Families of the Provinces of Saxony, Brandenburg, Pomerania, and Prussia. Georg Adalbert von Mülverstedt, Magdeburg, 1863, p. 309.

619.

Alten Stettin. March 4, 1640

Judgment in the case of Dean Wilhelm Kleist⁶⁸⁸ against Christian Kleist of Dubberow concerning the redemption of several feudal pieces at Gross Dubberow and Muttrin pledged to the former.

From a copy in the P. P. A.: Stettin Archives, P. I, Tit. 77, No. 220, fol. 66v.

⁶⁸⁵ IV. 33, 16.

⁶⁸⁶ II. 71.

⁶⁸⁷ III. 197.

⁶⁸⁸ III. 133 (died 1636), II. 71

Upon the acts produced and the decision reached in the case pending between Wilhelm Kleist, Dean of Our Cathedral Chapter at Cammin, plaintiff on the one side, against and in opposition to Christian Kleist of Dubberow, defendant on the other side, in puncto relutionis of certain feudal pieces pledged at Gross Dubberow and Muttrin, We, by the grace of God Bogischlaff, Duke of Stettin and Pomerania, etc., recognize and pronounce as law and as founded therein that the plaintiff's claim, in total amounting to 2,167 florins 15 schillings capital, is to be regarded as liquidated and correct.

And since the defendant has now declared in the acts that he will redeem the two hides in Gross Dubberow and four hides at Muttrin after the expiration of the statuto moratorio, but will wholly relinquish the other two hides at Muttrin, formerly held by Michell Mandeke and pledged for 500 florins, this his declaration is, according to the tenor of the decision issued most recently on August 29, once again accepted *pro pura*, to the prejudice of himself.

It is further ordered that, if he does not redeem the said six hides at the stated time by payment of the remaining 1,667 gulden 15 schillings, and thereby take them back to himself, they shall be appraised in the present country and adjudged to the plaintiff up to the corresponding amount of the debt, notwithstanding what has been objected by the defendant concerning the liquidation *contra pactum antichreticum* under the first item of 300 florins.

If the plaintiff's assertion—that to the two hides at Gross Dubberow there had belonged, besides the specified deserted farmstead, a cottage and Wurdeland, and that the defendant had withheld these pieces from him—and if, on the other hand, the defendant's assertion—that the pledged peasant farm had deteriorated through the plaintiff's neglect, and in particular that the plaintiff himself had torn down the cottage at Gross Dubberow on which Chim Raddatz was then living, and likewise that he had laid waste the farm originating from Jochim Kleist, broken out the stones from it, and had them carted away for the building of his own farm—should be sufficiently demonstrated and brought forward in law within the next six weeks, then the defendant shall be bound to restore such cottage, farmstead, and Wurdeland together with the fruits received, while the plaintiff shall likewise be bound to make compensation for the deterioration.

As to the burdens and costs borne by the plaintiff on account of the aforementioned six hides during the passages and quarterings of Imperial and Royal troops, the defendant, as still in part lord of the property, is bound to bear these and, upon prior liquidation, to repay and reimburse them to the plaintiff, unless within the same period of six weeks he should verify and prove his assertion, namely that the plaintiff has received reimbursement for them from his fellow members of the quarter or otherwise.

On the other hand, the plaintiff is absolved with respect to the contribution paid in and advanced for the two hides at Muttrin which originate from Jochim Kleist, and the defendant is referred in this matter to the sons and feudal successors of the said Jochim Kleist as lords of the property. If, moreover, the often-mentioned plaintiff shall produce the original deed in which the woodland mentioned in the acts was first pledged to him by Daniell Kleist, and if the defendant shall thereupon likewise bring forward within six weeks his claim, namely how Daniell Kleist was not empowered to pledge the said woodland, then what is proper according to law shall further be issued thereon.

By law. Published at Alten Stettin, March 4, Anno 1640.

Christian Kleist⁶⁸⁹ on Dubberow transfers to his brother-in-law Hans Sigismund von Waldow on Herzogswalde his estate at Gross Dubberow and Mandelatz for 3,471 Pomeranian florins, reserving the right of pre-emption.

From copies in the Stargard Court Tribunal Archives: Hans Sigmund von Waldow v. Christian Kleist.

Let it be known and made known to everyone, especially to those whom it concerns, that on today's date a punctation and definite agreement has been initiated and concluded between the well-born, stern, steadfast, and manly Christian Kleist and Hans Siegesmund von Waldow, hereditary possessors on Dubberow and Hertzogs Waldow, as brothers-in-law, namely:

Since Hans Siegesmund von Waldow still claims 3,471 gulden in Pomeranian currency on account of his dearest wife's marriage portion, and since his aforementioned brother-in-law Christian Kleist cannot arrive at such payment, yet nevertheless gladly sees his brother-in-law satisfied, he has therefore ceded and transferred hereditarily to his aforementioned brother-in-law Hans Siegesmund von Waldow his Gross Dubberow estate, together with the two inhabited and two uninhabited peasant farms belonging thereto, along with two deserted cottager farms, and all fields, meadows, moors, marshes, hunting rights, woodlands, fisheries situated in the field-mark of Gross Dubberow, also the fishing of the brook as far as the damming of the mill pond, as well as whatever feudal pieces he has on the field-mark of Mandelatzke, belonging to the occupied and unoccupied peasants and peasant farms there, as he inherited them from his late father.

Likewise he transfers the peasants and peasant servants belonging altogether to Gross Dubberow and Mandelatzke, whether dwelling and staying inside or outside the land, so that Hans Sigismund von Waldow may take hold of them as best he can and use them as his hereditary bond-subjects. For this, princely consent shall in future be requested and obtained at the expense of both of us. And with the above-mentioned farmstead and peasants there shall remain twelve Hakenhufen for Hans Sigismund von Waldow to tax and assess, together with all public burdens that may fall upon the said twelve hides; beyond this, however, it shall not be charged with more.

The above-mentioned peasants of von Waldow at Gross Dubberow and Mandelatzke shall be obliged to grind at the Klein Dubberow mill. In return, however, Hans Sigismund von Waldow's grain shall be ground free and shall not be charged the mill-toll. As for the mill-land, it shall remain as of old, namely that it belongs to Klein Dubberow and comes to Christian Kleist alone.

Since also the estate of Gross Dubberow and Mandelatzke, apart from the three occupied peasant farms, is poorly sown, and not more than twenty scheffels of rye have been sown, and no summer seed has been supplied, and since moreover the peasant buildings are in a dilapidated state, these shall be inspected and everything shall be recorded by a notary. And if in future Hans Sigismund von Waldow should again leave the above-specified estates and feudal pieces, Christian Kleist is the nearest entitled person; and then, upon the judgment of good men and upon payment of the purchase money, namely 3,471 gulden, they shall in that case come to an agreement concerning the improvements.

In the meantime Christian Kleist is bound to provide Hans Siegesmund von Waldow with eviction-warranty for all and each of the above-specified feudal pieces, and to represent him in court and out of court against every claim and demand concerning them, and to keep him free from harm and loss. And both brothers-in-law are hereby duly settled and reconciled with respect to their claims and demands.

All this was thus transacted and concluded in the presence of our beloved uncle on both sides,

⁶⁸⁹ II. 71.

Henning von Wolde, and until a future detailed contract this punctuation shall be held firm and fixed. All on noble honor, fidelity, and true words. The taking possession of the Gross Dubberow estate shall take place at the coming Easter, and then also the cession of the Klein Dubberow estate shall occur. All according to the previous contract.

In witness whereof this punctuation has been signed by both contracting parties and negotiators for firm observance. Actum Kleinen Dubberow, March 12, Anno 1641.

620a.

1641

Matriculation Register of the University of Königsberg:

Jacobus Adamus,⁶⁹⁰ Nobilis Pomeranus, S.

620b.

December 14, 1641.

Matriculation Register of the University of Siena:

Ewaldus Kleist,⁶⁹¹ Pomeranus.

621.

Cüstrin. November 11, 1643. – October 10, 1644.

“Extract from the Feudal Register, which was begun at the commencement of the government of His Electoral Highness Lord Friedrich Wilhelm in the Neumark and the incorporated districts.” Extract.

Printed from Manuscript boruss. Fol. No. 446 of the Royal Library at Berlin in: von Eickstedt, Beiträge zu einem neueren Landbuche der Mark Brandenburg, pp. 264, 282, 284.

Borgstorffs at Dertzow, Mellentin, Hohenzieten, Siemenstorff, Petzig. Soldin district, etc. etc.

At this act of enfeoffment, Cüstrin, November 11, 1643, it occurred that, when Asmus von Kleest was enfeoffed with the share of Dertzow which he had purchased, the von Borstorffs protested against this purchase, declaring that they did not consider it acceptable, but wished to have their rights reserved. They had also submitted, on November 10, and thus the day before, a written protestation, which lies among the acts.

Kliest, at Dertzow. Soldin district.

After Asmus von Kliest, son of the late Asmus, had purchased a share of Dertzow, he appeared today and received the same, with its appurtenances, as a fief, and swore fealty. Assembled with him were his brother Daniel and also the minor sons, Christian Dietrich and Hans Christian, of his late brother Nicolaus. Pribschlaff, Merten, and Jacob, sons of the late Adam, who were all present, are also still to bind themselves by oath. Actum Cüstrin, November 11, Anno 1643.

Note. When von Kleist approached His Electoral Highness, the von Borgstorffs came forward and protested against the purchase and the enfeoffment; nevertheless, the latter took place. Kliest also

⁶⁹⁰ III. 244.

⁶⁹¹ III. 170.

indicated two more cousins, Peter and Otto, sons of the late Valtin; but since they did not stand in the previous feudal letter, they are not placed in this one either.

Klieste, at Völtzkow. Schivelbein district.

After Dönnies von Kleist had died about a year earlier and had left two minor sons named Joachim and Paul, their brother-in-law Claus von Wopersnow today offered an oral excuse on their behalf, as their mother had also done in writing, and at the same time requested the fiefs. This certificate is issued concerning that. Signatum Cüstrin, October 10, Anno 1644.

622.

Cölln on the Spree. July 25. 1644.

Elector Friedrich Wilhelm of Brandenburg informs the senior councillors of the Duchy of Prussia of the appointment of Court and Chamber Court Councillor Ewaldt von Kleist⁶⁹² as Rittmeister over 100 Einspänniger to be recruited in Prussia.

From the original in the Royal Privy Archive at Königsberg: Nobility Archive, sub fam. von Kleist.

By the grace of God, Friderich Wilhelm, Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire, Duke in Prussia, of Güllich, Cleve, Berg, Stettin, Pomerania, etc. etc., etc.

Our gracious greeting first, noble councillors and dear faithful subjects. Since We find it necessary and advisable, for the greater security and defense of these Our lands, and so that the marauding parties riding out and raiding contrary to order may be checked, to have several more troops recruited, We have graciously appointed and accepted the noble Ewaldt von Kleist, Our Court and Chamber Court Councillor and dear faithful subject, as a Rittmeister over 100 Einspänniger, to recruit the same in Our Duchy of Prussia with the greatest possible speed.

Our most gracious command therefore hereby goes to you that you have assigned and indicated to him, von Kleist, three or four towns near Marienwerder, so that the recruited riders may rest and assemble there for about fourteen days before his departure. We most graciously trust that the citizens and inhabitants there will, in Our most humble honor and favor, provide the said riders with fodder and meals and maintain them for such a short and modest time.

This We did not wish to leave unreported to you, and We remain well disposed toward you with continuing grace. Given at Cölln on the Spree, July 25, Anno 1644.

Friderich Wilhelm.

To the noble, Our dear faithful appointed senior councillors of Our Duchy of Prussia.

622a.

August 20, 1644.

Neustettin. Peter Somnitz, Captain at Neustettin and commission deputy, summons Philip Kleist⁶⁹³ before the royal commission in a liquidation matter.

Original on paper, two leaves, p. 304, impressed seal. Greifswald State Archives, Rep. 2 Privata No. 938.

⁶⁹² III. 170.

⁶⁹³ II. 104.

April 14–17, 1645

“Rural Revision of the Belgard Quarter” after the devastations of the Thirty Years’ War. Extract.
From an authenticated copy in the P. P. A.: Stettin Archives, P. II, Tit. 49, No. 120.

Modus Examinationis.

1. How many knightly seats or entitled lordships are present and found in each individual village, and likewise what their condition is.
2. How many hides there were, according to the old register, under each respective lordship and its subjects according to the old hide register; how many have gradually fallen away, in what manner or for what reasons, and how many are now found to exist.
3. How many resident peasants and how many deserted holdings.
4. Sowing of rye, barley, oats, peas.
5. How many horses, oxen, cows.
6. Whether sheep farms or sheep are present, how many, and whether they are the property of the lordship, or on what conditions they are present.
7. Water mills or windmills, where they are ruined, when, and by whom this was done.
8. Concerning the hides, detailed inquiry is to be made whether they are Hägerhufen or Hakenhufen.

Whatever else may be carried out here according to circumstances and may serve the benefit of the quarter, this the legal discretion of the examining lord will further dictate. Signatum:

Burzschlaff, April 15, Anno 1645.

Joachimus Döpke.

Pursuant to the instruction granted, dated Alten Stettin, March 28, Anno 1645, by Her Royal Majesty of Sweden’s duly appointed Vice-Governor and Councillors of the Pomeranian State to the royal tax receiver in Farther Pomerania, Herr Joachim Döpke, concerning the visitation of the Farther Pomeranian quarters, I, the notary, was required *ratione officii* to attend this work in the Belgard quarter. Since, however, lawful impediments occurred, the expedition could not be begun before April 14, when the beginning was made at Pummelow.

I. Pummelow, half a mile from Belgard toward Cöblin.

In this village of Pummelow the following have rights: 1. Peter Kleist, resident there. 2. The heirs of the Honorable Stift Vogt Niclaß Podewils. 3. Christian Josua von Hechthaußen. 4. Henning von Wolde.

1. Peter Kleist:

His late father had formerly had 16 Hakenhufen, for which he had to pay taxes, although these were all more peasant hides, and not a single knight’s hide had been left free for him. Because of many marches and counter-marches, the knighthood had, during his lifetime, remitted 6 hides to him, and he retained 10. Subsequently, because of the Banér devastation, another 4 were remitted to him, until now, in the most recent reduction, he has been assessed by the knighthood at 2 Hakenhufen.

ad 3. He had had three and a half peasants. One full peasant had become deserted at the first Imperial quartering; the half peasant in Banér’s time; the other full peasant at the most recent Krockow incursion. Thus he now has only one resident peasant, Jochim Pagel.

ad 4. In Anno 1637 he had reached 11 Drömbt in rye sowing and had also had good summer seed. But

when the Banér troops came into the land after that, he did not get to enjoy even a heller's worth of the yield. Meanwhile his hereditary peasant servants had also gone away to Poland, and he had no means to buy draft animals. Therefore in the autumn he was able to sow no more than 26 scheffels of rye; he will hardly manage to sow 6 scheffels of oats and 4 scheffels of barley, since he still does not know where to get them, and no money is available for purchase.

ad 5. He has no more than 2 horses, 2 oxen, 3 cows.

ad 6. He does not have a single sheep.

ad 7. He has no share in either water mills or windmills.

ad 8. This belongs under the second item.

Otherwise the buildings are badly damaged. In Banér's time the gatehouse collapsed; the barn and the house, however, were torn down during the most recent Krockow period and carried into the camp.

The peasant Jochim Pagel confirms that his lord's statement is true. Questioned concerning his own person, he said that in the autumn of Anno 1644 he had indeed sown twelve scheffels of rye, but nothing had grown from it. He had sown one scheffel of peas, and thought he would still sow 4 scheffels of barley and 4 scheffels of oats. He now has 2 horses, 2 oxen, 1 cow, all of which he had had to buy anew; otherwise, during the present Imperial period, three buildings had been torn down for him.

2. Christian Josua von Hechthaußen had had four and a half peasants in this village. One and a half had been used by Peter Kleist's father, but are now deserted; nevertheless they still stand in Hechthaußen's register. He still has one resident peasant, Michel Bager, who does not perform labor service, but pays service money. Etc. etc.

Otherwise Christian Josua has 3 hides here, of which Peter Kleist used one and a half before this and he himself one and a half; now they are entirely deserted.

3. Henning von Wolde also had here in the village one peasant originating from Reimer von Wolde, but this holding became deserted immediately at the first quartering. Nevertheless, it still stands in his hide register.

4. The heirs of the Stift Vogt have here two peasants and one cottager, who are still resident; they serve toward Bulgrin. Etc. etc.

II. Bulgrin.

In this village Heinrich and Henning, the brothers Rahmel, and the heirs of Stift Vogt Niclauß Podewils have rights.

1. Henrich Rahmel and his brother Henning had from of old 11 1/4 Hakenhufen. They had enjoyed no reduction except when, after the Banér troops burned down two farms, 1 1/2 hides were remitted for three years. When the three years had expired, the Schulz's farm burned down again, and the 1 1/2 hides were again remitted for three years. Now they have been assessed at 6 Hakenhufen. Besides these, the heirs of Achatz Kleist had in the village 5 Hakenhufen, of which the Rahmels have 3 3/4, but these have nothing to do with their 11 1/4 hides. The two brothers now have 8 occupied peasants, although some of them live only in cottages because the Banér troops burned down the farms. Among these there is also one pledged peasant of Achatz Kleist, who has 1 3/4 hides; the others have 1 1/2 Hakenhufen. There is indeed still one occupied peasant from Achatz Kleist here, who has 1 1/4 hides; he was taken from them per immissionem and now pays service money to the heirs of Achatz Kleist. They also have 2 deserted farms, which became deserted in Banér's time, one of them belonging to Achatz Kleist. Etc. etc.

III. Butzke.

In this village the following have rights: 1. Jochim Butzke and 2. the heirs of Hanß Butzke, among whom Carsten Hertzberg is also included.

1. Jochim Butzke reports that his forefathers paid taxes for 8 3/4 Hakenhufen. According to the field measurement of Anno 1629, something had fallen away. Under Herr Legate Steno Bielke he knows of no remission. Now he stands in the register at 4 Hakenhufen. He now has 3 occupied peasants here in the village: Jochim Rotsolck, Chim Werner the tall, and little Chim Werner. Etc. etc.

2. Werner Kleist's Ratteier says that his lord previously had 6 Hakenhufen together with Carsten Hertzberg, now assessed at 4, of which he has 2 1/2 and Hertzberg 1 1/2.

ad 3. He has no peasant, because both became deserted in Banér's time.

ad 4. In the autumn, because he keeps 2 ploughs from the manor, he sowed 24 scheffels of rye, 1 1/2 scheffels of peas, and intends to sow 16 scheffels of oats and 8 scheffels of barley.

ad 5. For the two ploughs he has 6 oxen, 2 cows, 3 heifers.

ad 6. He has no sheep.

ad 7. He has an interest in the water mill, namely one quarter.

ad 8. This is above.

The house burned down through neglect, and in other buildings the last soldiers had torn away the doors and knocked out the walls.

3. Carsten Hertzberg's peasant Carsten Adam, etc. etc.

Actum Gross Dubberow, April 15. Present were Dubschlaff and Christian, cousins of the Kleists, and also Hans Sigmund von Waldow.

V. At Gross Dubberow

the following have rights: 1. Dubschlaff Kleist. 2. Christian Kleist. 3. Hanß Siegmund von Waldow. 4. Berndt Mönnichow.

Dubschlaff Kleist: That the Governor and the Assistant Councillors at Alten Stettin had appointed a commission to visit the quarters, and that Herr Commissary Joachimus Döpke had also taken the trouble to come for this purpose, was gratefully acknowledged by them as a service, and would be repaid according to their ability. Since Berndt Mönnichow was also not present here, he asked that the condition of his estate should nevertheless be taken into account here.

Royal Commissary: He would gladly have been spared this work; nevertheless, since it had been commanded to him by the high authorities, he had had to obey. His petition should be taken into account and inserted in the report, with the wish that he might have found this place in a better condition than, unfortunately, the evidence of his own eyes showed. Thereupon:

1. Dubschlaff Kleist reports that this small manor of his was constituted from 6 1/2 taxable Hakenhufen. Although he had previously had an administrator, Michel Machow, there, who had given him 200 florins from it annually, it was now in such a condition that not much could be enjoyed from it. For although two years earlier he had ordered the winter and summer seed with all diligence, the growth had not come to his help at all; for as soon as Krockow's troops had arrived, they had gone into these villages, which lay only a small mile from Belgard. This village then fell to the Old Saxon Regiment, in particular to Rittmeister Döpke, who at once had all harvested grain carried to Belgard into the camp, together with 5 scheffels of old rye still present. From the new gatehouse they broke out all the braces, ties, etc., so that it now lies completely fallen down. They had also begun on the barn. If the departure had not intervened, everything would have been utterly devastated, as the visual inspection also showed. From Anno 1627

the six and a half hides had remained in value; in the time of Legate Steno Bielke he had had no decrease, until now, after the Imperial incursion, 3 1/2 hides had been remitted to him on account of this estate.

ad 3. He had had 2 peasants belonging to this. In this war, however, they had been devastated, so that he now had to keep a Ratteier there with one plough.

ad 4. In the autumn 4 Drömbt 5 scheffels of rye were sown. But the sowing could not have reached so high with one plough, if most of the land had not already been prepared at the time of the incursion. Now he may sow 12 scheffels of oats and about 5 1/2 scheffels of barley.

ad 5. For the one plough he keeps 4 oxen. Otherwise there is no more livestock present except one cow, from which the Ratteier supports himself.

ad 6. There is not a sheep present here.

ad 7. He has no mill right.

ad 8. This is above under the second item.

2. Berndt Mönnichow's shepherd Carsten Schultze and his four peasants were absent. On behalf of their lord it is reported: since this farm was also laid out from taxable hides, of which the peasants inhabit 4 3/4 hides, and since the old register reads 13 Hakenhufen, 8 1/4 must belong to the sheep farm.

There are still 4 resident peasants: Peter Jante, Peter Gomoll, Jochim Jante, Chim Gomoll, etc. etc.

3. Hans Sigmund von Waldow. He had long paid taxes for 12 Hakenhufen; after the reduction 4 hides had been assessed to him. He has only 2 resident peasants, Michel Meyer and Carsten Trabantz, etc. etc.

4. Christian Kleist. The Royal Commissary will have sufficiently perceived from today's visual inspection in what manner his house and farm, and also the whole village, were so annihilated in the most recent Imperial incursion that they could not be in a worse state. For in his entire farm everything of boards, floors, doors, gates, had been torn out, broken up, carried into the camp, so that not a hand's breadth remained there. In the whole village of Klein Dubberow there was also no more than one house to be found that could still be used. Therefore, since he, no more than his poor people, could have dwelling or maintenance here, he had had to go to his other estates and remain there up to now. His peasants too, if they did not wish to die of hunger, had run away to Poland, so that he can now scarcely get hold of one of them. And although, because of the considerable ruin suffered by him before this time, command had been given in Anno 1642 by the Estate Councillors to the former commission clerk Peter Godejahr to remit to him 2 1/4 Hägerhufen from his many hides, this had not been followed; instead he had had to contribute from his full hides until Krockow's arrival. Then all the grown grain and hay had been fetched into the camp, and the above-mentioned buildings, as well as the mill, had been entirely ruined; stone and ironwork, everything had been destroyed and taken away, so that he had no means available to restore it.

Those present say that this does not belong here and ask that it not be admitted.

ad 2. In Anno 1627 he had had to pay taxes for 36 Hakenhufen; of these he had ceded 12 Hakenhufen to his brother-in-law Waldow and retained 24. Tempore Steno Bielke he had enjoyed nothing; now he observes that he has been assessed at 8 Hakenhufen.

ad 3. He does not have a single resident peasant, as reported above.

ad 4. In the autumn no more than 18 scheffels of rye were sown for all Klein Dubberow, although formerly, when the peasants had been together, more than 18 Drömbt could be sown on the manor fields alone. He expects to sow about 2 Drömbt of oats, no peas, and not even a handful of barley, since nothing can be manured.

ad 5. Neither horse, cow, nor ox has remained. Now he has brought in anew 6 head of cattle and 3 cows from his other estates.

ad 6. There is not a sheep present; the sheepfold has also been completely destroyed.

ad 7. There had been a good water mill here, but, as mentioned above, it was entirely ruined by the soldiers.

ad 8. This is above under the second item.

The visual inspection gave more than enough evidence that, both on the manor, the dwelling house, barn, and stable, and also in the village, as well as the mill, everything had been entirely ruined and miserably destroyed.

VI. Manlatzke.

In this village the following have rights: 1. Lorentz Versen of Burtzlaff. 2. Berndt, 3. Jacob, 4. Jochim, 5. Jürgen, cousins of the Kleists. 6. Hanß Sigmund von Waldow. It is, however, wholly deserted and desolate, so that in the entire village there is now no more to be found than one peasant man belonging to Waldow, who returned from Poland only two days ago, and also one old peasant who is lying in Lorentz Versen's sheep farm, so that the torn-down buildings still present may not be entirely torn to the ground and carried away.

ad 4. In the autumn 26 scheffels of rye were sown here; now 7 scheffels of oats. No more than 3 scheffels of barley can be manured.

ad 5. Lorentz Versen has had 3 oxen, 1 head of young cattle, and 1 cow driven there.

VII. Burtzlaff, and Lutken Crößin.

Here the following have rights: 1. Adam and 2. Lorentz, cousins of the Versens, etc. etc.

There at Lutken Crößin Dubschlaff Kleist has one occupied peasant, Marten Klannen. In the autumn he sowed only 8 scheffels of rye; now 3 scheffels of oats, 1 1/2 scheffels of peas, 1 scheffel of barley. He has only 2 poor oxen, which the lord gave back to him because everything of his own had been taken from him; he also has 2 cows. Dubschlaff Kleist also has there, since Banér's time, 2 deserted farms, from which the priest is to receive annually 1 scheffel of rye and 1/2 Reichstaler in money, but so far, because no benefit has come from them and they cannot be occupied again, he has received nothing.

VIII. April 16. At Gross Tychow, in Berndt Kleist's farm.

In this village live 6 members of the nobility: 1. Berndt Kleist. 2. The heirs of Dinnies Kleist. 3. Jürgen Kleist. 4. Christian Wilke Versen. 5. Jacob Kleist. 6. Jochim Kleist.

1. Berndt Kleist reports that he had from of old 5 1/2 Hakenhufen and 1/2 quarter; of this there was a deduction of 1/2 quarter on account of the cottage, so that he thus paid taxes for 5 1/2 hides until Krockow's time. Now, in the reduction, they had remitted to him the one and a half on account of Manlatzke and had assessed him at 4 hides.

ad 3. He has only one occupied peasant and 3 cottagers here in the village, 3 deserted holdings, one at Mannelatzke which had been deserted seven years earlier and had secretly gone to Poland, whose dwelling house was burned down in Krockow's time, and 2 deserted here in Tychow, who had also gone to Poland during Banér's quartering.

ad 4. In the autumn he sowed 4 Drömbt 4 scheffels of rye. He had to hire the cattle with which it was worked, because he has no draft animals. He can sow no more than 12 scheffels of barley, 12 scheffels of oats, and 4 scheffels of peas.

ad 5. He has 3 horses, 3 oxen, 4 cows, 1 heifer.

ad 6. He has no sheep and also no shepherd.

ad 7. The windmill had indeed previously been deserted, but he, together with his brother Jacob, had had it made ready; in Krockow's time it again became deserted.

ad 8. Belongs to the first item.

His peasant Jurgen Fritzke has only 1 Hakenhufe. He sowed only 7 scheffels of rye, 1 1/2 scheffels of barley, 1 scheffel of oats, 1 scheffel of peas. He has only 2 pairs of cattle and 1 ox, 2 cows.

Berndt Kleist also has 3 cottagers; however, they have no land of their own, but he has assigned them something from the deserted peasant hides, so that they nevertheless had sustenance.

2. The heirs of Dinnieß Kleist had from of old 8 3/4 Hakenhufen, and they have thus remained also after the reduction, for nothing has been remitted to them.

ad 3. They previously had 7 1/2 peasants, including the two and a half at Cröbin; now still 4 peasants and 2 half-peasants. The Cröbin peasants had become deserted because of war and sand.

ad 4. He has sown 4 Drömbt of rye, and still has to sow 8 scheffels of barley, 16 scheffels of oats, 3 1/2 scheffels of peas.

ad 5. He need keep no plough; the peasants must manure and work the land.

ad 6. He has one hundred and fifty of his own; the rest belong to the shepherd.

ad 7. He has nothing in the mill.

ad 8. This belongs under the second item.

His peasants:

a. Carsten Pleck, 1 Hakenhufe. In the autumn he sowed 8 scheffels of rye, 4 scheffels of barley; he does not know how to obtain any oats; 1/2 scheffel of peas. He has 4 oxen, 2 cows.

b. Hanß Fritzeke: 7 scheffels of rye, 2 scheffels of barley, 1/2 scheffel of peas; he does not know how to obtain oats. He has 2 old oxen and 2 empty cattle, 1 cow. His house was burned down.

c. Carsten Fritzeke, 1 hide. In the autumn he sowed 5 scheffels of rye, 2 1/2 scheffels of barley, no oats, 1/4 scheffel of peas. He has 2 oxen, 2 cows. In the Krockow affair it was set on fire, and all buildings burned down.

d. Meweß Fritzeke sowed 7 scheffels of rye; not much will come of it; 2 scheffels of barley, no oats, one hatful of peas. 3 head of cattle and 1 ox, 3 cows; buildings destroyed.

e. Hanß Bleck, 1/2 hide, sowed 4 scheffels of rye, 1 1/2 scheffels of barley, 1/2 scheffel of oats, one hatful of peas; the buildings destroyed and burned.

f. Peter Rohn, half-peasant, 1/2 hide, 3 1/2 scheffels of rye, 1 scheffel of barley, no oats, 1/4 scheffel of peas. He has 2 horses, 1 cow, and 1 head of cattle. Buildings torn down and broken.

3. Jurgen Kleist had from the beginning 6 1/2 Hakenhufen. He kept them until the last reduction, when 1 1/2 hides were remitted to him on account of Manlatzke; he thus retains 5 hides.

ad 3. He had 4 peasants; now all are deserted. The farms are indeed still standing, and the women are lying in them, but he has no services from them. If they work, he must feed them. The farm at Mannelatzke had been ruined during Banér's quartering; of two at Tychow the householders had died; the third here had frozen in Krockow's time, so that he was lame and gave up the farm.

ad 4. In the autumn 3 Drömbt 6 scheffels of rye were sown; he could not reach any higher. 15 scheffels

of barley, 15 scheffels of oats, 4 scheffels of peas. Since the farms are deserted, he must manure and work the land himself.

ad 5. He has 6 oxen belonging to his son-in-law, and 2 from the Krüger farm equipment; 2 horses, also belonging to the Rittmeister; 8 cows, also belonging to the Rittmeister.

ad 6. He has a shepherd with 200 sheep on halves; not one of his own.

ad 7. Nothing in the mill.

ad 8. This belongs under the first item.

NB. Because his peasants are all deserted, the Krüger farm had nevertheless sown 7 scheffels of rye.

4. The wife of Christian Wilcke Versen, because he was not present. Her lord had from of old had 5 Hakenhufen; in the last reduction 2 hides had indeed been remitted, but not long thereafter the full 5 hides were assessed again. He has 3 occupied farms and 2 deserted ones, of which one had long been deserted, the other became deserted in Banér's time: Baltzer Rindt, Michell Rindt, Jurgen Volckman, etc. etc.

5. Jacob Kleist reports:

ad 2. He had 4 1/2 Hakenhufen until the last reduction, when, on account of Manlatzke, because everything there was deserted, 1 1/2 Hakenhufen were remitted to him.

ad 3. He had 3 peasants, of whom one at Manlatzke became wholly deserted in Krockow's time. The other two, because everything they had was taken from them, were entirely impoverished, so that now they are only half-peasants.

ad 4. Here at Tychow he had sown in the autumn 2 1/2 Drömbt of rye, and at Manlatzke 5 scheffels; it will be no more than 6 scheffels of barley, 6 scheffels of oats, and 2 1/2 scheffels of peas.

ad 5. Since, as stated above, the 2 peasants are only half-peasants, he must keep 1 plough with 2 oxen from the manor; for this he has 2 horses and 2 cows. The rest, insofar as the soldiers did not take it away, died of the Kag.

ad 6. He does not have a single sheep.

ad 7. He indeed has a windmill together with his brother Berndt, but it became deserted in this war and cannot be restored for lack of means.

ad 8. This is above under the second item.

His two half-peasants:

a. Hanß Frietzke sowed in the autumn only 3 1/2 scheffels of rye; he will sow one quarter of peas, one Strickmaß of oats, and 2 scheffels of barley. He has only one serviceable ox, 1 cow, 1 heifer. The house was burned down by the soldiers; he lives only in the barn.

b. Marten Generich sowed 3 scheffels of rye in the autumn; he will sow 1 1/2 scheffels of barley, 1/2 quarter of peas, but no oats. He has 2 oxen, 1 cow. The buildings are still standing.

6. Jochim Kleist:

ad 2. He had from of old 6 1/2 Hakenhufen until the last reduction; 1 1/2 hides were remitted to him on account of Manlatzke, because it is all deserted.

ad 3. He has only one resident peasant and 4 deserted holdings. One at Manlatzke had already been deserted before the quartering; of the other 3 here in the village, one died, and the other two moved away to Poland because of the great distress and burden of war. Because of lack of means he could not restore them.

ad 4. He had 36 scheffels of rye sown in the autumn; now 4 scheffels of oats, and he could not obtain more; 3 scheffels of peas. He had also had land manured for 12 scheffels of barley, but still did not know where to get the barley.

ad 5. He must keep a plough on the manor; for this he has 2 oxen, 2 horses, 3 cows.

ad 6. He has no sheep.

ad 7. He has no mill right.

ad 8. This belongs under the second item.

IX. Warnin.

The following have rights: 1. Prybschlaff Kleist. 2. Jochim Kleist at Zebbelin. 3. Jochim Kleist of Dimkuhr.

1. Prybschlaff Kleist reports that he had there 2 occupied peasants and one cottager of 1/4 Hakenhufe. Both peasants became deserted during Banér's quartering; the cottager had also been deserted, but he occupied him again. He had had no more than 2 oxen for feeding; when the summer sowing is past, they will be taken away from him. On the two above-mentioned deserted peasant farms he had sown 12 1/2 scheffels of rye; but because he has no livestock or draft animals, no summer seed can be sown.

2. Jochim Kleist of Zebbelin's steward, Jorgen Völlwock, says that his lord must now and formerly contribute from Warnin for 5 1/4 hides.

ad 3. He has 3 resident peasants at Warnin; there is also one deserted farm there, which became deserted in Krockow's time.

ad 4. In the autumn he sowed 3 Drömbt of rye; he will still sow 1 Drömbt of oats, 10 scheffels of barley, no peas.

ad 5. The 3 peasants manure and work the land; in addition he must keep 1 plough with 2 oxen from the manor.

ad 6. The sheep belong to the steward; the lord receives nothing from them, because he gives a fixed amount. Otherwise the lord has 22 lambs of his own.

ad 7. His lord is also entitled to a share in the Haßel mill.

ad 7. This is above.

The 3 peasants follow:

a. Jasper Villwock sits on 3/4 hide. In the autumn he sowed 6 scheffels of rye; he intends to sow 2 scheffels of barley. No oats and peas, because he has none and does not know how to obtain any. He has only 2 old oxen and 1 heifer.

b. Michell Villewock sowed 7 scheffels of rye, 1 scheffel of oats, 2 scheffels of barley, no peas. He has 2 oxen and 1 cow.

c. Hanß Villewock sowed 7 1/2 scheffels of rye, 1 quarter of peas, 1 scheffel of oats; he will sow 2 scheffels of barley if he can obtain it. He has only 2 head of cattle, because the oxen have gone, and 2 cows.

NB. The buildings in this village are still in fairly good condition.

3. Jochim Kleist of Dimkuhr had 2 peasants in this village, of whom one became deserted in Banér's time and is still deserted. The other indeed also had everything of his own taken from him, yet the lord helped him again, so that he sowed 6 scheffels of rye; he also intends to sow 2 scheffels of oats and 2 scheffels of barley. The lord has newly given him 2 oxen and 1 cow.

This peasant's buildings are also still in fairly good condition.

X. In Zarnkow

the following have rights: 1. Dubschlaff Kleist. 2. Prybschlaff. 3. Caspar. 4. Jurgen Kleist of Kuhwalck.

1. Prybschlaff Kleist has only one half-hide holder, who serves him only 2 days a week with 2 head of cattle.

ad 4. He has sown 8 scheffels of rye; he will still sow 2 scheffels of oats and 2 scheffels of barley.

ad 5. He has 2 oxen, 2 cows, and 2 head of cattle.

2. Dubschlaff Kleist has a sheep farm there.

ad 4. There he has sown 6 Drömbt 1 1/2 scheffels of rye, including Caßper Kleist's pledged farm; also at Lindenhoff he has sown 5 scheffels of rye. In both places: 24 scheffels of oats, 5 1/2 scheffels of peas, and, God willing, 24 scheffels of barley.

ad 5. For both estates he uses 5 horses, 6 oxen, 8 cows, 4 heifers over one year old.

ad 6. He has 160 sheep at Zarnkow, and 200 mixed on terms of half the wool and half the lambs.

His peasant at Zarnkow, Carsten Voltzke, sowed in the autumn 7 1/2 scheffels of barley; now 2 scheffels of oats, 3/4 scheffel of peas with the shepherd on halves; he intends to sow 1 1/2 scheffels of barley. Because all his livestock was taken from him by the Imperial troops, at the time when more than 100 horses descended upon his lord, he kept nothing. Now his lord has again provided him with 2 horses and 2 oxen; in place of a cow he must make do with 4 goats.

3. Hanß Kleist.

Nota. This is to be found below under the Zatkow title in Casper Kleist's statement.

XI. At Lutken Voldickow

the following are interested: 1. Alexander Jochim Kleist. 2. Prybschlaff Kleist. 3. Otto Kleist of Kickow. 4. Lorentz Versen of Titzow.

1. Prybschlaff Kleist has on his share only one cottager, Chim Mantzke, with 1/4 Hakenhufe; he serves only on foot.

ad 4. He has sown 4 scheffels of rye; he can sow no more than 1 scheffel of barley; no oats and no peas.

ad 5. He has 2 head of cattle and 1 cow, only one poor dwelling house.

2. Lorentz Verse of Titzow also has only one cottager, Marten Ramelow, with 1/4 Hakenhufe; he serves on foot, etc. etc.

3. Alexander Jochim Kleist had here and at Gross Voldkow in Anno 1627 4 1/2 hides and 3 cottages, together 6 hides. If the sand and the cottages are deducted, 2 1/2 Hakenhufen remain; these have remained fully up to now.

ad 3. He has not one occupied peasant, but only gardeners, who work with his livestock.

ad 4. In the autumn he sowed here 3 Drömbt of rye; now 8 scheffels of oats, 1/2 scheffel of peas; he can sow no more than 2 scheffels of barley.

ad 5. He has 4 oxen used for ploughing. Paul Valm also has 4 oxen, which sometimes help him plough, but he must give him something for it.

ad 6. He has no sheep.

ad 7. In this water mill at Lutken Voldkow, Jochim Kleist of Dimkuhr is interested together with him;

it is ready.

Alexander Jochim Kleist's gardeners:

a. Carsten Linike sowed in the autumn 5 1/2 scheffels of rye. He has no oats and also no barley, and does not know how to obtain any. He has sown 1 scheffel of peas. He has 2 oxen and 2 empty cattle; otherwise he is Otto Kleist's subject.

b. Paul Valm sowed 6 scheffels of rye, 1/2 scheffel of peas; he will sow 2 scheffels of barley. He had no oats. He has 4 oxen and 1 cow. The buildings are, according to their kind, in fairly good condition.

XIII. At Schmentzin

the following are interested: 1. Alexander Jochim Kleist. 2. Otto Kleist. 3. Dubschlaff Kleist on account of Zabel Versen.

1. Alexander Jochim Kleist: he, together with his brother Jurgen Kleist, had at Schmentzin, Kuhwalck, and Voldkow 12 Hakenhufen. The deduction is 3 hides on account of 6 cottages; 9 remain. From these, again, 1 Hakenhufe is assigned to Hanß Clawundt as Jochim Kleist of Dimkuhr's peasant; 8 hides remain. Of these, in the reduction, 4 Hakenhufen fall to him and 4 Hakenhufen to Jurgen Kleist, and are still taxed.

ad 3. He says that at Schmentzin he has, together with his brothers, since they still possess the estates in common, 2 occupied peasants, namely: 1. Zabel Morundt, 2. Jacob Jantze; at Gross Voldkow one, and at Lutken Voldkow also one.

At Kohwalck only one cottager, and at Zarnkow also one. In addition there are still deserted farms:

one at Gross Voldkow belonging to the paternal Kohwalck fiefs. Another there, which through its own neglect burned down six weeks ago and belongs to these Lutken Voldkow estates. At Schmentzin there are 3 deserted farms, namely one that had long been deserted, and the other 2 which became deserted through this last Krockow devastation. There are also 2 at Kuhwalck, which ran away during this soldiers' disturbance.

ad 4. At Schmentzin he does not concern himself with the sowing, because he has a steward there; but this steward pays only 60 florins in rent.

ad 5. The two peasants, as under the third item, manure and work the land.

ad 6. The sheep belong to the steward, but the yield goes into the 60 florins.

ad 7. There is no special mill there.

ad 8. This is above in the second point.

The two Schmentzin peasants each live on half a hide:

a. Zabel Morond has sown 5 scheffels of rye, because he could not obtain more; now 2 scheffels of oats, 1 scheffel of peas, 2 scheffels of barley. He has 2 oxen and 1 cow.

b. Jacob Jantze sowed 5 scheffels of rye in the autumn; oats he cannot obtain, nor peas; he will sow 2 scheffels of barley. He has 2 oxen and 1 cow. The buildings of both are still in fair condition.

2. Dubschlaff Kleist, on account of Zabel Versen, has one deserted farm here, which had already become deserted in Banér's time; nevertheless he must contribute for half a hide, and does not know how to restore it.

3. Otto Kleist.

XIV. At Kuhwalck

the following have rights: 1. Prybschlaff Kleist. 2. Jurgen Kleist. 3. Lorentz Versen of Titzow. 4. Jochim Kleist of Dimkuhr.

1. Prybschlaff Kleist, according to his report, has no taxable hides there, but only his knightly seat. In Anno 1627 he had 6 Hakenhufen in the tax register; at the survey 3 had fallen away from him and 3 remained. In the most recent reduction one hide had indeed been credited to him, but it was immediately assessed again.

ad 3. He says, as at Warnin, that he had 2 occupied peasants there, but that they became deserted during Banér's quartering.

ad 4. In the autumn he sowed 42 scheffels of rye on the Kuhwalck field, now 2 scheffels of peas and 12 scheffels of oats; he also intends to sow 12 scheffels of barley, but still does not know where to obtain it, since the means have been completely taken away.

ad 5. He has only 2 horses, 4 oxen, 5 cows, 1 heifer.

ad 6. He has no sheep of his own, but the shepherd has 100 on terms of half the wool and half the lambs.

ad 7. He has a share in the Haßel mill, which, however, the Imperial troops have ruined.

ad 8. This is above under the second item.

As regards his buildings, they are in tolerable condition, except that the soldiers destroyed one of them because of the new boards.

2. Lorentz Versen of Titzow has in this village of Kuhwalck 7 Hakenhufen, from which only half a hide is deducted on account of the cottage. Formerly there were 5 peasants here who served toward the sheep farm at Dimkuhr; one, however, became deserted at the first Imperial quartering, the second in Banér's time, the third during the present Krockow incursion. The other two still live there: Peter Zemmicke and Jurgen Zemmicke, etc. etc.

3. Jochim Kleist of Dimkuhr.

ad 2. Five hides are taxed; but because one is deducted on account of the cottages, 4 Hakenhufen still remain. He enjoys no reduction; but because everything was taken from him and his people during the Krockow disturbance, he asks that he be considered, so that the reduction might also come to his aid.

ad 3. He does indeed have 2 occupied peasants at Kuhwalck, but Dubschlaff Kleist has one of them; nevertheless he must pay the contribution. The other peasant there still serves him, and he also has one cottager.

ad 4. Here and at Dimkuhr no more than 1/2 Drömbt of rye could be sown, because of lack of rye as well as of draft animals; 3 scheffels of peas, 18 scheffels of oats, 8 scheffels of barley.

ad 5. He has 9 head of cattle, 2 horses.

ad 6. He has 100 sheep mixed with the shepherd's.

ad 7. He also has rights in the Lutken Voldkow mill.

ad 8. This is above under the second item.

a. The one peasant at Kuhwalck who still serves him sowed 8 scheffels of rye in the autumn; he intends to sow 3 scheffels of barley; oats and peas he does not have. Because everything was taken from him, the lord gave him back 1 ox and 1 cow; otherwise he has no more livestock.

b. The cottager sowed only 2 scheffels of rye in the autumn; no oats, no peas. He has land for one scheffel of barley, but does not know where to get it. He has no more livestock than 2 calves and 3 goats.

4. Jurgen Kleist, Kuhwalck.

XV. April 17. At Dahmen.

In this village there are 4 knightly seats, namely: 1. Dubschlaff, 2. Steffen, 3. Daniel, and 4. Christian, cousins of the Kleists.

1. Dubschlaff Kleist says: In Anno 1627, according to the assessment register, he paid taxes for 31 Hakenhufen and 2 cottagers from all his estates. Of these, in Anno 1628, 13 hides fell away in the sand; 18 hides remain. Likewise the cottagers are also deducted. To the previous 18, more came to be taxed: 1 hide on account of Michael Mangnus Glasenapp, 1/2 hide on account of Zabel Versen; this makes 19 1/2 Hakenhufen, for which he had to pay taxes until the new reduction. Now 15 hides have been set for him in the register, although the Dubberow estate is totally ruined, and he otherwise still has 6 deserted peasant farms in the other villages, so that the farmsteads cannot be profitably cultivated.

ad 3. Here in the village he has one resident peasant and one cottager. At Döbel he has 5 peasants, who also serve hither. In Banér's time 2 peasant farms were set on fire by the soldiers, and the 2 others burned down through neglect. Yet, upon his request, he could not obtain the least reduction from the Belgard knighthood, but had always had to pay the full tax. He also still had 2 resident peasants at Muttrin, of whom one indeed became deserted in Krockow's time, but he has occupied him again this year at great expense.

ad 4. In the autumn he had 5 Drömbt 2 1/2 scheffels of rye sown here. According to the report of the steward Peter Eickstädt, 1 Drömbt of oats was sown, and he also intends to sow 16 scheffels of barley.

ad 5. Horses and oxen are not kept here, because the peasants have done the ploughing so long; the steward, however, kept horses for harrowing, which the last Imperial troops took away. Therefore he had to buy back 2 horses for the one peasant, so that he could perform the harrowing instead of the ploughing. Otherwise he has here on the manor 10 milk cows and 5 calves over one year old.

ad 6. He has no sheep of his own; rather, the shepherd has 300 on terms of half the wool and half the lambs. But he must give the shepherd 4 Drömbt of rye as a deputat, the scheffel at one florin, so that the advantage will not be great.

ad 7. He has an interest in the Haßel mill, annually to the amount of 8 1/4 scheffels of rye; but since Banér's quartering he has not received a handful from it. This is not only a great loss in the household, but, because of the continual ruin, it is impossible to restore the estates to their former condition.

ad 8. This is above under the second item.

Although the buildings had been fairly badly destroyed in Krockow's time, he had nevertheless necessarily had to have them repaired for the burial of his late wife.

Sowing and livestock of the peasants:

a. Jochim Schultze at Dahmen sowed 10 scheffels of rye in the autumn; now 1/2 scheffel of peas, 1 scheffel of oats, and because he has no livestock, he can sow only 1 1/2 scheffels of barley. Because all his livestock was taken from him by the Imperial troops, the lord has now bought him 2 horses, and he has also bought himself a cow again.

The 5 peasants at Döbel:

a. Marten Thom sowed in the autumn 12 scheffels of rye; now 4 scheffels of oats, 1 scheffel of peas. He has 4 oxen and 3 cows.

b. Meweß Gennerich sowed 10 scheffels of rye in the autumn; now 3 scheffels of oats, $\frac{3}{4}$ scheffel of peas; he also hopes to sow 3 scheffels of barley. He has 3 oxen, 2 cows.

c. Chim Schlack sowed 8 scheffels of rye in the autumn; he could obtain no oats; $\frac{1}{2}$ scheffel of peas, $\frac{1}{2}$ scheffels of barley, which he fetched from Poland. He has only 1 pair of oxen, which the lord gave back to him; he also has 2 cows.

d. Marten Hutt also sowed $8\frac{1}{2}$ scheffels of rye; no oats, $\frac{1}{2}$ scheffel of peas; he also fetched $1\frac{1}{2}$ scheffels of barley from Poland. The lord gave him 2 oxen again, and he has 1 cow besides.

e. Hanß Masche's rye sowing in the autumn was also $8\frac{1}{2}$ scheffels; not a handful of oats was sown; $\frac{1}{2}$ scheffel of peas; he intends to sow 1 scheffel of barley. The lord has also given him 2 oxen, and he has 1 cow. All these peasants had not been able to obtain horses again since Banér's time.

The two peasants at Muttrin:

a. Chim Jante reports that, because the Imperial troops had taken everything belonging to the previous holder and driven him away, he has now only just taken the holding under the lord, who gave him 12 scheffels of rye for seed, also 4 scheffels of barley and 4 scheffels of oats. But since he has no livestock, he could sow only half, namely 2 scheffels of oats and 2 scheffels of barley, likewise $\frac{1}{2}$ scheffel of peas. He has 2 oxen and 1 cow, which the lord gave him as farm equipment, because the Imperial troops under Otto Manteuffel had taken everything belonging to him.

b. Carsten Guße sowed 11 scheffels of rye; now 3 Viertel of peas, 3 scheffels of oats; he intends to sow $2\frac{1}{2}$ scheffels of barley. He has 2 oxen, which the lord gave him, and 2 cows.

2. Steffen Kleist.

ad 2. His late father had left him, apart from the cottages, which are nevertheless deducted, 20 $\frac{1}{2}$ Hakenhufen to be taxed. During this whole period of war he had found no deduction until after the Krockow incursion in February Anno 1644, when he was reduced to 11 hides; but he did not enjoy this for half a year before all 20 $\frac{1}{2}$ were assessed again.

ad 3. Here, at Muttrin, and at Kickow he has 9 resident peasants, but they are not very well supplied with draft animals. He had also had here, since Banér's time, 3 deserted peasants, whom he could not restore because of lack of means.

ad 4. Here at Dahmen, Kickow, and on Nemmerin he sowed 7 Drömbt 3 scheffels of rye; also 2 scheffels of peas, 18 scheffels of oats. He intends to sow 2 Drömbt of barley, but does not know where he is to get it.

ad 5. On the manor he has only 4 horses, which he uses for harrowing; no oxen; 1 cow with calf.

ad 6. Here he has a shepherd with 200 sheep, at Nemmerin one with 100 sheep, on terms of half the wool and half the lambs. But he must give them almost as much deputat as the yield amounts to.

ad 7. He has a windmill which stood deserted for a time and has now been repaired, but it gives no certain return and brings in little.

Nota. The buildings on the manor are very dilapidated.

His peasants, since they are not present here, do not sow equally much. It is calculated together that in all they sowed in the autumn 4 Drömbt 5 scheffels of rye, and will still sow 2 Drömbt of oats, 2 Drömbt of barley, 6 scheffels of peas. Each has one pair of oxen and also one cow.

3. Christian Kleist of Dahmen had from of old 16 Hakenhufen. Since the cottages are deducted, it now remains at these full hides. And although in February Anno 1644 until about August 7 hides had been remitted to him, they were nevertheless immediately fully assessed again.

ad 3. He has 4 occupied peasants, namely 2 at Dahmen and 2 at Zatkow; against this, however, there are 7 deserted holdings, namely: one had already been deserted when he took over the estate, 4 became deserted in Banér's time, and 2 in Krockow's time.

ad 4. Here and on Nemmerin he had 6 Drömbt 6 scheffels of rye sown in the autumn; now, at both places, 3 scheffels of peas, 10 scheffels of oats, and, God willing, 2 Drömbt of barley.

ad 5. He has 3 horses, which he usually uses in harrowing, 3 cows, and 3 calves over one year old.

ad 6. He has no sheep of his own, but with the shepherd 200 on terms of half the lambs and half the wool.

ad 7. He has no mill right.

ad 8. This is above under the second item.

Otherwise the buildings are also fairly badly destroyed.

His 4 occupied peasants together sowed in the autumn: 3 Drömbt 2 scheffels of rye, also 4 scheffels of peas; no oats, because they have no means to buy any; nevertheless each intends to sow 3 scheffels of barley. All 4 peasants together have 11 oxen and 8 cows.

4. Daniel Kleist had from of old had 18 1/2 Hakenhufen; indeed, in February Anno 1644 he was reduced to 9, but soon he was assessed again in full. The steward Carsten Woytke reports further:

ad 3. There are still 5 occupied peasants here who serve there; the 6th is also still resident, but has been taken in by Mayor Calsow. At Döbel 3 farms had become deserted in Banér's time, and in particular one peasant had been shot dead by the soldiers. Three here in the village had already been deserted before the war; 2 at Kickow died deserted in the plague of Anno 1630; 1 became deserted at Zatkow. They cannot be occupied again because of lack of means.

ad 4. Here at the estate there had been no seed, but because the Major at Colberg used it, he bought the seed rye, and 10 Drömbt were sown in the autumn; now also 6 scheffels of peas, 2 Drömbt of oats; he also intends to sow 18 scheffels of barley.

ad 5. The 5 peasants cultivate the land with the draft animals which the Major bought for them last year. In addition, he sends horses from Colberg for harrowing. There is no other livestock on the manor.

ad 6. The Major bought 400 sheep to this place, with which the shepherd has mixed his own in the usual manner.

ad 7. The water mill, called Wehrmühle, has been burned to the ground by the Krockow troops together with the sawmill. There is also a windmill here belonging to the manor, but not much to grind.

ad 8. This is above under the second item.

The five peasants, namely: 1. Christopff Mahlundt, 2. Frantz Woytke, 3. Chim Maßke, 4. Michel Nafin, 5. Peter Mundt, have some of them sown 8, some 7 scheffels in the autumn, so that the total sowing of the 5 peasants is 38 scheffels of rye. None has sown any oats, because they cannot obtain any. Each has 1/2 scheffel of peas, making 2 1/2 scheffels; each also intends to sow 2 scheffels of barley. Each has 2 oxen, which the Major bought for them last year; the other four each have 1 cow, but Peter Mundt has none.

XVI. Zatkow

The interested parties are: 1. Caßpar Kleist. 2. Andres Kleist in the name of Christian Kleist of Dubberow. 3. Hanß Balcke nomine Daniel Kleist. 4. Christian Kleist of Dahmen.

1. Caßpar Kleist: since he only recently concluded an agreement with his brother Hanß Kleist concerning

the exchange of the estates, he retains for his part here at Zatkow 13 Hakenhufen, as well as 3 hides from the Vietzow portion; in summa 16. In addition, Hans Kleist retains 4 1/2 hides on account of Vietzow, making together 20 1/2 Hakenhufen.

ad 3. He personally now still has 3 resident peasants here at Zatkow, and 2 deserted ones, which have been devastated by the heavy contributions and mostly by Krockow's incursion.

ad 4. 30 scheffels of rye were sown in the autumn; now 2 scheffels of peas, 6 scheffels of oats, and 12 scheffels of barley.

ad 5. The 3 peasants must cultivate the land; in addition he keeps one plough from the manor, but now there is no draft team for it, because all the livestock was lost in the Krockow affair. He has acquired 2 horses again, and also brought 10 head of cattle from Vietzow, because not a hoof had remained here.

ad 6. He has no sheep of his own; rather, on the Laßentz the shepherd has 200 on terms of half the lambs and half the wool.

ad 7. Here at Zatkow there had been a water mill, but it was wholly ruined by the Krockow troops.

ad 8. This is above.

Otherwise he asks that it be noted: because his sheep farm at Laßentz lies directly on the country road, it has not only been entirely despoiled of all grain, livestock, and fodder; the buildings have been torn down, the wattlework, fences, etc. destroyed. The same has also happened in like manner at this estate, so that it cannot be restored for many years, even if the means were ever so good.

The 3 peasants:

a. Dinß Naffin sowed only 6 scheffels of rye in the autumn, for he could not obtain more; he sowed 1/2 scheffel of peas. He has prepared the land for 3 scheffels of barley and 1 scheffel of oats, but does not know where he is to get the seed. He has 2 oxen, which the lord gave back to him; in addition he has raised one three-year-old head of cattle, and also 2 cows.

b. Peter Böße sowed only 5 scheffels of rye, because he had no more; 1/4 scheffel of peas, 1 scheffel of oats, 2 scheffels of barley. He has only 2 oxen and 1 cow, which he has newly taken as farm equipment, because everything was taken from him. He also has one heifer.

c. Hanß Böße sowed only 4 scheffels of rye in the autumn; he intends to sow 1 scheffel of barley, 1 Strickmaß of oats, 1/2 Viertel of peas. Because everything has been lost to him, he has only 2 poor head of cattle and 1 cow, which, however, is not his own, but belongs to his brother in Poland. The buildings of all three peasants are wholly ruined, because the ties, roof timbers, and fittings have been broken out.

2. Concerning Christian Kleist's two peasants, information is under the village of Dahmen.

3. Andres Kleist's hides are above in the Dubberow protocol under Christian Kleist's title, because they remain in his tax register.

4. Hanß Balcke's item is in the preceding Dahmen protocol under Daniel Kleist's title.

XVII. At Vietzow

the following have rights: 1. Ewaldt Kleist. 2. Achatz Kleist's heirs. The knightly seats are indeed still in fair condition, yet the roofs, walls, floors, etc. are very much torn apart.

1. Ewaldt Kleist reports: his late grandfather had had 6 1/2 hides; the deduction for sand is 1 1/2 hides, leaving 5 Hakenhufen. He paid taxes for these until, in the reduction, 1/2 hide was deducted on account of the cottages, leaving 4 1/2 Hakenhufen. He complains greatly, because in the very village of Vietzow his neighbor Caßpar Kleist was remitted 2 hides, and the Wußow peasants 1 hide, and that wrong had been done to him in that he was not also to enjoy this. He hopes and asks that, in view of equity, he also

be considered in the future reduction.

ad 3. He has 2 occupied peasants at Wußow, though very poor; against this there are 2 deserted farms here at Vietzow, which had long been deserted before he came into the land.

ad 4. On his manor fields, together with the 2 deserted Vietzow hides and at Wußow, he could sow only 42 scheffels of rye, because the other land is wholly overgrown with heath and devastated. He intends still to sow 3 scheffels of peas, 12 scheffels of oats, 15 scheffels of barley, but is still troubled as to where to get them.

ad 5. At Krockow's departure he had kept only one poor ox as draft animal. He gave each of the 2 peasants 2 oxen again, also bought back 3 poor horses, and kept 6 cows.

ad 6. At Wußow he indeed has a sheep farm, but no sheep of his own; only on terms of half the wool and half the lambs.

ad 7. He has only the ninth part in the Vietzow mill, which is still in condition now, but brings in little.

ad 8. This is above under the second item.

His 2 peasants at Wußow: in the autumn each sowed only 3 scheffels of rye. They have not a handful of summer grain; he can give them nothing, therefore they also cannot sow. Each peasant has only 1 cow; the one has 2, the other 3 oxen, which he gave them anew.

2. Hanß Kleist: since he only recently made an exchange with his brother Caßpar, he retains 4 1/2 Hakenhufen at Wußow and Vietzow.

ad 3. At Wußow he has only one poor peasant. At Vietzow there are 2 deserted farms, which may well have been deserted for 30 years.

ad 4. He sowed 24 scheffels of rye, 12 scheffels of oats, and intends to sow 12 scheffels of barley.

ad 5. He has 2 old oxen and 2 cows.

ad 6. He has no sheep.

ad 7. He has nothing from the mill.

ad 8. This is above under the second item.

His one peasant at Wußow sowed only 6 scheffels of rye. He has no summer grain, and also does not know how to obtain any. After Krockow's departure he received 2 oxen back from his lord.

3. Jurgen Bartzsch reports: In Anno 1627 the late Achatz Kleist had had 11 3/4 Hakenhufen. This still remains so now; rather, the knighthood has now imposed one Hakenhufe more on him, he knows not for what reasons, and has assessed him at 12 3/4.

ad 3. At Wußow there still live 4 peasants, of whom 2 have been taken in; the other two can serve only with one plough. Otherwise there are at Vietzow 8 deserted peasant farms, which have been deserted for more than 30 years and more.

ad 4. In the autumn he sowed 48 scheffels of rye; now 4 scheffels of peas, 2 Drömbt of oats; he intends to sow 20 scheffels of barley.

ad 5. He says, as above, that the two peasants serve only with one plough. In addition he keeps one plough from the manor. He has 8 milk cows, 2 horses, which he bought back with great difficulty.

ad 6. On the new farm there are 200 sheep on terms of half the lambs and half the wool. The Wußow sheep farm is wholly deserted.

ad 7. He has an interest in eight parts of the water mill at Vietzow, but it does not bring in much.

ad 8. This is above under the second item.

The 2 Wußow peasants each sowed 6 scheffels of rye in the autumn; each will also sow 1 scheffel of oats and 1 scheffel of barley, which the lordship gave them. The one peasant has 1 ox, 2 small head of cattle, and 2 cows; the other has 1 ox, 1 head of cattle, and 1 cow.

The buildings on these three knightly seats are somewhat damaged, especially where there had been boarded floors, and also with respect to doors and gates.

XVIII. Wußow

has shares belonging to: 1. Ewaldt Kleist. 2. Achatz Kleist's heirs. 3. Hans Kleist. 4. The Glasenapps of Kuhprießen.

Nota. The shares of the first three interested parties in this village are found hereafter under the Vietzow title.

4. Concerning the Glasenapp item: formerly 5 peasants, each on one Hakenhufe, lived there. Now one became deserted at the first Imperial quartering, but nevertheless the fifth hide was divided among the other four: Jurgen Bartke, Jochim Bartke, Jurgen Mantzke, Chim Mantzke, etc. etc.

Thereafter follow the villages: Grußow, Zarnefantz, Naffin, Standemin, Latzke, Schintz, Lentzen, Podewilß, Glotzin, Battin, Zietlow, Rarfin, Sager, Natztow, Camißow, Sitkow, Titzow, in which no Kleist has an interest.

624.

Cölln on the Spree. May 9, 1650.

Elector Friedrich Wilhelm confirms for Hans Friedrich Kleist,⁶⁹⁴ Master of the Hunt at Neustettin, the gracious grant concerning Eschenriege, and extends the same for the lifetime of himself and of his wife.

From an authenticated copy in the L. A.: Tit. IX, Sect. 88, No. II, fol. 46.

We, Friderich Wilhelm, by the grace of God Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire, Duke of Magdeburg, in Prussia, of Jülich, Cleve, Berg, Stettin, Pomerania, the Cassubians and Wends, also in Silesia of Crossen and Jägerndorf, Burgrave of Nuremberg, Prince of Halberstadt and Minden, Count of the Mark and Ravensberg, Lord of Ravenstein, do hereby certify for Ourselves, Our heirs and successors, Margraves and Electors of Brandenburg, and otherwise for everyone:

After We were most humbly approached by the steadfast Hans Friederich Kleist, Our dear faithful subject, princely Pomeranian widow's-estate Master of the Hunt and court nobleman at New Stettin, concerning the renewal of a concession which his late father Reichardt Kleist, formerly princely captain at Colbatz, had, ob benemerita, obtained in the year 1591 for sixty-five years from the late high-born Prince, Our friendly dear uncle, Lord Johann Friderich, Duke of Stettin, Pomerania, the Cassubians and Wends, Prince of Rügen, Count of Gützkow, and Lord of the lands of Lauenburg and Bütow, of praiseworthy memory, over the estate and village of Eschenrey or Reppelin, and which had been ratified and confirmed by the following Dukes of Stettin-Pomerania;

and since, out of special grace, and because of the friendly intercession received from the high-born Princess, Our friendly dear aunt, Lady Hedwig, born of Brunswick and Lüneburg, Duchess of Stettin, Pomerania, the Cassubians and Wends, Princess of Rügen, Countess of Gützkow, and Lady of the lands

⁶⁹⁴ III. 152, father 87.

of Lauenburg and Bütow, widow, We have deferred to such petition, approved the said concession, which was shown to Us in the original, and further, according to his most humble petition, graciously extended it:

We therefore do so, and confirm and ratify the above-mentioned concession in all its points and clauses, by means of and by virtue of this document, in such manner that the aforementioned Hans Friedrich Kleist shall not only be left and protected therein by Us, Our heirs and successors, the Margraves and Electors of Brandenburg, as Dukes in Farther Pomerania, but that he and his wife, even when the stated number of years shall have expired and come to an end, since they have not been blessed with heirs of the body, may possess, hold, retain, and, as before, use and enjoy according to their will, the estate and village of Eschenrey or Reppelin with all named appurtenances for the time of both their lives.

After the death of both of them, however, the 2,000 gulden mentioned in the concession, together with the demonstrable improvements, shall be repaid to their heirs against surrender of the said estate; yet without prejudice to Our rights and to the rights of everyone. Faithfully and without fraud.

In witness whereof We have signed this renewal, confirmation, and extension with Our own hands and have caused it to be impressed with Our chamber seal. Done and given at Cölln on the Spree, on May 9, in the year 1650.

Friedrich Wilhelm.

625.

Gross Tychow. August 29, 1650.

Deed of partition between the brothers Jochim⁶⁹⁵ and Paul Daniel Kleist concerning the estates Gross Tychow, Klein Crössin, and Völtzkow, with appurtenances at Cussenow and Polchlep.

From the original in the Gross Tychow Archive: Conv. IV, Tit. VI, Litt. A, No. 2, fol. 1, and from a copy in the P. P. A.: Staats-Canzl. Tit. 4, App. A, No. 31.

Let it hereby be known and made known to everyone, especially to those whom it concerns, that after the Almighty, some years ago, according to His immutable counsel and will, transferred from this temporal life into eternity the well-born, steadfast, and manly Dinnies Kleist, formerly hereditary possessor of Gross Tychow and Voltzkow, and after his feudal estates, namely Gross Tychow, Voltzkow, and Lütken Cressin, and whatever belongs thereto, had descended and fallen to his sons, the well-born, steadfast, and manly brothers Jochim and Paul Daniel, the Kleists, an honest settlement and brotherly partition of inheritance has today, on the date written below, been made and completed, after due deliberation, between the now-named brothers Jochim and Paul Daniel Kleist concerning the feudal estates of their aforementioned late father Dinnies Kleist, which had opened and fallen to them, in the presence of those named below. In this partition the fiefs, by the good judgment and approval of both parties, were divided from one another into two equal lots.

With the first lot there remains the entire knightly seat at Gross Tychow, with the building standing upon it, the adjoining fruit, cabbage, and tree gardens, as it now lies within its circumference, and as the late Dinnies Kleist possessed and held the said knightly seat as property within its boundaries, divisions, and landmarks. Likewise there remains with the knightly seat all manorial arable land, meadows, paddocks, pond-sites, liberties, moors, and marshes belonging thereto, and everything attached to it. Of peasants and service people, Hans Fritzke and Carsten Blecke, both fully equipped peasant men at Gross

⁶⁹⁵ III. 63, 64, father 43.

Tychow, have been assigned to this first lot; likewise Carsten Fritzke's farm there, which has burned down and is now deserted. This Carsten Fritzke, however, delivered and left in the farm the farm equipment, namely two oxen valued at 20 talers, one head of cattle at 9 talers, and one head of cattle at 6 talers, as well as one cow, which was not valued. Likewise Peter Rahne, who is a half-farmer, is included; his farm, since it lies near the church, shall be assigned to the widow left by the late Dinnies Kleist and to his two daughters, and the said Rahne shall be placed on Raddun's farm. After the death of the lady widow, may God long prevent it, the dwelling shall then remain hereditarily with this Tychow lot. All tavern sites, farm sites, and cottage sites situated in the village of Gross Tychow, together with the fields and meadow growth belonging thereto, have been placed in this lot, except for Mewes Fritzke, who is a full peasant and whose farm is well equipped, and Hans Bleke, a half-peasant at Gross Tychow, who have been placed with the Voltzkow lot. Jurisdiction and church patronage, however, remain with this lot.

The second lot is the estate of Völtzkow. Since, however, the knightly seat there has completely burned down, a sheepfold of sixteen bays shall be taken down from the brothers' common timber at Gross Tychow and, with all common assistance, transported to Voltzkow. Likewise, since the barn there must be built differently, fifty pieces of building timber, with all joint assistance, shall likewise be supplied there from the brothers' common timber. The brother to whom the Gross Tychow lot shall fall shall pay the other brother, to whom the Voltzkow lot may fall, 25 talers toward building costs. Likewise, also with joint assistance, clay-stakes shall be supplied, the buildings at Voltzkow shall be roofed, and the place shall be brought back into finished condition. If, however, the one to whom the Tychow lot falls should be found negligent in this, he shall not only incur a penalty of 50 Reichstalers for the benefit of the high authority, but shall nevertheless be bound to bring the timber falling to him to Voltzkow and to pay the 25 Reichstalers in building costs, pledging all his estates insofar as necessary for this purpose.

Likewise there shall remain with this lot all manorial arable fields, together with the hereditary and pledged meadows at Voltzkow; if, however, these should be redeemed, the money shall remain with this lot and with the person to whom this lot shall fall. Also included is one peasant farm at Voltzkow, inhabited by Peter Klahre, on which there still stands a house and a barn-stable, but no equipped man is on it; likewise a deserted farm which Chim Strep held there, and on which a barn is still said to stand; and also another deserted peasant farm at the said Voltzkow, which was inhabited by Peter Hafemann, but is now wholly desolate and deserted. Included too are all other farm and cottage sites at Voltzko which belonged to the late Dinnies Kleist, and as the late Dinnies Kleist possessed and used this estate as property within the field boundaries, with lordly rights, church patronage, and privileges. Likewise, to this lot is assigned one peasant at Cußenow, named Adam Steffen, and also one peasant farm at Pollechlebe, which Melcher Bornentin now holds for 350 florins; the one to whom this lot falls shall redeem this farm again, and this shall afterwards be equalized with the other debts. Lütken Crößin has also been added to this Voltzkow lot, in farms, arable land and meadows, lordly rights and privileges, and as everything belonged to the late Dinnies Kleist. Likewise there have been added to this lot the aforesaid two peasants at Gross Tychow, namely Meves Fritzke, a full peasant, and Hans Blecke, a half-farmer, both of whom shall serve toward Crößin.

As regards the young peasant servants, Jochim Dillie and Peter Kühle shall remain with the Tychow lot, and Jurgen Raddun, David Pipper, Jurgen Runge, and Erdmann Klemtze, since no farm is occupied at Voltzkow, shall remain with the Voltzkow lot.

Concerning the winter seed at Gross Tychow, both brothers will count the stooks from one another, and whatever is found to be more in this Tychow lot shall be paid in cash by the one to whom this lot falls to the one to whom the Voltzkow lot belongs; or the latter shall be authorized to have the stooks from Gross Tychow taken to Lütken Creßin by his own authority. Whatever summer grain and other

kinds of grain Herr Otto Hertzberg, who now has possession of the Gross Tychow estate, has received in excess, both brothers will buy together and transport to Voltzkow, so that it will not be necessary to count the stooks, but to commend the increase to dear God. And since the one brother, Jochim Kleist, when he moved into Lütken Creßin, found nothing there in winter or summer seed, he also need deliver back nothing, nor pay anything for it.

As regards rents, as many as the peasants have from of old rendered and given shall remain to each one with his lot and share. Shooting, hunting, fishing, and mast shall remain common to both parties in both lots.

Concerning the woodland in the Zulow, both brothers intend, after this settlement, to have it divided from one another by impartial people, to inspect it with their neighbors, and thereafter to draw lots over it and make a settlement, so that one half shall remain with each lot.

And although this separation and partition by lot of the feudal estates left by the late Dinnies Kleist was arranged, and although his surviving sons, Jochim and Paul Daniel Kleist, drew lots over it, so that the first lot, Gross Tychow, fell to the elder brother Jochim Kleist, while the second lot, Voltzkow together with the pieces assigned to it, fell to the younger brother Paul Daniel, nevertheless Jochim Kleist, as the elder brother, of his own accord offered the Tychow lot back to Paul Daniel Kleist and exchanged with him.

Thereupon both brothers have agreed between themselves concerning the debts, since nothing certain was known about them, as follows: because the debts of the sons-in-law are likely to be the highest, and because each of them would not easily relinquish his underlying mortgage, they will most promptly arrange a liquidation with them and conduct amicable negotiations; and whatever is then negotiated with certainty shall be amicably satisfied and settled by each one toward the person who has a mortgage in his lot. Likewise all other paternal debts, of which they can now have no certainty, and whose creditors have no certain mortgage, they will assume and pay equally between the two parts without any dispute. If, however, more debts should adhere to one or the other lot, and if that brother has paid the brothers-in-law or other creditors in the estate, or is compelled thereto by judicial means, both parties have bound themselves that within a year's time, should it be necessary, they will come together and arrange a liquidation in this matter; and if it should then be found that one or the other has paid more debt from this lot than properly fell to him, they shall amicably unite on this and make due equality, and one shall at once reimburse the other for it, or otherwise compensate him for it, with express hypothecation of their fiefs and estates insofar as necessary.

As regards the contributions, since they cannot now be fixed with certainty, both parties have agreed on an interim arrangement, namely that each shall discharge the contributions from his lot. After the lapse of one year, however, they will come together and reckon correctly with receipts; and if it should then be found that one or the other has paid out more in contributions, reimbursement shall at once be made to him by the other, *sub poena et pacto paratissime*, from his most readily available goods, movable and immovable, and from his lot and fiefs, which, at the option of the other, together with all movable property present therein, shall be liable as an express mortgage, to the last heller and pfennig. This shall be maintained until the contributions cease and the matter has again been brought back to the old assessment of the princely land tax, when each shall be bound to bear the burden of his lot without reimbursement. If contributions are still attached to both lots, they wish to postpone these until certainty about them can be obtained; then both parties will comport themselves amicably and come to an agreement.

Concerning the feudal horse, it shall be handled in such manner that, if it should be called out here in Pomerania or in the Mark, they will keep it jointly from both parts, both here and in the Mark, and will

render and bear it on both sides.

Finally both parties have also come together and conferred concerning the deputat and maintenance money and a dwelling for their lady mother and their two unmarried sisters. Both parties are agreed that, as stated at the beginning, Peter Rahne's farm together with the cabbage garden shall be assigned to the lady mother together with the sisters, and shall be put into good and finished condition with assistance from both sides, and shall at all times be maintained therein. As deputat and maintenance money there shall be provided annually by both parties to the lady mother, the widow left by the late Dinnies Kleist, together with her two daughters and one maid, as follows: for each person annually 10 scheffels of rye, making 40 scheffels; 2 scheffels of good buckwheat, making 8 scheffels for those promised; one half-scheffel of peas, making 2 scheffels; 3 fat pigs or, for fattening them, 12 scheffels of rye; one ox at the Belgard Whitsun market, or in its stead 10 talers; 4 Martinmas sheep; one score of geese and, for fattening them, 6 scheffels of oats; 6 scheffels of oats for groats; 1 pound of salt; one quarter of herring; one quarter of cod; 2 scheffels of linseed to sow, or in its stead 6 talers for flax; feed for 4 cows; 50 talers in money for all four persons.

If, however, one of these two young ladies should, according to God's will, be provided with a marriage portion, then her quota of the maintenance money shall properly cease after the wedding. The same shall also be observed if one of them should die, which gracious God long avert. As regards wood and firing, it has been agreed that the one who has the Tychow lot and dwells there shall, every year from Martinmas until Easter, and thus throughout the whole winter, provide two loads weekly, while the one who possesses Voltzkow shall provide only one load of wood for the lady mother. From Easter until Martinmas, however, one good load of wood per week shall always be brought by both parties. After the death of the lady widow, which God long prevent, the dwelling, as stated above, shall remain hereditarily with the Tychow lot.

And since the aforementioned and above-written separation, allotment, and settlement of the feudal estates has thus been honestly and voluntarily agreed upon, accepted, ratified, and approved between both parties after due deliberation and consideration of all circumstances, they also bind themselves honorably and honestly to comply in every way with this transaction and settlement in all clauses and points, and to stand by it constantly, firm and fixed. They renounce all exceptions, evasions, and pretexts, tam in genere quam in specie, and by whatever names they may be called; all upon noble honor, Christian true words, and honest German faith, without any deceit or fraud.

Both parties have also set a penalty of 500 talers upon this, which the one who makes this contract or settlement and brotherly partition of inheritance hollow and disputed shall be bound to give and pay to the high authority. For greater faith, both parties have also requested and asked the public notary named below to record this accord concerning the matter. In witness whereof this accord has been signed with their own hands both by the parties to the transaction themselves and by the distinguished noble witnesses present, and by me, the notary. Done at Gross Tychow, August 29, Anno 1650.

Jochim Kleist the Younger. Paul Danigel Kleist.

Claus von Wopersnow mpp. Jurgen Hinrich Richell mpp.

Peter Kleist⁶⁹⁶ the Younger of Pumlow buys from Christian Josua von Hechthausen of Zarnefantz one peasant farm and one cottager farm.

From an authenticated copy in the L. A.: Tit. IX, Sect. 88, No. V, fol. 27v.

After the late Claus von Hechthausen, hereditary possessor of Zarnevantz, had borrowed 600 gulden from the likewise late Peter Kleist, hereditary possessor of Pumlow, and had for this reason pledged to the said Peter Kleist one peasant farm which had been held by Jürgen Lembcke, and then one cottager farm which had been held by Peter Paul, according to the contract made between them dated Pumlow, October 5, Anno 1627; and after Herr Claus von Hechthausen and Herr Peter Kleist had fallen into judicial proceedings because of repayment of the money and the discovered deterioration of the farms; and after the execution against Claus von Hechthausen's late son, Herr Christian Josua von Hechthausen, had now come to judgment, in which Herr Peter Kleist was sentenced to make compensation for the deterioration, or to bring the deserted farms into the condition in which they had been tempore contractus; but since this was very burdensome to the said Peter Kleist, because Herr Christian Josua von Hechthausen had judicially stated and proved the deterioration or its compensation at 700 gulden and more:

this matter has, through the mediation of the undersigned good friends, been amicably settled in such manner that Herr Christian Josua von Hechthausen, against delivery of his late father's obligation and contract, assigns to Herr Peter Kleist the Younger, hereditarily and as property, the pledged peasant farm and cottager farm which had been inhabited by Jürgen Lembcke and Peter Paul, cum pertinentijs, commodis et incommodis, by whatever name this may be called, and indeed with such right as his father had obtained them hereditarily from our gracious territorial prince and lord, as an outright purchase. He also promises to provide eviction-warranty for him concerning the half hide to which the priest is said to advance a claim, and to keep him free from harm and loss concerning the contributions assessed therefrom up to this day.

For the future contribution that may be assessed hereafter, Peter Kleist assumes liability for the three hides that the aforementioned Jürgen Lembcke and Peter Paul had held, as he also wishes by virtue of this document to have done. In return Peter Kleist, for all claims and demands, has paid to Christian Josua von Hechthausen 200 gulden per cessionem to Herr Antonius Manteuffel at Kruckenbecke, and has thus duly paid and discharged altogether 800 gulden for the two above-mentioned peasant farms, and thereby has dealt for and paid for these two farms for himself and his people as an irrevocable purchase, hereditary and proprietary.

For greater assurance, both contracting parties have signed this purchase and cession with their own hands. Done at Belgardt, April 4, Anno 1651.

Christian Josua Hechthaus. Peter Kleist.

My own hand. My hand.

Friederich von Hechthauß. Henning Ramel.

tanquam testis subscripsit manu propria. As mediator and witness, subscribed manu propria.

627.

Alten Stettin. April 14, 1651.

⁶⁹⁶ III. 112, son 179.

Elisabeth von Eychstedt, widow of Chancellor and Dean Wilhelm Kleist,⁶⁹⁷ reaches a settlement with Berndt von Mönnichow, husband of the Chancellor's daughter by his first marriage, concerning the claim of 21,315 Pomeranian florins awarded to the latter, and thereupon transfers to him, among other things, the feudal estates at Muttrin and Dubberow.

From an authenticated copy in the P. P. A.: Stettin Archives, P. I, Tit. 77, No. 220, fol. 53v.

Let it hereby be known and made known to everyone, and especially to those who need to know, that today, on the date written below, the well-born, honorable, and very virtuous Lady Elisabeth von Eychstedt, widow left by the venerable, well-born, stern, and steadfast Herr Wilhelm von Kleist, deceased, formerly princely Pomeranian Privy Councillor and Chancellor, and also Dean of the Cathedral Church at Cammin, acting for herself and in the name of her children with the participation of her guardian, the likewise well-born, stern, and steadfast Herr Hanß Blücher, hereditary possessor on Platow, etc., concerning her brought-in marriage money, paraphernalia, and other dues, etc., has duly settled and agreed in the following manner with the well-born, stern, and steadfast Herr Berndt von Mönnichow, hereditary possessor on Carzenburg, etc., in the name of his lawful wife, the well-born, honorable, and very virtuous Lady Elisabeth Sophia von Kleist, daughter of the aforementioned late Herr Wilhelm von Kleist by his first marriage, concerning the latter's maternal inheritance, which had been awarded to both parties by judgment and law in the Royal Court Tribunal at Alten Stettin on April 24, Anno 1643, and concerning how the same shall be paid.

First, since Herr Bernd von Mönchow, nomine uxoris, is owed 21,315 Pomeranian gulden for the maternal claims of the same, in various items of capital and interest, he shall receive payment from the fiefs and nomina activa of his late father-in-law in the following manner:

First, he accepts the fiefs at Muttrin and Dubberow, together with the pledged fiefs belonging thereto, among which those at Schwirnitz and Buckow are also included, for 14,000 gulden until judicial appraisal. If, however, the future appraisal and judicial adjudication should not reach the sum of 14,000 florins, he shall retain his claim and demand for the residue against the funds belonging to the inheritance and outstanding at the town hall at Alten Stettin, and shall be authorized to make himself paid from them. Conversely, if the appraisal should exceed the sum of 14,000 gulden, the lady widow shall recover herself for the excess from the outstanding funds at the Stettin town hall here; and in such case he hereby intends again to cede and transfer to her as much thereof as the excess may amount to.

Secondly, he accepts in solutum 12,000 gulden in capital and interest from Herr Andres von Wolde.

Thirdly, 1,000 gulden in capital and interest from Herr Valentin von Lettow.

Fourthly, he deducts 691 gulden which the late Herr Matthias von Kleist⁶⁹⁸ received from the Cammin Chapter and from the Stettin town hall.

Fifthly, he accepts from Herr Bertram von Below and from the heirs of the late Herr Henning Manteuffel 400 gulden in capital and interest.

Sixthly, he deducts 342 gulden which he, Herr Bernd von Mönchow, has actually received in money.

Seventhly, he has agreed to accept the 1,000 gulden from the Barnimbskonow purchase money as 1,500 gulden, because the appraisal extended so much higher than the purchase price, and indeed in the following manner: 500 gulden at the coming St. John's Day, and then another 500 gulden from the last prescribed term.

⁶⁹⁷ III. 133.

⁶⁹⁸ III. 197?

Likewise and finally, he has accepted 2,180 gulden, that is, 1,500 gulden in interest from the other funds outstanding at the Stettin town hall, to be collected by himself; on the other hand, the remainder in capital shall remain to the lady widow.

And since he has thereby, nomine uxoris, received his settlement from the inheritance in full, he has expressly and completely, for himself and in the name of his wife, renounced all further claims, whatever names they may have, against the inheritance of the said late Herr Wilhelm von Kleist, and has wholly ceded them to the aforesaid lady widow for her complete settlement. In particular, he hereby releases the judicial arrest obtained against Herr Martin Borcke concerning the Barnimskonow purchase money; he also cedes and transfers to the lady widow, for her payment, the house situated in the small Cathedral Street at Alten Stettin, and other hereditary pieces in movables and outstanding nomina activa, with all his remaining claims and demands. He wishes to reserve nothing further from this, except only the right belonging to his wife concerning the expectancy to the Buggenhagen fiefs, equally with the children of the second marriage, pro quota, expressly.

Next, the lady widow has also declared that she wishes to lay claim to the inheritance of her late husband, Herr Wilhelm von Kleist, in no other way than as a creditor, and only in order that she might be satisfied and settled, by virtue of the noble privileges, for her awarded and liquidated claims and dues in capital and interest. She wished to protest this in the best form of law. In this spirit, in order to attest her peace-loving disposition and that she would gladly have correctness, she is also prepared to hand over the bridal gifts or wedding gifts still present, which can be shown to have come in at the first wedding, together with the two bracelets.

And whatever Herr Bernd von Mönchow has drawn from the fiefs since Anno 1646, he will duly reckon and deduct against building costs, contributions, and otherwise. Likewise, everything which, in the manner counted above, he has accepted in payment in the name of his wife shall, he repeated for greater certainty, be understood as applying to her maternal inheritance and not otherwise. He has further declared by way of protest that if, in particular, the fixed 200 gulden morning-gift, the two golden bracelets, also any wedding gift, or whatever else, whatever name it has or may have, and thus nothing excepted, should beyond all expectation be counted by the feudal successors or anyone else as paternal inheritance and be so declared by law, then he wished to have accepted this only cum beneficio legis et inventarii, yet wholly without prejudice to the maternal right. Likewise the lady widow also wished this to be usefully invoked for herself with respect to her claim and the rights awarded to her from the inheritance, so that the contract should be duly concluded and all disputes thereby wholly cancelled and abolished.

For greater confirmation, both parties have not only expressly renounced and waived in genere all legal exceptions and benefits that might come to the aid of one or the other party, but also in specie, namely rei non sic sed aliter gestae, doli mali, fraudulentae persuasionis, simulati contractus, ulterioris liquidationis, laesionis cujuscunque etiam enormissimae, restitutionis in integrum, appellationis, reductionis ad arbitrium boni viri, and the like, as well as the rule of law stating that a general renunciation is not valid unless a special one has preceded it, now and at no time making use of the same. They have also caused two identical recesses concerning this matter to be prepared, and have signed them with their own hands together with their assistants and witnesses, and sealed them with noble seals. All faithfully and without deceit. Thus done at Alten Stettin, April 14, Anno 1651.

Elisabeth (L. S.) Eychstedt. Berndt (L. S.) Mönnichow.

Widow left by the late Wilhelm Kleist. My own hand.

Hanß Blücher. Conrad Adolph (L. S.) Blücher.

In guardianship, manu propria. In testimonium propria manu subscripsit.

628.

1653.

Oath of Eowaldt Kleist,⁶⁹⁹ Electoral Brandenburg President in the Farther Pomeranian lands.

From the draft in the P. P. A.: Stettin Archives, P. I, Tit. 79, No. 78, fol. 3.

The oath of Herr President.

Since the Most Serene Prince and Lord, Lord Friderich Wilhelm, etc., Arch-Chamberlain and Elector of the Holy Roman Empire, Duke of Magdeburg, in Prussia, of Jülich, Cleve, Berg, Stettin, Pomerania, the Cassubians and Wends, also in Silesia of Crossen and Jägerndorf, Burgrave of Nuremberg, Prince of Halberstadt and Minden, Count of the Mark and Ravensberg, Lord of Ravenstein, etc., my most gracious Elector and Lord, has appointed and accepted me, Eowaldt Kleist, as President in His Farther Pomeranian lands, I therefore vow and swear that I will be faithful, obedient, and ready to serve His Electoral Highness; that I will work for and promote the best interests of Him and His Electoral House, but warn against and avert harm and disadvantage to the utmost of my ability and understanding.

When I am asked for counsel by His Electoral Highness, or in His absence hold counsel with the Electoral Government Councillors, I will always keep God, justice, and equity before my eyes, and advise that which is conducive to the common good of His Electoral Highness and of the lands and people of His Electoral House of Brandenburg, and otherwise conformable and suitable to justice, customary laws, and the constitution of the land.

I will also not disclose His Electoral Highness's arcana, secrets, and counsels, where this might cause harm and disadvantage to His Electoral Highness, but will keep them silent and secret until my grave. I will also perform my entrusted office, according to the contents of my commission and the published court ordinance, with all fidelity and diligence, to the best of my understanding and ability. I will also, to the best of my ability, observe the published court, tribunal, and other common ordinances insofar as they are in observance or may in future be corrected, improved, and reformed by common counsel; and I will with all seriousness and diligence see to it that they are observed by others.

Likewise I will also earnestly see to it that each of His Electoral Highness's Farther Pomeranian servants gives due satisfaction in his office, performs the same with all fidelity and diligence, and in all respects lives up to that to which he has made himself bound by his oath, or which is commanded to him in his commission. Finally, I will diligently perform everything that it is my duty to do by virtue of the newly drawn up and published Electoral Government memorandum and my commission, in such manner as well befits and suits a faithful President. All faithfully and without fraud, so help me God through Jesus Christ. Amen.

629.

Anclam. October 24, 1653.

Heinrich von Bünaw, Lieutenant Colonel, sells to Werner Kleist⁷⁰⁰ a peasant farm at Pumlow, won at law against the Hechthausens, for 500 Pomeranian florins.

⁶⁹⁹ III. 170.

⁷⁰⁰ III. 169.

From an authenticated copy in the L. A.: Tit. IX, Sect. 88, No. V, fol. 23.

Let it hereby be known to everyone: whereas in earlier years, and indeed still during the lifetime of Our gracious prince and lord, Lord Bogislaf, the last of this name, of most glorious memory, there was adjudged and awarded to me, Heinrich von Bünaw, Lieutenant Colonel, according to the judicial acts issued in this matter in the lawsuit conducted against Claus Hechthausen, by right and judgment won at law, a peasant together with the farm at Pumlow, inhabited by Jochim Maaß, in such manner that I was authorized and empowered not only to pledge the said farm together with the peasant according to my pleasure, but even, according to my best convenience, to alienate and sell it to a person capable of holding a fief; therefore I have made use of my right won at law and, concerning the said farm and peasant, have entered into a hereditary contract and sale with the well-born Werner Kleist, on the date and at the act named at the end hereof.

I have ceded and hereditarily transferred to him the same, cum omni meo jure in genere et in specie, so far as it belongs to me in this matter by virtue of the judgment won at law, together with all rights contained therein, such as standing buildings on and outside the farmstead, farm equipment, subjects belonging to the farm, and whatever else it may be called or may be, nothing excluded, in such manner as it is to be most permanently done according to law; so that he, from this date, with the often-mentioned farm and peasant and whatever belongs thereto, tanquam verus dominus factus, may deal and dispose according to his pleasure.

He has properly paid and counted out to me for this, in cash and in one sum at the completion of this contract, 500 gulden in Farther Pomeranian currency, the gulden reckoned at 24 Lübeck schillings. Therefore I renounce the exceptio non numeratae pecuniae, and I quit and release the well-mentioned purchaser Werner Kleist and his heirs and successors, in the strongest legal manner, concerning the said well-paid 500 florins in Farther Pomeranian currency, and I relinquish the right that belonged to me in the farm and peasant.

I promise and pledge upon my noble honor and faith that, because of this hereditary contract concluded with the above-mentioned Werner Kleist and with his heirs and successors, I will at all times be a secure warrantor against every claim and demand by anyone, in and outside the law, and that I will be bound by such security as I made myself bound to the honorable council at Belgard concerning similar peasants dealt to me at Dentzin. Further, I also promise to endeavor together with him to obtain and procure, concerning the above-mentioned legal adjudication of this peasant and farm, Electoral consent and confirmation.⁷⁰¹

All this is done by pledging my goods and estates, movable and immovable, also the privileged or exempted ones, so many as may be necessary, none excluded, and by renouncing spiritual and temporal rights, benefits, and exceptions in genere et in specie, whatever names they may have, as though they were here expressed word for word. In particular I renounce the exceptio doli mali, fraudis, laesionis cujuscunque, simulati et non sic celebrati contractus, likewise the beneficia of appeal, restitution in integrum, nullity, supplication, also the remedy l. 2 C. de resc. vend., and all others tam inventis quam inveniendis, introductis, introducendis, constitutis, constituendis, and the rule that a general renunciation is not valid unless a special one has preceded it. All upon noble honor and faith, without deceit or fraud.

For greater proof and firmer observance, both contracting parties have subscribed and sealed this contract with their own hands. Done at Anclam, October 24, Anno 1653.

Heinrich von Bünaw mpp.

⁷⁰¹ The consent was issued sub dato Colberg, January 2, 1666. Authenticated copies in the L. A., l. c., fol. 22.

Werner Kleist mpp.

630.

Vietzow. November 23, 1653.

Ewald Jürgen⁷⁰² and Wilhelm Friedrich Kleist on Vietzow sell to Werner Kleist one occupied and one half-deserted peasant farm at Pumlow, which they had won at law against the Hechthausens, for 650 florins.

From an authenticated copy in the L. A.: Tit. IX, Sect. 88, No. V, fol. 24v.

Let it hereby be known to everyone, especially to those whom it concerns and who need to know, that today, on the date written below, the following irrevocable purchase contract has been made, concluded, and drawn up between the highly well-born, stern, and manly Werner Kleist, and the sons of the late Herr District Councillor Achatz Kleist, namely Ewald Jürgen and Wilhelm Friederich Kleist, hereditary possessors on Vietzow.

Since the above-mentioned sons of the late Achatz Kleist had had a fairly high claim against Christian Josua Hechthausen, hereditary possessor on Zarnevantz, and had advanced their right and claim before the Belgard castle court so far that they had not only obtained orders of immission into one whole occupied and one half-deserted peasant farm at Pumlow, but the above-mentioned peasant farms had also been duly appraised by the appointed commissaries and brought into a customary land valuation and assessment; and since Christian Josua Hechthausen, concerning the said peasant, had been wholly satisfied, so that he assigned these entirely and in solutum to Ewald Jürgen and Wilhelm Friederich, the Kleists, and had bound and offered himself to provide eviction-warranty to them and also declared that he would promote the adjudication:

therefore the above-mentioned brothers Ewald Jürgen and Wilhelm Friederich, the Kleists, have hereby sold, ceded, and transferred their belonging right and privilege in turn to their cousin Werner Kleist for 650 gulden, which 650 florins have also been paid and discharged in cash, and which sum the above-mentioned brothers, the Kleists, have applied to their benefit and advantage.

Thus Ewald Jürgen and Wilhelm Friederich, brothers, the Kleists, hereby cede and transfer the above-mentioned one and a half peasant farms at Pumlow, together with all appurtenances, nothing excepted, to their friendly dear cousin Werner Kleist in an irrevocable hereditary purchase, in such manner and form that from this date onward he may deal and dispose with them as pleases and suits him as lord of the property.

They also hereby bind themselves and promise that they will procure Electoral consent for this,⁷⁰³ promote the judicial adjudication before the Belgard castle court, provide eviction-warranty at all times, keep him free from harm and loss against every person's claim, and duly defend him in or outside the law. For this purpose they also hereby give security with their most readily available goods, so far as necessary. Likewise the occupied peasant at Pumlow, Michel Bager, shall hereby be ceded and transferred to the well-mentioned Werner Kleist absque omnibus oneribus hactenus datis, sed cum onere et commodo.

For greater and firmer observance, both contracting parties have renounced all and every exceptions

⁷⁰² III. 176, 177, father 110, 169.

⁷⁰³ The consent was issued sub dato Colberg, January 2, 1666. Authenticated copies in the L. A., l. c., fol. 22.

and favors of spiritual and temporal law, tam in genere quam in specie, in particular the exceptio doli mali, laesionis cujuscunque, aliter scriptum aliter factum, likewise the beneficium of appeal, restitution in integrum, nullity, supplication, also the remedy l. 2 C. de rescind. vend., and likewise the rule which says that a general renunciation is not valid unless a special one has preceded it. All upon noble honor and faith, without fraud or deceit.

Done at Vietzow, in the presence of the well-born, stern, and manly Hans and Stephan, cousins, the Kleists, hereditary possessors on Vietzow and Damen, who, together with the contracting parties, have signed this hereditary and purchase contract with their own hands, on November 23, Anno 1653.

Ewalt Jürgen Kleist mpp. Wilhelm Friederich Kleist mpp.

Werner Kleist mpp. Stephan Kleist,⁷⁰⁴ tutorio nomine, mpp.

Hans Kleist,⁷⁰⁵ as a witness, mpp.

630a.

List of the Damen Kleists, without year [from 1654].⁷⁰⁶

From the Kleist feudal files, Vol. IV, pp. 62 and 46.

First, those Kleists who belong to the Muttrin line, and to the Damen, Vietzow, and Darge lines sprung from it, namely first:

Dubschlaff Kleist, Our District Councillor at Damen, Zarnikow, and Lindenhof, as son of the late Matthias Kleist and nephew of Jochim Kleist.

Christian Kleist at Damen and Nemmerin, as son of the late Richard Kleist.

Jochim Kleist, Our District Councillor at Zebbelin and Warnin, as son of the late Carsten Kleist, nephew of Jürgen Kleist at Damen.

Jochim Ernst Kleist, as son of the late Jürgen Kleist at Zebbelin, nephew of Carsten Kleist.

Vallentin Daniel, as son of Peter Kleist at Dargen.

Vallentin, as son of Otto Kleist at Kikow and nephew of the late Vallentin Kleist at Muttrin and Kikow.

Wilhelm Kleist, son of the late Gottfried Kleist at Kikow, and nephew of old Otto at Kikow and Drenow.

Aßmus Kleist at Gottberg in Electoral Brandenburg.

Teßen Kleist, son of Daniel Kleist at Damen, as nephew of the late elder Aßmus Kleist.

Pribschlaff Jacob at Kowalk and Berwalde, as son of the late Adrian Kleist at Kowalck.

Adrian and Asmus, sons of Martin Kleist at Dimkur, and nephews of the late old Adrian at Kowalck.

Steffen Kleist at Damen, Kikow, and Nemmerin, son of the late Christoff Kleist, nephew of Lorentz

⁷⁰⁴ III. 196.

⁷⁰⁵ III. 161.

⁷⁰⁶ For the second, Christian, was dead on April 25, 1655 (documents 633, 632), and the next-to-last, Ewaldt, became President in 1653; the list was therefore made between these dates, evidently as a consequence of the transfer of the government of Farther Pomerania to Brandenburg in the year 1653. It should be noted that in the list, wherever only the grandfather receives the predicate "the late," the father is indicated as still living. Q.

Kleist.

Alexander Jochim and Jürgen, as sons of the late Reimar Kleist on Voldikow, Schmentzin, and Kowalck.

Jochim Kleist at Kowalck, Dargen, and Dimkur, as son of Jürgen Kleist and nephew of Curdt Kleist.

Further, from the Vietzow line:

Ewaldt Kleist, Electoral Brandenburg President over the Farther Pomeranian lands, Dean of the venerable Cathedral Chapter at Cammin, Captain at Marienfließ, etc.

Werner Kleist, as son of the late Jürgen Kleist at Zatkow and Lantzentzke, nephew of Peter Kleist at Vitzow and Zatkow. Thus, accordingly, each line will prepare and in future submit its own statement, etc.

631.

1655.

Protestations of the families Kleist and Podewils concerning precedence in riding at musters of the Belgard district.

From the originals in the P. P. A.: Stettin Archives, P. I, Tit. 96, App. I, No. 126, and the original muster protocol *ibid.*, No. 7.

Most Serene Elector, most gracious Lord:

Your Electoral Highness has our most humble and obedient services in all ways before You. We have learned that Your Electoral Highness intends to order the muster in Your lands as soon as possible. Since we have the old muster roll which was held at Schlawe by the late most blessed Duke of Pomerania, Lord Johann Friedrich, in Anno 1581, concerning the nobles in the Belgard district, how many horses each family is bound to keep, and how each one is to follow according to the order from of old, from our cousin Dubschlaf Kleist,⁷⁰⁷ who presented such muster roll cum protestatione, namely that the family of the Kleists in the Belgard district had had precedence; and since Ewald Podewils, in Anno 1644, at the muster held at Cörlin, before we became aware of it, intruded and had the Podewils horses placed first, whereupon objection was made and a request submitted that this be recorded in the protocol, so that in future it might not prejudice our family;

and since this muster roll was not at once delivered to the secretary appointed for this, Nicolaus Warner, until our cousin Dubschlaf Kleist insisted upon its delivery, it has been reported that the same is said to be kept in the Stift archive. We therefore fear that, when Your Electoral Highness appoints a date for the muster, and we do not have this old muster roll to show, the family of the Podewilses may again attempt some encroachment upon our family concerning the riding in advance, from which inconveniences and other misfortune might easily arise.

Therefore our most humble and diligent request comes to Your Electoral Highness: may You most graciously appear to us and make the order that the Stift archives may be opened, the above-mentioned Belgard muster roll sought out and delivered to us, and that we may be protected in the ancient custom handed down from of old, so that we need fear no encroachment. We are wholly willing, as in duty bound, to deserve this from Your Electoral Highness.

Your Electoral Highness's

most humble and obedient vassals,

⁷⁰⁷ IV. 31.

all Kleists resident in the Belgard district.

Most Serene Elector,

most gracious Lord,

Your Electoral Highness has our humble services owed by duty before You. After we were credibly informed that the family of the Kleists is said to have submitted a supplication, according to which they asked to have the old rolls shown, especially the one which is said to have been held in Anno 1583, with the intention of having their feudal horses ride according to it at the forthcoming muster:

As regards such old rolls, Your Electoral Highness will no doubt have been fully informed by Your councillors and servants that the old rolls have been much contradicted and disputed. From this it followed that, by ordinance of the late and highly remembered praiseworthy Princes and Dukes of Pomerania, such dispute as had arisen among the nobility was settled, and a proper roll was delivered in Anno 1627 to the gentlemen muster commissaries, Herr Colonel Niclaß von Brockhausen and Rittmeister Niclaß von Hechthausen. In this roll it will be found that in the Belgard quarter the horses of us, the Podewilses, were first at the muster, and that the horses of the Kleists followed thereafter.

In Anno 1633 Herr Colonel Siegfried von Damitz and Herr Captain Johan von Hechthausen were appointed and mustered the feudal horses before the little town of Cörlin. There the Podewilses were first, and the horses of the Kleists followed thereafter. Also, to our knowledge, the Kleists did not further dispute the muster of the Podewils horses except that, when the present Herr District Councillor Dubschlaff Kleist saw that Herr Heinrich Rahmel's servant, with von Rahmel's feudal horse, rode among our servants, alleging that these fiefs had formerly belonged to our family, the Podewilses, the said Herr District Councillor Dubschlaff Kleist struck von Rahmel's servant's horse on the head with a stick, alleging that it was not proper for him to ride there; he should await his place in the roll.

As regards such old rolls, they have always been disputed and contested, and long ago corrected by the new ones and the old ones prescribed; especially since the gentlemen Kleists will not be able to prove that in the last seventy years they have once had the precedence in riding. Therefore Your Electoral Highness will not unfairly, in all grace, maintain us in the order in which the last Dukes of Pomerania left us.

If, contrary to expectation, one or another family, unknown to us, should by its diligent activity wish to place itself before us, the Podewilses, in the Belgard quarter, we wish hereby most solemnly to have protested against the nullity of the same; and rather we wish to have appealed to the rolls held in Anno 1627 and Anno 1633, according to which the muster was held, and which also in the lifetime of the late Dukes of Pomerania, of most gracious memory, were not disputed against us, the Podewilses, by anyone.

So that no new dispute may be stirred up among many families, and the forthcoming muster may not be prolonged, our most humble, most diligent request comes to Your Electoral Highness: may You have the horses in our quarter ride and the servants enrolled at the forthcoming muster according to such rolls as were held in Anno 1627 and Anno 1633. Since all this serves to preserve unity and is in accordance with our peaceful possession, we comfort ourselves with the hope of gracious hearing, and we remain

Your Electoral Highness's

most humble, obedient vassals,

the von Podewilses in the Belgard district.

Muster of the Farther Pomeranian feudal cavalry horses, and agreement between the Kleists and the Podewils concerning precedence in riding.

Extract from the copies of the muster protocols in the P. P. A.: Stett. Arch. P. I. Tit. 96. App. I and 7, and Tit. 96. App. II. No. 23, No. 111 and No. 188, fol. 53, also in the Library of the Society for Pomeranian History and Antiquities: Löper Library Msc. No. 163, fol. 295v, 296v, 301v, 319, 323v, 325, 327, 327v, 328v, 332v, 333, and a copy of the muster roll *ibid.*: Society Library Ia. Msc. Fol. No. 54.

Done at Colberg, 25 April 1655, in the government offices, in the audience chamber, in the presence of the President, von Kleist, Chancellor Runge, the castle captain Heydebreck, and all the gentlemen commissioners appointed for this muster, namely Captain Jacob Kameke, the captain at Neustettin, Ulrich Gottfried Somnitz, and Major Manteuffel. The families of Kleist and Podewils have reached an agreement concerning the riding order, namely that at the present muster the von Kleists shall ride in front and the Podewils after them; at the next muster, however, the Podewils shall have precedence in riding, and this shall between the two families, for all time and at all musters, for the preservation of good friendship, be firmly and steadfastly observed alternately.

Thereupon the gentlemen commissioners drove out before the town to the brick barn, where they seated themselves at a table, and the President began to address the nobles present, saying that, by the gracious command of the most serene prince and lord, Lord Friedrich Wilhelm, Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire, etc., with all titles, our most gracious Elector and Lord, the high-born, noble, stern, steadfast, and highly renowned members of the knighthood present, in most humble respect toward His Electoral Highness, had obediently appeared with the presentation of their mounted services. This, by them as commissioners, would be most humbly reported to His Electoral Highness, who would graciously regard and accept it. For their own persons, they thanked them dutifully; and since, from the recent circulars issued to them, it was sufficiently known for what reasons His Electoral Highness had ordered such muster and had caused them to be summoned here, the gentlemen commissioners, in order to avoid prolixity, would not repeat the previous matter. Meanwhile they hoped that the members of the knighthood, according to their duty, would duly render their services and, in the order in which they were read out, let their horses pass through. The gentlemen commissioners wished once more to have requested that they should cause no confusion, but rather, should one or another consider himself aggrieved, that he should submit his grievances in writing to the Electoral Government.

The entire knighthood thereupon requested that the names of the servants should not be written down, since there was reason to fear that they might thereby be made difficult and refractory. The gentlemen commissioners therefore granted them this favor, and thereupon they were called and read out as is to be found opposite:

Should have / Delivered

Landvogtei Greiffenberg.

XXVIII. Kleists of Poberow 1 / —

The village is said to have been overblown with sand.

Incorporated Bishopric. Principality of Cammin.

XIII. Bonins.

Vallentin Daniel Kleist of Dargen, which is a Bonin fief — / 1

XVIII. Kleists of Zebelin, because of the fiefs purchased from the Knuthes.

Present a supplication 1 / —

Belgard District, office, castle court.

I. Kleists of Dahmen, Muttrin, Tichow, and Dubberow

Mounted men 18 / 16

Wagon horses 2 / —

Dubschlaf of Damen 1

Richardt Christian of Damen and Zarnekow 1

Daniel of Damen 1

Steffen of Damen 1

Jürgen of Kowalke; note: that is the half with Adebahr because of Nerese 1

Christian of Dubberow and Krolow 3

Christian of Tichow 1

Paul Daniel of Tichow 1

Peter and Carsten Christoff of Tichow 1

Ewald Jürgen of Vietzow 1

Hanß Jürgen of half Muttrin and Bornentin 1

Pribslaff of Kowalk; Otto Kleist must contribute assistance 1

Vallentin of Kickow and Muttrin 1

Caspar of Zarnekow 1

Note: most of them lack carbines. The wagon horses are to be supplied if required.

II. Podewils, etc. etc.

III. Wolde.

Jacob Kleist and Major Zastrow, on account of the Berwalde and Zebbelin estate, because of Heinrich von Wolde — / 1

Neustettin District, office.

I. Zastrows, etc. etc.

II. Kleists of Raddatz 4 / 4

Hanß Gurgen and Christoff of Raddatz and Gezorke 1

Peter and Daniel, brothers, of Jugo and Schneidemühl 1

Peter reports that, since for the present he has fully equipped the whole, his brother might equip it hereafter.

Asmus and the widow of the late Philipp, and Reimar Zastrow, of Dallentin, Schneidemühl, and Raddatz 1

Philipp's widow of Raddatz 1

III. Somnitz, princely captain at Neustettin, because of the conferred field mark Gönne together with the Kleists of Eschenriege 1 / 1

After the muster had been carried out, the President informed those of the knighthood who were present how certain defects had been found, namely:

1. That it was customary that, for every eight horses, one nobleman should always be present in person. At present, however, very few nobles had been found who had passed through.
2. That not only had not a single coat of arms been seen, but most had also had no collars, and many had lacked carbines.
3. Those who had failed to appear altogether would be dealt with by His Electoral Highness as was proper.
4. Those, however, who had not presented the full number should see to it that they completed the number, or within six weeks, under arbitrary penalty, submit their excuse.
5. That it was not proper to ride away from the muster place of one's own will.
6. Those of the knighthood were indeed for the present released to travel home, yet with the express condition that they hold themselves ready at all times, by day and by night, and, upon the command of His Electoral Highness, present themselves at the place and spot where necessity might require it, under the penalty that His Electoral Highness will impose upon offenders. For the rest, they were not to doubt His Electoral Highness's constant grace, with which He was favorably disposed toward all His faithful subjects; and they, for their own persons, remained willing to render them all agreeable services and friendships.

Muster at Rügenwalde, 1655, 25 April.

Should maintain / Delivered

Landvogtei Schlawe.

VII. Kleists of Tichow and Queßdow 2 / 2

Peter of Tichow 1

Philip and Jürgen of Tichow and Queßdo 1

Landvogtei Stolpe.

X. Kleists of Rusche 1 / 1

Jerson Kleist 1

Rügenwalde District.

III. Kleists of Krolow 4 / 2

Rüdiger Kleist of Krolow 1

In addition, Christian Kleist of Krolow, Schlakow, Egsow, Franzen et pertinentiis is to perform his mounted services; he is now assessed at 1

633.

8 May, 1655.

Register of the feudal cavalry horses furnished in the year 1583 by the Kleists of the Damen and Muttrin line, and protest concerning the two horses then presented beyond the assessment.

From the original in the P. P. A.: Stett. Arch. P. I. Tit. 96. App. I. No. 142.

Register of the Kleists of the Damen and Muttrin lines.

Thus in the year 1583, on 27 June, at the muster held at Schlawe, beyond the old assessment of six horses, because it was always stated in the summonses that each should appear as strongly as he could,

which nevertheless should not serve to increase anyone's mounted service, there were then, and afterwards cum protestatione, eight horses furnished, namely at present:

1 horse. Dubschlaff Kleist's late father Mattias Kleist, because of Damen and Zarnikow.

1 horse. At present Richardt Christian, son of the late Christian Kleist, to which Jochim Kleist of Zebbelin, because of their late father's brother Jochim Kleist of Nemmerin, contributes, because of Damen and Nemmerin.

1 horse. Tessen, because of his father Daniel Kleist, because of Damen.

1 horse. The fief heirs and sons of the late Vallentin and Otto Kleist the Elder, of Muttrin and Kiekow.

1 horse. Pribschlaff and Asmus, as sons of Marten Kleist, to which the feudal successor of Jacob Kleist the Elder of Kowalck must contribute pro quota.

1 horse. Steffen Kleist, because of Damen and Nemmerin.

2 horses. Alexander Jochim, Jürgen, and Jochim, because of their late father's brother Jochim Kleist, from their Schmentzin, Kowalk, and Dimkur fiefs.

But because the six horses set down below were furnished to the late most blessed Dukes of Pomerania, according to their summonses, which stated that it should serve no one for an increase, in the year 1583, on 27 June, and because two horses, ridden by two noble persons, namely Jürgen and Christoffer Kleist, young cavaliers, rode to Schlawe to present the six horses, and it was not expected that these two horses should further be entered in the muster roll by the late most blessed Dukes of Pomerania as an increase, they therefore most humbly request Your Electoral Highness to erase these two horses from the muster roll and to let matters remain at the six horses as from olden times, which the old muster roll of the year 1565 will show.

Dubschlaff Kleist, in the name of his absent cousins, wished to submit this upon request.

634.

Königsberg. 8 October, 1656.

Ewald Kleist, Electoral Brandenburg Privy Councillor and President of the Duchy of Pomerania, purchases from the District Councillor Carl Friedrich von Oelsnitz the estate of Groß Raddow with its appurtenances in Wulkow and Salmow for 8,000 thalers.

According to the copied transumpt of 9 March 1658 (No. 635) in the L. A.: Tit. IX. Sect. 88. No. VIII. fol. 2.

In the name of the Most High God, Amen.

To everyone whom this may concern and who needs to know it, be it hereby made known and manifest that between the reverend, high-born, noble, stern, steadfast, and highly renowned Lord Ewald von Kleist,⁷⁰⁸ distinguished Electoral Brandenburg Privy Councillor, Chamberlain, President of the Duchy of Pomerania, Dean of the Foundation of Cammin, Captain at Marienfließ, hereditary lord seated at Nähringen and Zatichow, etc., as purchaser on the one part, and the high-born, noble, stern, steadfast, and highly renowned Lord Carl Friedrich von der Ößnitz, Electoral Brandenburg-Prussian District Councillor and Captain at Marienwerder, hereditary lord seated at Seiplin and Groß Raddow, as seller on the other part, an upright, perpetual, well-considered, and legally valid hereditary purchase has been arranged, concluded, and executed in the following manner and form:

⁷⁰⁸ III. 170.

Since Lord Carl Friedrich von der Ölbñitz, in the year 1650, on account of his beloved wife's maternal portion, accepted from his brother-in-law, the high-born Lord Antonius Borcke, the largely desolate estate of Raddow in payment, as hereditary property and ownership, for 15,000 Pomeranian florins, and because, owing to the difficult times and his absence, he has hitherto not only been able to enjoy very little of the estate, but also the continuing heavy contributions have almost entirely absorbed the annual pension, so that for this reason great ruin of the said estate was to be feared, he therefore sells, for himself, his heirs and successors, with the knowledge and consent of his beloved wife Barbara Emerentia, born Borcke, and of her legal curator appointed for this act, to the aforesaid purchaser, his heirs and successors, the said estate of Groß Raddow, as he accepted it, on account of his wife's maternal property brought in, from his brother-in-law, the high-born Lord Antonius Borcke, in payment, as hereditary property and ownership, with all its old and new boundaries and landmarks, church fiefs, the right of patronage and of calling pastors, courts, highest and lowest, over neck and hand, road and pond rights, with the Schulzengericht, rents, leases, and revenues, with the manor farm, sheep-farm, and their rights, together with all buildings, sheds, and barns existing there, according to the inventory dated Groß Raddow, 24 March 1651, and in addition 240 scheffels of rye, one Drömt of oats, 270 head of sheep, 17 head of cattle, pigs, chickens, geese, and whatever else is recorded in the inventory that was delivered to the steward Kiseler; the tavern site, fields, cultivated and uncultivated, meadows, woods, waters, river-islands, fisheries, hunts, mast, bushes, pastures, and droves, all occupied and unoccupied peasants and cottagers at Groß Raddow, Wulckow, and Salmow, also the absent subjects belonging to the estate, and otherwise all other old and new appurtenances, uses, favors, and accessories, liberties, lordships, and rights, nothing at all excluded therefrom, just as the Lords Borcke ever possessed, used, and enjoyed them, or could in any way enjoy and use them.

In particular and specifically, however, this includes the two parcels, the large and the small, in Runghenheyde, of which the large one lies on this side, and the small one on the other side of Paul Borcke's parcels; likewise also the woodland called Dünmackerland, and whatever lies within the field-mark and the village's boundaries and landmarks. Included also is the arrear of the 150 pieces of good spruce building timber which Lord Antonius Borck, by virtue of the contract and its declaration dated Groß Raddow, 15 February 1653, undertook with binding force to deliver to his brother-in-law, the seller, without any payment. Likewise and especially the seller hereby sells and transfers to the purchaser the right, granted to him by Lord Antonius Borcke by virtue of the above-mentioned declaration, to fish in the Patzker See adjoining the estate of Raddow. At the same time the seller also transfers to the purchaser Lord Antonius Borcke's promissory note for 121 reichsthalers of capital, together with the matured interest.

And thus the aforesaid estate is sold by the seller, with all the right he has therein, to the purchaser hereditarily and as an absolute sale, so that the purchaser may manage and dispose of it according to his pleasure; may receive for himself the pension from the steward, Mr. Andres Kiseler, and from the peasant at Salmow, Martin Kohn, as well as other dues of the peasants at Raddow and Wulckow not paid to Kißler, from St. John's Day 1655 onward; and may otherwise undertake therein everything that is permitted to an owner. Accordingly, not only is vacant possession delivered to the said purchaser, but by virtue hereof the ownership with full effect, together with all the right hitherto belonging to the seller in the said estate to the amount of 15,000 florins, is transferred to him.

All this is free and without mounted service, since Lord Antonius Borck, by virtue of the above-mentioned contract and declaration, has assumed the mounted services. And just as Lord Antonius Borck undertook to hold the seller harmless and indemnified, upon first denunciation, against all creditors, great and paternal, and for this purpose deliberately constituted all his estates, acquired and to be acquired, as pledge—excluding all novation and leaving the claim held by von Ölsnitz in its old

origin, privilege, and right of priority—so the seller promises, for himself and his own, by pledge of his fiefs, goods, and estates, to be a secure warrantor to the purchaser and those included with him, and duly to defend him, in and out of court, against anyone's claim or demand. He also promises immediately upon conclusion of this contract to deliver all documentary charters and agreements in his hands. At the same time, however, the seller again most firmly reserves and retains that which he reserved in the above-mentioned hereditary contract dated Regenwalde, 23 December 1650, in the event of the death of his brother-in-law without male heirs—which may God graciously avert. This, however, is to be understood in such a way that the 15,000 Pomeranian florins for which, by virtue of the above-mentioned contract and its declaration, the estate of Groß Radow was hereditarily and as property handed over and delivered to the seller by Lord Antonius Borcke, and which are now, by virtue of this purchase contract, transferred to the purchaser, shall, however the case may arise with Lord Antonius Borcke's posterity, remain to the purchaser and those included with him, undisturbed and without any claim by the seller or his heirs.

For all the foregoing, the purchaser shall and will give and pay to the seller, as agreed, in one inseparable sum, 8,000 reichsthalers, or 36,000 Prussian marks, the mark reckoned at twenty groschen. The specified purchase sum has, on this date, been fully made good and paid in the following manner: the purchaser, in payment of the 8,000 thalers purchase sum for the estate of Berckenwerder, hereby deliberately cedes and transfers to the seller, in payment and for all time, his capital standing with His Electoral Highness of Brandenburg. And in this manner the seller is content and well satisfied with the said payment, and therefore releases the purchaser in the best legal form, with express renunciation of the exception of money not counted out; he thanks him for good payment and gives security, for himself, his heirs, and successors, against all further demands.

Thus this purchase contract has been freely and deliberately concluded, and both parties have pledged to hold it firm, fixed, and inviolable. They deliberately renounce and abandon all and every exceptions and privileges which might in any way oppose this contract or make it defective, in particular the exception of fraud, error, fear, fraudulent persuasion, of a matter not done thus but otherwise, of more or less written than spoken, of lesion beyond one half, and of any other whatsoever, restitution in integrum on whatever cause or clause, appeal, reduction to the judgment of an upright man, and also the legal maxim saying that a general renunciation is not valid unless a specific express renunciation has preceded it.

It has also been agreed that the consent of the Most Serene Elector shall be procured by the purchaser, but the consent of the agnates by the seller. Should the agnates intend to redeem the estate, they must reimburse to the purchaser the price of 10,000 reichsthalers, together with all demonstrable improvements of the estate, and must make this good according to all law; and the seller shall procure and present such consent within one year.

In witness whereof two identical exemplars of this purchase contract have been issued, sealed and confirmed with the signatures and seals of both contracting parties and of the friends named below, and each party has received his own copy. Faithfully and without deceit. Thus done at Königsberg on 8 October 1656.

L. S. Ewald Kleist.

L. S. Carl Friedrich von Olßnitz.

L. S. Reichardt von Eppingen, as military guardian requested for this purpose for Mrs. Barbara Emerentia Olßnitz, born Borcke.

L. S. Matthias Hölzner.

Annotations:

708 – III. 170.

635.

Cölln on the Spree. 9 March, 1658.

Elector Friedrich Wilhelm confirms to the President of the Duchy of Pomerania, Ewald von Kleist,⁷⁰⁹ the purchase of Great Raddow (see No. 634), and fixes upon this Borcke feudal estate an allodial amount of 10,000 thalers.

According to a copy in the L. A.: Tit. IX. Sect. 88. No. VIII. fol. 5.

We, Friedrich Wilhelm, by the grace of God Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire, Duke of Magdeburg, in Prussia, of Jülich, Cleves, Berg, Stettin, Pomerania, of the Cassubians and Wends, also in Silesia of Crossen and Jägerndorf, Burgrave of Nuremberg, Prince of Halberstadt and Minden, Count of the Mark and Ravensberg, Lord of Ravenstein, etc., hereby acknowledge, for Ourselves, Our heirs and successors, Margraves and Electors of Brandenburg, and otherwise before everyone: Whereas Our Privy Councillor and President of Our Duchy of Pomerania, etc., and Our dear faithful Ewald von Kleist, etc., has negotiated and purchased from Our Prussian District Councillor, Captain at Marienwerder, and likewise Our dear faithful Carl Friedrich von der Ölßnitz, etc., the estate of Great Raddow for and at the price of 8,000 reichsthalers, in a certain manner, as is more fully set forth word for word in the contract hereafter produced before Our feudal chancery:

In the name of the Most High God, Amen. To everyone, etc. (No. 634).

And thereafter the said von Kleist most humbly petitioned for the granting of Our most gracious consent to this contract, with the following addition: that the 10,000 reichsthalers for which von Ölßnitz originally accepted the aforesaid estate in payment, together with its improvement, should, in consideration that he had invested in it no feudal money, but his own hard-earned funds, and also on account of his faithfully rendered services most humbly performed, be made good again, before surrender of the said estate, in one inseparable sum to his own people of the male and female lines, or to the person to whom, in default of them, he should assign it by testamentary disposition.

We have graciously granted, allowed, and given effect to this his request, which rests upon equity. We therefore do this as Elector and feudal lord, and by virtue of this Our open letter of consent, out of the authority belonging to Us by reason of sovereignty and feudal lordship, consent to, ratify, confirm, and approve the contract inserted above in all its points, clauses, articles, and mortgages, in the manner set forth above. We and Our successors, Margraves and Electors of Brandenburg, also shall and will at all times graciously protect and maintain Our Privy Councillor, etc., von Kleist, his heirs and successors, therein. Faithfully, without fraud; yet without prejudice to Our rights and otherwise to the rights of everyone.

In witness whereof We have signed this consent with Our own hand and have knowingly caused it to be confirmed with Our Electoral pendant feudal seal. Thus done in Our residence city of Cölln on the Spree, on the 9th day of March, after the birth of Christ, Our dear Lord and Savior, in the year 1658.

Friedrich Wilhelm.

636.

⁷⁰⁹ III. 170.

New Stettin. 27 October, 1659.

Christoff Kleist⁷¹⁰ of Dubberow and Silesen purchases from Peter von Damitz of Carvin the estate of Nassen-Glienke for 3,500 Pomeranian florins.

According to an attested copy in the L. A.: Tit. IX. Sect. 88. No. IV. fol. 112.

In the name of the Holy Trinity, be it hereby made known and manifest to everyone, especially to those who need to know it, that on the date written below a valid, permanent, hereditary, and irrevocable purchase has been honestly concluded and agreed between the high-born Lords Peter von Damitz of Carvin and Dumbzin, seller on the one part, and Christoff Kleist of Dubberow and Selesen, etc., purchaser on the other part, in the following articles.

First and above all, the aforementioned seller, Lord Peter von Damitz, for himself and his heirs, has settled accounts with the purchaser named below concerning the estate of Glinke, by virtue of the earlier agreement dated Cöslin, 30 April 1653, and concerning the arrears contained therein which the latter had promised to pay annually in addition to the claim he held upon it. And since it was found that Lord Damitz had been properly satisfied in this respect, he has thereupon, in the strongest manner, hereby acquitted and discharged the purchaser.

Thereafter the seller sold and conveyed for purchase to the aforesaid purchaser, Lord Christoff Kleist, his heirs and successors, the aforesaid estate, namely the half village of Nassen Glinke, which he, by virtue of a just title and as hereditary property, had hitherto possessed on account of his former wife Ursula Kleist, daughter left behind by the late Michel Kleist⁷¹¹ of Raddatz, and which he had also pledged to the present purchaser, with all and every appurtenance and right, as it is now constituted, within all its proper boundaries and landmarks, with the buildings belonging to the knightly seat, knightly fields, peasants, cottagers, the fields and farms, and also the other subjects belonging thereto, meadows, woodland, moors, thickets, pasture, drove, rushes and bushes, with everything on this estate fixed to earth and nail, above and below the ground, and all other rights and lordships belonging thereto, mill rights, road rights, and church rights or right of patronage, jurisdiction, hunts, sheep-runs, shepherds' camps, and, in sum, everything in liberties, lordships, and rights that has formerly and now existed, nothing excluded therefrom, as hereditary and owned property in the most honorable purchase. And he sells it hereby and by virtue of this document, as this may best, most permanently, and most validly be done by law and custom, for and at the price of 3,500 Pomeranian florins, each florin reckoned at 24 lb. or 32 Pomeranian groschen, in such manner that the purchaser, his heirs and successors, according to their pleasure, will, and discretion, shall henceforth have full power and authority to hold, use, enjoy, pledge, alter, and even sell again to another the aforesaid estate with its appurtenances, as set out above, forever, and to act, rule, and dispose of it as their own, unhindered and without any interference by the seller, his heirs and successors; inasmuch as the seller hereby completely renounces the right belonging to him and his heirs therein, and wishes it to be effectively and by virtue of this document ceded, resigned, and transferred to the purchaser and his heirs or successors.

Next, the seller has also hereby and by virtue of this document undertaken the eviction warranty and guarantee of the aforesaid estate and its above-specified appurtenances against every claim and demand by anyone whatsoever, at all times, whether after a long or a short time—so that the exception of prescription shall likewise not apply against it—and to perform such warranty in and out of court, even in the smallest matters that may cause the purchaser any damage or cost. To this end the seller wishes to

⁷¹⁰ III. 240.

⁷¹¹ IV. 18.

have pledged all his movable and immovable goods, and, in sum, everything that he now has or may yet acquire in future, in whatever territory they may be and from whomever they may derive, as a true, express, and special mortgage. This is to be in such manner that the purchaser, in such case, by constitutum possessorium, by choice and election, may proceed without any legal process; for this reason the seller hereby expressly renounces the rule of law that execution is not to be begun or initiated first, so that he will not even submit a supplication against it, much less make use of any other grounds of law, especially any appeals, among which the appeal to the Imperial Chamber Court is expressly included.

Furthermore, for the greater security of all that is written above, the oft-mentioned seller has promised and pledged to procure and promote, as soon as ever possible, the consent and approval of the high authority, namely of our most gracious Elector and Lord, for this purchase contract, provided, however, that the purchaser pays half the court fee for it. In return, the purchaser shall pay the agreed purchase money without any pretext or excuse in the following manner: first, the 2,100 Pomeranian florins, each florin reckoned at 24 lß. or 32 Pomeranian groschen, which the purchaser, by virtue of the agreements previously drawn up and dated Cöslin, 30 April 1653, and 11 June of the same year, which remain in force in their useful passages, has paid to the seller by way of pledge upon this estate, together with 100 Pomeranian florins which he also received in cash on 22 February of the current year, are to be deducted. Thereafter the purchaser, upon the subscription and signing of this contract, pays 900 Pomeranian florins, each reckoned at 24 lß. or 32 Pomeranian groschen, which the seller also hereby, at his own and his people's risk, has received and taken into his own hands in one sum, to apply such money again to fiefs and other estates, or otherwise to the evident benefit of himself and his people. Thus, in the above-stated items, 3,100 Pomeranian florins, each florin reckoned at 24 lß. or 32 Pomeranian groschen, have been paid and delivered to the seller in cash and in good current coin. Since he has received these into his own hands and has applied them to the evident benefit of himself and his people, he renounces the exception of money not counted out, and in the strongest manner possible acquits and discharges the purchaser in respect thereof, so that no general or special receipts for these 3,100 florins shall be needed any further; and he wishes this to be held, for himself and his heirs, in the best legal form.

The remaining 400 Pomeranian florins that are still lacking from the purchase price shall be paid in the following instalments: 100 Pomeranian florins on the coming St. John's Day of the year 1660, and thereafter each year on St. John's Day 100 Pomeranian florins, until in the year 1664 the sum of 400 florins is thus completed and fully made good. Until then, however, and until the seller's final satisfaction, the purchased estate shall remain liable according to the written rights as an express mortgage; and the seller, if the payment dates should not be observed, reserves to himself interest and costs incurred from the time of default.

Since all the foregoing has thus been agreed and accepted between the contracting parties, they have promised to comply with it in all points and clauses without any malice, deception, or danger, and have bound themselves toward one another. For the greater security thereof they have also knowingly, deliberately, and upon the word of eternal truth, and in place of a lawful oath, renounced and waived all and every exceptions and benefits which might assist one or the other party in general or in particular, especially the exceptions of fraud, fraudulent persuasion, of a matter not done thus but otherwise, of any lesion whatsoever, of compensation, novation, delegation, war, forum, accident, unsafe place, likewise the benefits of appeal, especially to the Imperial Chamber Court, restitution in integrum, deduction of nullity, supplication, moratorium statute, recesses of the Imperial and territorial diets, especially the local Pomeranian observance, as well as the common rule of law that a general renunciation is not valid unless a special express renunciation has preceded it, and thus, in sum, the assistance and protection of all laws. All this is pledged upon noble honor, loyalty, and faith.

In witness whereof both contracting parties have signed and sealed this with their own hands; and this

original has been delivered to the purchaser. A certified copy thereof, which is also to have the force of an exemplar for future record, has been left in the Electoral castle at New Stettin under the personal subscription of the protonotary. Done at New Stettin, in the Electoral castle, on 27 October 1659.

L. S. Peter von Damitz.

L. S. Christoff Kleist, with my own hand.

Friedrich von Damitz, as witness.

Hans Maßow, as witness, mpp.

L. S. That this purchase contract was thus agreed, concluded, and completed before the Electoral castle court of New Stettin, and that the 900 Pomeranian florins were paid in my presence, I, Hermanus Lewe, secretary of the Electoral castle court, hereby attest, mpp.

Since the purchaser, after the purchase deed concerning the estate of Glinke drawn up at New Stettin under date of 27 October 1659, has had certain disputes and must also fear further disputes with respect to eviction, therefore, for greater assurance, on today's date the seller's beloved wife, Margaretha von Kameke, in the presence of her curator for this act, the mayor Michael Scheve, notary public, has consented and agreed to the above-written purchase agreement and all its points and clauses, especially insofar as concerns the eviction of the 3,500 Pomeranian florins paid out, each reckoned at 24 lb. She consents and agrees hereby and by virtue of this document concerning the 3,500 Pomeranian florins as aforesaid, as may be most valid in law; for this reason she has judicially renounced her female rights, with renunciation of the benefit of the *Senatus Consultum Velleianum*, the content of which has been made known to her in clear German words, without any exception. In witness whereof this has been signed in the Electoral castle court at New Stettin by Mrs. Damitz with her own hand, together with her curator and the witnesses present. Done at New Stettin on 12 August 1661.

Margaretha Kameke.

I, Michael Scheve, Imperial notary and in this act appointed and confirmed curator, have explained the foregoing to Mrs. Margaretha Kameke, as stated, word for word. That this has thus taken place, I attest with my signature.

For testimony I have subscribed, after due renunciation of the *Senatus Consultum Velleianum* had first been made.

H. Lewe, public notary, with my own hand.

Michael Scheve, Imperial notary, as curator requested for this act, mpp.

Joachimus Falck, witness, mpp.

637.

Eschenreye. 26 April, 1860.

The widow of Hans Friedrich Kleist,⁷¹² and the guardians of his underage son Friedrich Wilhelm Kleist, transfer the estate of Eschenriege to District Councillor Gerhardt Wedige Glasenapp of Gramentz, against payment of 2,500 Pomeranian florins.

According to an attested and a simple copy in the L. A.: Tit. IX. Sect. 88. No. II. fol. 158 and 254.

For future record, be it hereby known to everyone, especially to those to whom it is necessary and

⁷¹² III. 152, 235; father 87.

whom it concerns: Whereas the late Richard Kleist, former princely Pomeranian captain at Colbatz, seated at Dubberow, and his late son Hans Friedrich Kleist, former princely New Stettin master of the hunt, were enfeoffed by the late most blessed Lords Dukes of Pomerania, of most Christian and mild memory, with the estate of Eschenrey or Replin for 65 years; and whereas, after the term of years had expired, the appointed guardians of the little son left behind by the late Hans Friedrich Kleist, Friedrich Wilhelm Kleist, did indeed make most humble application to His Electoral Highness of Brandenburg, our most gracious Elector and Lord, that His Electoral Highness might graciously confer and grant the said feudal estate further to their ward or foster son aforesaid; but nothing further could be obtained than that His Electoral Highness, by a decree signed at Cölln on the Spree on 22 July 1658, graciously declared Himself willing to grant a certain sum of grace money of 2,000 Pomeranian florins, which was to be paid in cash to the little son left behind by the aforesaid late Hans Friedrich Kleist before surrender of the estate.

Meanwhile this further occurred: that the Electoral Pomeranian District Councillor, Lord Gerhardt Wedige Glasenapp, seated at Gramentz, etc., made representation to the aforesaid His Electoral Highness that this estate and field-mark of Eschenreye or Repplin had belonged hereditarily to his ancestors and kinsmen of his family. For this reason he not only obtained from His Electoral Highness concession and investiture for himself, but at the same time also received a commissarial rescript that, notwithstanding all contradiction and contrary investitures or other grants which one person or another might previously have obtained to his prejudice, he should, upon payment of the 2,000 florins of grace money, be actually put and assigned into possession of the said estate of Eschenreye.

Lord District Councillor Gerhardt Wedige Glasenapp offered the 2,000 Pomeranian florins in cash to the widow and the guardians of the little son left behind by the said late Hans Friedrich Kleist, and petitioned the commissioners for immission; and the widow and the guardians also did not consider it advisable to leave their son and ward involved in legal proceedings and delays, the outcome of which would accordingly be doubtful, especially since the said Lord District Councillor Gerhardt Wedige Glasenapp, of his own free will, further declared himself willing to pay the aforesaid Friedrich Wilhelm Kleist another 500 Pomeranian florins in addition to the 2,000 florins, and thus to pay altogether 2,500 florins. They have therefore, in God's name, accepted such offer and transaction, and have agreed upon everything as follows.

First, Lord District Councillor Gerhardt Wedige Glasenapp shall pay to the widow and the guardians the 2,000 Pomeranian florins which His Electoral Highness, out of special grace, has given to their respective son and ward, on the coming 26 May next, immediately in cash at Colberg, which the widow and the guardians are to receive there from him against receipt. The remaining 500 Pomeranian florins, however, shall remain with Lord District Councillor Glasenapp for the benefit of the ward, bearing interest, as long as it pleases the widow and the guardians; and Lord District Councillor Glasenapp is willing at the same time to deliver proper security for this to the widow and the guardians.

Likewise the widow shall retain free residence for one more year in the manor at Eschenreye, namely the large rear room, together with necessary free firewood, garden fruits and produce, and also the sown flaxseed and whatever is grown from it this year, which his steward shall have cultivated for her by the peasants. In addition, Lord District Councillor Glasenapp gives her, for maintenance and better support this year, now two Drömbt of oats, and at the coming autumn two Drömbt of rye and six scheffels of peas. Also, during the coming winter, some of the widow's cows shall be fed free of charge; and for her other cattle she shall likewise have the use of free grazing and pasture throughout this summer until stall-feeding begins. He will also have the widow's movable goods and household effects carted away by the peasants when she leaves the estate.

Furthermore, since the late Hans Friedrich Kleist is said to have entered into suretyship with Heinrich von Berger for the late Otto Rüdiger Glasenapp, and since the late Casimir Glasenapp is also reported to have paid certain interest to Lord von Berger for the late Hans Friedrich Kleist, Lord District Councillor Gerhard Wedige Glasenapp binds himself not to claim against or sue the widow and her little son on account of recourse on his part. For the rest, however, their exceptions against Heinrich von Berger remain entirely reserved and retained for them. Lord District Councillor Glasenapp also offers, insofar as it lies with him and is possible for him, to cooperate with all diligence and loyalty so that the widow and the little son shall have no danger to fear concerning the claim of Peter Reddemer and his co-heirs on account of distrained sheep, over which litigation is pending with them.

In return for all this, according to the Electoral concession obtained concerning it, the little village of Eschenreye or Replin, with its appurtenances, as the late Hans Friedrich Kleist held and possessed it, together with the sown winter grain, is immediately surrendered from possession by the widow and the guardians to Lord District Councillor Gerhardt Wedige Glasenapp. The same is delivered to him for his administration; the subjects of the same are hereby released from the duty by which they had hitherto been bound to the late Hans Friedrich Kleist, his widow, and little son, and are directed to obedience toward Lord District Councillor Glasenapp. After the delivery of the estate has taken place, however, the widow, her little son, and the guardians shall be under no further obligation for any eviction warranty of the same.

Both parties also promise honestly and sincerely to comply with all the foregoing, and the least defect in the fulfilment of the conditions set forth above shall be found neither on the part of Lord District Councillor Gerhardt Wedige Glasenapp nor on the part of the widow and the guardians; with renunciation of all exceptions, evasions, and objections that might or could be devised or imagined to the contrary, upon true Christian words, noble upright faith and loyalty, without any deceit or danger.

In witness whereof this transaction has been signed in the own hands of the transacting parties on both sides and confirmed with their native seals. Acted and transacted at Eschenreye on 26 April in the year 1660.

L. S. Gerhardt Wedige Glasenapp, with my own hand.

L. S. Jacob Kamicke, without prejudice to myself and mine, with my own hand.

L. S. Valenthein Kleist,⁷¹³ with my own hand.

L. S. Peter Rüdiger Kleist,⁷¹⁴ with my own hand.

L. S. Petrus Döpke, since the widow cannot write herself, I have subscribed in the name of curator in litigation, without prejudice to myself and mine, with my own hand.

638.

9 February, 1663.

Extract from the “Newly Established Hufen Register of the Year 1663” and from the “Hufen Protocol, begun in the year 1663 on 9 February, in which the register of the year 1628 was taken as the foundation, and the errors found therein were corrected in specified manner from the registers and other information.”

⁷¹³ III. 215.

⁷¹⁴ III. 178.

According to copies in the P. P. A.: Stett. Arch. P. I. Tit. 97. No. 870. fol. 30, and in the Library of the Society for Pomeranian History and Antiquities: Löper Library Msc. No. 127.

Decrescentia liquida.

Greiffenberg District.

Kleists of Poberow, assessed too highly by error; see all registers: 3/4 hufen.

Belgard District.

For the family of the Kleists, survey of Sand, already taken into account in the year 1653: 38 1/2 hufen.

For Christian Kleist in Boisin, survey of Sand, which took place in the year 1624: 1 hufe.

For Christian Kleist, because of Klein Dubberow, survey of the year 1652: 3 hufen.

For the Kleists, now Hechthausen, in Doizin, by virtue of the Syndic's certificate, because this has accrued to the office of Belgard: 1/4 hufe.

For Alexander Jochim Kleist, survey: 3/4 hufe.

New Stettin District.

In Borntin, for the Kleists, because of Sand and survey; see protocol of the year 1652: 2 hufen.

639.

Zeblin. 13 May, 1664.

District Councillor Jochim Kleist⁷¹⁵ of Zeblin sells to District Councillor Berndt Mönnichow of Cartzenburg his share-estate at Great Dubberow for 2,200 Pomeranian florins.

According to an attested copy in the P. P. A.: Stett. Arch. P. I. Tit. 77. No. 220. fol. 46, and a simple copy *ibid.* No. 294.

In the name of the Holy and Highly Praised Trinity, Amen.

Be it hereby known and manifest to everyone, especially to those whom it concerns, that on the date written below an upright hereditary purchase contract has been concluded and actually carried into effect between the district councillors, Lord Jochim Kleist of Zeblin, as seller on the one part, and Lord Berndt Mönnichow of Carzenburg, hereditary lord seated there, as purchaser on the other part, for themselves and their heirs, in the following manner.

Lord Jochim Kleist sells, for himself and his heirs, to Lord Berndt Mönnichow and his heirs, hereditarily and as property, his share of the feudal estate at Great Dubberow, with all its appurtenances, as he inherited it from his late cousin, Lord Dubschlaff Kleist,⁷¹⁶ and as it lies within its boundaries and landmarks, together with one hereditary subject and 100 sheep, with all right and justice which the said seller had to claim in the said estate, nothing excluded, for 2,200 Pomeranian florins, reckoned at one and a half florins to one hard reichsthaler.

The said purchase money Lord Jochim Kleist has, before the execution of this deed, actually received into his secure hands to his full satisfaction, and has applied it to the evident use and benefit of himself and his people. He therefore hereby acquits Lord Berndt Mönnichow thereof in the strongest manner, and knowingly renounces the exception of money not counted out.

⁷¹⁵ III. 129.

⁷¹⁶ III. 123.

The meadow, however, on the Damen field, which the late Lord Dubschlaff Kleist had leased to the present steward Marten Kleist,⁷¹⁷ remains, as before, undisputedly with the estate of Damen and with the seller. But the purchaser must retain and pay taxes upon all taxable hufen, as they have hitherto and from olden times been taxed with the said estate; and in this respect the purchaser now receives six taxable hufen. Should it, however, hereafter be demonstrably shown that more or fewer are present there, then the purchaser shall in future enjoy the burden or the benefit thereof.

And since the seller, Jochim Kleist, has now been completely satisfied in respect of the aforesaid sold estate, so that henceforth he has nothing more to claim therefrom, much less to demand, he hereby, for himself and his heirs, wholly renounces all claim and demand upon the said estate, and has willingly imposed perpetual silence upon himself and his heirs in that respect.

It has also been agreed that, if contrary to expectation in future this purchased little estate should be claimed and judicially revoked, or finally even redeemed, then to the purchaser, Berndt Mönnichow, and his heirs—because it was purchased with his beloved wife’s marriage money—there shall be restored and paid back, before surrender of the estate, not only the 2,200 Pomeranian florins of purchase money, reckoned as one and a half florins to one reichsthaler, or one reichsthaler to one and a half florins, but also all contributions advanced, building costs, upper farm-stock and equipment, the settlement of the deserted farms, and everything else that has been applied to the preservation of the estate in buildings and the like, whatever name it may have. This shall be done upon the specification and designation of the purchaser or his heirs, without any oath being required, unfailingly in one inseparable sum, in good, hard, fully valid, bright reichsthalers, to the purchaser and his beloved wife or their heirs, indisputably and completely, by my bodily feudal heirs; for the reason that the said little estate can scarcely yield or reach the interest on the purchase money.

To keep all this, as written above, honestly and irrevocably firm, both parties have hereby knowingly and expressly renounced all exceptions of law, by whatever name they may be called, both in general and in particular, especially the general rule of law which says: that a general renunciation is not valid unless a special one has preceded it. And concerning this, at the purchaser’s expense, the consent of our most gracious Elector and Lord shall be most humbly procured.

For greater assurance and firm observance thereof, both contracting lords have knowingly confirmed this purchase contract with their native seals and their own handwritten signatures. Dated Zeblin, 13 May, in the year 1664.

Jochim Kleist, with my own hand.

Berndt Monnichow.

L. S.

L. S.

Christian Wilhelm Kleist, signed as a witness.

640.

Cöslin. 9 November, 1665.

Extract from the “Protocol of Homage and Investiture, held in October and November 1665 at the

⁷¹⁷ III. 311.

homage and investiture of the Farther Pomeranian knighthood.”⁷¹⁸

According to the original in the L. A.: Tit. V. No. 26.

Acted at Cöslin, 9 November 1665.

Designation of the families from the Belgard District, as they were read out and enfeoffed at Cöslin on 9 November 1665, yet *citra praejudicium*.

Kleists.

District Councillor Bernd Mönchow reports himself on account of the fief at Dubberow which he purchased from District Councillor Kleist, likewise on account of two peasants at Wendisch Tichow.

Christian Kleist reserves the right of redemption.

District Councillor Mönchow accepts this, reserving the money and the contribution.

Valentin Kleist renounces the redemption of Wilhelm Kleist’s fiefs.

Present.	Absent.
Christian, Lorentz’s son, at Dubberow. (ad 28)	Jochim Ernst , Kleiste’ son.
District Councillor Jochim Kleist, Carsten’s son, on account of Damen, Warnin, Zarnikow and the right in the Schmenzin woods. (8)	Andres Jochim , ⁷¹⁹ lives in the Mark at Velzko. (ad 34)
Christian of Great Tichow, Kicko, and Mandelatzke, Bernd’s son. (ad 34)	Christian Erdmann, Franz Michel’s son, a minor. (37)
	Peter } Hansen sons of Vizo,
	Casper } minors (19)

⁷¹⁸ Concerning the relationship in which this homage protocol stands to the draft of the feudal charter of 14 September 1686 (No. 662), see the annotation to the latter. The commissioners of the year 1706 were given an extract from this protocol, but only insofar as it concerned the Belgard District. This extract is now in the L. A.: Tit. IX. Sect. 88. No. IV. fol. 152, and is noteworthy because the commission members added to the individual persons the numbers which they received in the draft prepared by them and, thereafter, in the draft of the feudal charter of 14 September 1686. These numbers are also added in parentheses in the present printing, and the few other additions made by the commissioners to the protocol are likewise given in annotations. Moreover, it is noted that in the protocol, among the persons designated with the numbers 1 to 7, Nos. 1, 2, 3, 5, and 7 have already been named earlier and are therefore listed twice.

⁷¹⁹ **Berndt’s** son.

Present.

Caspar, Jochim's son of Zatzko, Lazenze, Zarniko. (17)

Jochim, of Cowalck and Dimko, Jurgen of Dargen's Sohn. (10^b)

Asmus Jürgen, Jacob's son, of Berwalde. (12)

Valentin at Kicko, **Otto's** son, likewise at Kalckberg, likewise three peasants in Döbel. (1)

Peter, Jochim's son, at Great Ticho. (38)

Jochim Henning, Jacob's son, at Great Tichow. (ad 32)

Jochim, Dinnies's son, at Great Ticho, has a small estate at Little Krössin. (ad 36)

Paul Daniel, Dinnies Kleist's son, at Great Ticho. (ad 36)

Absent.

The sons left behind by **Tessen** of Damen, **Adam** und **Christian**, minors, requesting confirmation of the privilege for the water mill must produce the relevant documentation and await a decision. (4)

Martin Jochim } **Asmus's** sons of Dimkuhr,
Bernd Christian } minors. (7)

Andreß Jacob⁷²⁰ } **Carsten Christoff's** sons,
Frantz Teßen } minors. (33)

Fridrich Wilhelm, Hans Fridrich's son,⁷²¹ a minors. (27)

Kleists belonging to the Dubberow, Tichow, and Crolow line.

⁷²⁰ The original initially read correctly as "Andreß Jacob"; then "Jacob" was crossed out, a comma was placed after "Andreß," and "Jacob" was written underneath—effectively turning it into two separate individuals. The transcript correctly reads "Andres Jacob" again, as does the draft of the 1686 enfeoffment document.

⁷²¹ At Eschenriege.

⁷²² At Great Tichow.

⁷²³ Wendisch Tichow. Correct.

⁷²⁴ Wendisch Tichow. Correct.

Present.

Absentes.

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Richard Christian }
Dubschlaff Jochim } **Christian's** sons in Da-
Lorentz Heinrich } men and Nemmerin. (5)

Richard Christian reports that he also possesses something in Nemmerin loco dotis

Jochim, Hans's son at Vizo and Zernikow.
 (18)

Daniel of Damen and Roden, **Daniel's** son
 On account of Grünewalde und Steinbek. (3)

Christoff Friderich, Steffen's son of Damen,
 Likewise at Nemmerin. (9)

Ewald Jürgen, Achatius Kleist's son, at
 Vizo, Wutzo, Dreno, Vierhof and Deich. (14)

Peter Rüdiger, Ewald's son at Pummelo,
 Dallentin, Lanzen, Great Born, Dummerfitz.
 (15)

Pribslaff, Hans Jürgen's Sohn at Muttrin,
 Borrentin and Drenow. (22)

Peter, Peter's Sohn, reports himself jure crediti
 at Pumlow. (16)

Reimer, Jürgen's son of Kowalck und
 Dimkur, (10) has four brothers:

Christoff } **Carstens** Söhne, has Glincke in
Heinrich } possession, also a peasant farm
 at Schlesen and a share in
 Todenhausen. (24)

Marten, Adrians Sohn at Kowalck and Warnin.
 (6)

Dubslaff Heinrich } **Adrian's** sons,
Christoff Ludwich } minors.

Carsten Kleist,⁷²⁵ mayor at Cöslin, ill. (25)

Jochim Heinrich, indisposed
Alexander Lorentz, is said } all **Jürgen's**
 to be in Nerese (26 years } Sons of
 ago) } Kowalck,
Jürgen } Dimkuhr,
Jacob Kleist. } and Schmensin.(11)

These are possessors of the estate of Nerese. Also a small estate at Little Voldekow and the field-mark Darsow belonging to it.

Simon Pribslaff at Borrentin and Nemmerin ist kranck, he did, however, take the oath yesterday, but could not appear today; he sends a supplicatum. (23)

Alexander Jochim, Reimar's son, is indisposed.
 (13)

⁷²⁵ Also Carsten's son. Incorrect.

[519]

Present.

Wadislaus, Hanß Heinrich's son, presents himself with regard to the joint enfeoffment; whatever claim he has concerning von Wolden, he is to pursue by petition. (26)

Christian Heinrich, Daniel's Sohn of Raddatz and Klingbeke, likewise Gesorke and Panko. (40)

Franz, Asmus's son, of Gucho, Schneidemühle, Falckenhagen. (39)

Valentin Daniel, Peter's son, of Dargen. (2)

Absentes.

ill.

Jacob Daniel } **Ewald's** sons, minors,
Tessen Christian } a small estate at Vizo and Wuzo (20)

Wilhelm, Jürgen's son, took the oath yesterday but is invested today;

his son **Ewald Baltzer** reports himself; he has an estate in the Greiffenberg district. (21)

Note: To be seen in the Greiffenberg district.

Alexander } **Hans Jürgen's** sons of Raddatz
Jürgen } minors. (41)

Asmus Henning, Daniel's son, of Guchow, minor. (44)

Asmus, Alexanders Sohn, ill, has taken the oath, at Zemmenz, Juchow and Dallentin. (42)

Jochim Daniel, Philip's son, of Raddatz, a minor. (43)

Heinrich Kleist says that Eschenrieg was a Kleist fief, and protests against the alienation.

Designation of the New Stettin families according to the muster roll.

Kleists at Raddatz and Dolgen.

Jürgen }
Ludwich Samuel } **Peter** of Dolgen's sons.

Christian Ewald, Peter's son in Courland.

Christian Dietrich, Niclas's son, at Glineke and Damen.

Designation der Geschlechter auß dem Schlawischen Distrikt.

Kleiste.

Peter	{	Jürgen's	} at Tichow.	
Rüdiger				Sons
Jochim Henning, Jürgen's son, at Ticho.				
Jerson, Jacob's son, at Rusche, lies in the Stolp district.		Christoff	}	Philips sons, minors.
		Philip		

Designation of the families from the Principality of Cammin, as they were enfeoffed in the year 1665.

Kleiste.

District Councillor **Jochim Kleist, Carsten's son**
at Zebbelin.

Valentin Daniel, Peter's son, at Dargen, gave
the chamberlain 1 reichsthaler.

Acted at Cöslin, 9 November 1665.

Likewise the remaining families were enfeoffed, and no one wished to redeem the hat except Captain Jacob von Heidebreck, who gave one ducat, and Valentin Daniel Kleist at Dargen, who gave 1 reichsthaler. The Chancellor, however, as hereditary chamberlain, reserved his right with all.

The following draft is also attached:

Those Kleists who belong to the Dubberow, Tichow, and likewise to the Crolow stem-line, and are descendants of old Georg Kleist, are the following:

1. Christian, seated at Dubberow and Crolow, Lorentz's son, Carsten's nephew, Christoff's great-nephew.
2. Long Peter Kleist's sons at Tiechow are Henning and Jürgen. Henning's son is Philip Kleist, whose underage sons are Christoff and Philip. Jürgen's son is Joachim Henning at Queßdow; see under the Rügenwalde homage.
3. Jürgen Kleist's sons at Crolow and Tiechow are Peter and Rüdiger.
4. Jacob's sons at Great Tichow are Carsten Christoff and Jochim Henning; of these, Carsten Christoff is dead, and his surviving sons are Andreas, Jacob, and Frantz Tessen, all still underage.
5. Bernd's son is Colonel Christian Kleist, and Jacob and Bernd Carsten are his sons. The aforesaid Jacob and Bernd still have a brother living, named Frantz; the other brothers died without sons.
6. Dinnies Kleist's sons are Jochim and Paul Daniel at Tiecho and Little Crössin.
7. Rüdiger and Jürgen, Hans's sons, died without heirs.
8. Jochim, Peter's son of Tiecho, has a son, Peter Kleist.

640a.

Genealogical overview of the Kleists mentioned in charters 640 and 662 in the year 1665.

Damen					
III. 8 Curt - Voldekow, Schwellin					
27 Andreas				28 Georg	
59 Curt				60 Lorenz	
118 Jürgen			120 Reimar		121
Christopher					
190 Curt	191 Joachim	192 Michael	193 Alexander Joachim	194 Jürgen	196 Steffen
				286 Joachim Heinrich	291 Christoph Friedrich
				287 Reimar	
				288 Alexander Lorenz	
				289 Jürgen	
				290 Jacob	
III. 9 Bisprow - Damen, Zeblin					
34 Joachim		35 Georg			
66 Matthias	69 Richard				71 Carsten
123 Dubislaff	127 Christian		128 Georg		129 Joachim
200 Richard Christian		201 Dubislaff Joachim	202 Lorenz Heinrich		
III. 10 Peter - Damen, Zadtkow, Kowalk					
36 Andreas			37 Pribislaff		
72 Valentin			76 Asmus		
131 Peter	134 Otto	141 Daniel		145 M	
212 Valentin Daniel	215 Valentin	220 Tessen		221 Daniel	227 Adrian
		307a Daniel	307b Adam	311 Martin	

Muttrin				
III. 4 Henning - Cöslin				
17 Joachim				
44 Anton		45 Jacob		
86 Moritz	87 Richard	88 Lorenz	89 Valentin	90 Peter
149 Anton	152 Hans	153 Jacob	154 Carsten	155 Jacob
150 Richard	Friedrich			156 Martin
151				
Christopher				
	235 Friedrich		240	242 Heinrich
	Wilhelm		Christoph	

III. 5 Peter - Muttrin, Vietzow, Zadkow						
20 Jacob						
47 Peter		48 Ewald		49 Wilhelm		
95 Jacob	96 Joachim	103 Jacob	104 Georg	110 Achatz	111 Ewald	112 Peter
157 Peter	161 Hans	164 Caspar	171 Ewald	175 Wilhelm	176 Ewald	178 Peter
Adam				Georg	Rüdiger	179 Peter
246 Georg	249 Joachim	253 Jacob	255 Ewald			
Friedrich	250 Peter	Daniel	Balzer			
247 Christian	251 Caspar	254 Tessen				
Ewald		Christian				

III. 6 Hans - Krummensee			
21 Henning		22 Pribislaff	
51 Hans		54 Hans	
113 Egidius	114 Pribislaff	115 Andreas	116 Otto
180 Hans		187 Jacob	189 Simon
Heinrich			Pribislaff
271			
Wladislaff			

Dubberow and Wendisch Tychow				
II. 5 Peter				
13 Georg			14	
			Christopher	
23 Peter		25 Henning		26 Carsten
44 Georg		51 Peter		52 Lorenz
65 Peter	66 Rüdiger	67 Henning	69 Georg	71 Christian
		104 Philipp	106 Joachim	
			Henning	
		140	141 Philipp	
		Christoph	Hartwig	

(Great) Tychow							
II. 6 Bartz		II. 11 Andreas (Drews)					
16 Joachim	21 Carsten			22 Jochim			
32 Peter	36 Jacob		39 Bernhard		41 Franz	43 Dinnies	
57 Joachim	58 Carsten Christoph	59 Jochim Henning	60 Christian	61 Andreas Joachim	62 Christian Erdmann	63 Jochim	64 Paul Daniel
74 Peter	75 Andreas Jacob						
	76 Franz Tessen						

Raddatz			
IV. 5 Schir			
11 Volz			
14 Alexander		15 Asmus	
16. Daniel	17 Asmus		19 Volz Joachim
22 Hans Jürgen	25 Christian Heinrich	28 Daniel	29 Franz
36 Alexander	40 Asmus		41 Joachim
37 Jürgen	Henning		Daniel

641.

Colberg. 12 December, 1665.

Feudal charter over Zebelin for District Councillor Joachim Kleist,⁷²⁶ and grant of the collective hand to Andreas Jochim Kleist.

According to the draft in the L. A.: Tit. IX. Sect. 88. No. VI. fol. 9, and an attested copy, *ibid.* No. XXV. fol. 3.

We, Friderich Wilhelm, by the grace of God Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire, Duke in Prussia, of Magdeburg, Jülich, Cleves, Berg, Stettin, Pomerania, of the Cassubians and Wends, also in Silesia of Crossen and Jägerndorf, Burgrave of Nuremberg, Prince of Halberstadt, Minden, and Cammin, Count of the Mark and Ravensberg, Lord of Ravenstein and of the lands of Lauenburg and Bütow, etc., hereby certify and acknowledge, for Ourselves, Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and otherwise before everyone:

Whereas the late high-born Prince Lord Franz, Duke of Stettin and Pomerania, etc., of Christian and mild memory, during the time of his episcopal government, graciously granted and enfeoffed District Councillor Karsten Kleist, seated at Zebbelin, with the aforesaid fief at Zebbelin, which he had purchased from the widow and sons of the late Anshelm Knut, according to the purchase deed drawn up concerning it and the confirmation granted thereon; and whereas the steadfast Our District Councillor and dear faithful Joachim Kleist, as the son of the said Karsten Kleist, has most humbly approached Us and petitioned that We would likewise graciously grant and enfeoff him with this fief of Zebbelin, and would also grant the collective hand therein to the son of his brother's son Jochim Ernst Kleist, namely Andreas Jochim Kleist;

⁷²⁶ III. 129; father 71; nephew 203, whose son 298

Now, since We have considered the lawful title and origin by which the late Carsten Kleist acquired the fief, and the faithful services, following, and attendance which he often and many times rendered to the late most blessed Lords Dukes of Pomerania, and which Our District Councillor Jochim Kleist and Andreas Jochim Kleist, together with their heirs, can, shall, and will further render to Us and Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin; therefore, and upon the oath and feudal duty which Our oft-mentioned District Councillor Jochim Kleist has taken to Us, We hereby grant and enfeoff, by virtue of this document, out of Electoral and princely power and authority, to him, District Councillor Jochim Kleist, and his male bodily feudal heirs, and, in default of them, to the son of his brother's son, Andreas Jochim Kleist, and to the other nearest-line cousins descended from them, from heir to heir, the aforesaid fief of Zebbelin, just as the same, with its knightly seat, sheep-farm, farms and hufen, lies within its boundaries and landmarks in Our Principality of Cammin, and as is feudal right and custom, with waters, pastures, meadows, moors, marshes, hunts, woods, stumps, bushes, mills, mill-sites, ponds and pond-sites, brooks, eel-weirs and lakes, together with its share in the church fief, also the highest and lowest jurisdiction at Zebbelin over hand and neck, so far as his father Carsten Kleist, and before him the Knuts, possessed the same from olden times, and as he still has it in possession and use. Yet all this is without harm or prejudice to Us, Our heirs, and otherwise to anyone's rights and just claims.

In return, Our District Councillor Jochim Kleist and his co-enfeoffed persons, and all their feudal heirs, shall at all times, whenever the necessity of Us and Our lands requires it, attend upon Us in honors and needs, give counsel and follow, as he and they are bound to do by feudal law, custom, and the feudal oath. The absent Andreas Joachim Kleist shall also present himself before Us at the proper time and bind himself with the same feudal duty.

Furthermore, since all the Kleists in the Duchy of Pomerania and Principality of Cammin obtained the collective hand from Our predecessors, and since Jochim and Carsten Kleist, seated at Nemrin and Zebbelin, also obtained the same, upon due application, for themselves, their underage nephews and nearest-line cousins, not only upon this feudal estate of Zebbelin, but upon all feudal estates which the Kleists possess in the Principality of Cammin or might yet acquire, in accordance with previous enfeoffments, We therefore confirm, grant, and concede to the aforesaid nearest cousins, or those descended from them, and in default of them thereafter to the other cousins, *salva gradus praerogativa*, from heir to heir, by virtue of this document as feudal lord out of territorial princely power and authority, the collective hand in the said village of Zebbelin, as well as in all other fiefs which the Kleists now have and possess in the Principality of Cammin and might acquire in future, as strongly as this can and may be done, yet without harm or prejudice to Our rights and to those of everyone.

In witness whereof this letter has been confirmed with Our Electoral Farther Pomeranian government seal and the prescribed signature. Thus done at Colberg on the 12th day of the month of December, in the year 1665.

H. v. Croy.

Ernst v. Krockow.

Matthias Hölzner.

(L. S. pendant.)

Feudal charter over Ruschitz for Jerson Kleist.⁷²⁷

According to attested copies in the L. A.: Lit. IX. Sect. 88. No. IV. fol. 67, and No. XXV. fol. 7.

We, Friderich Wilhelm, by the grace of God Margrave of Brandenburg, etc. etc. — as in No. 641 — hereby certify and acknowledge, for Ourselves, Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and otherwise before everyone:

that at the general hereditary homage received by Us, the steadfast Our dear faithful Jerson Kleist, seated at Rusche, Jacob's son, appeared most submissively before Us, and most obediently requested and petitioned Us that We would graciously grant, renew, confirm, and ratify to him and to his male bodily feudal heirs his fief and feudal right, so much thereof as has been inherited and descended to him from his forefathers, together with the collective hand in the ancestral feudal estates of the Muttrin and Damen Kleists.

Now since We have considered and taken into account the most submissive faithful services which the forefathers of this Jerson Kleist often and many times willingly and gladly rendered to the late most blessed Lords Dukes of Pomerania, and which he and his male bodily feudal heirs can, shall, and may hereafter still render in submissiveness to Us, Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, etc. etc.

— identical with No. 589 —⁷²⁸

without harm or prejudice to Our rights and to the rights of everyone. In witness whereof this letter has been confirmed with Our Electoral Farther Pomeranian government seal and the prescribed signature. Thus done at Colberg on 15 December, anno 1665.

A. v. Podewils, mpp.

Seb. Brunnemann.

Martin Wendlandt.

Castle Captain.

Government Councillor.

Dr., Electoral Feudal Secretary.

(L. S. pendant.)

643.

Colberg. In December, 1665.

Feudal charter over Nassen Glienke for Christian Dietrich Kleist⁷²⁹ of Damen and Kowalk.

According to the draft in the L. A.: Tit. IX. Sect. 88. No. IV. fol. 54.

Friederich Wilhelm, Elector.

⁷²⁷ III. 230, father 147.

⁷²⁸ However, instead of "Jacob Kleist" both times: "Jerson Kleist"; instead of "Grandfather Thomas Kleist": "Ancestor Thomas Kleist"; instead of "Marten's son Adrian Kleist, seated at Dargen": "the sons of Adrian Kleist, seated at Dargen"; instead of "Kykow" this has "Sytkow"; and after "duchy, principality, and lands" the words "Pomerania and Cammin" are inserted here. Moreover, the signatures date from a later period, and this feudal charter, like No. 644, is antedated; see the annotation there, note 1. Martin Wendlandt became feudal secretary only in the year 1678.

⁷²⁹ III. 225, father 143.

We hereby certify and acknowledge, for Ourselves, Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and otherwise before everyone, that We, after he had taken the feudal oath, upon his most humble request, and on account of the faithful services which his forefathers rendered in former times to the late most blessed Lord Duke of Pomerania, and which he and his male bodily feudal heirs shall and can still render in submissiveness to Us and Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, have granted and conceded to the steadfast Our dear faithful Christian Dietrich Kleist, Nicholas's son, of Damen and Kowalk, the half field-mark of Glinike, situated between the villages of Lottin and Wangerow, just as his late grandfather's brother Tessen Kleist⁷³⁰ purchased this half field-mark from the Kleists of Raddatz, as a true male and ancestral fief with the collective hand.⁷³¹ Thus We hereby grant, concede, and enfeoff to him and his male bodily feudal heirs all this as a true male and ancestral fief, and by virtue of this letter, yet in such manner that the said Christian Dietrich Kleist, together with his male bodily feudal heirs, shall and will seek, await, and receive such fiefs and the collective hand from Us and Our heirs, according to the formula of the feudal oath, as often as the case arises and it becomes necessary, and otherwise do and perform everything that male-feudal law and custom require.

In witness whereof this letter has been confirmed with Our Electoral Farther Pomeranian government seal and the prescribed signature. Thus done at Colberg, on the⁷³² of December 1665.

644.

1665. Colberg. 20. December.

Feudal charter for the Kleist Raddatz line.

After the draft in the L. A.: Tit. IX. Sect. 88. No. IV. fol. 61.

Frederick William⁷³³

Elector.

We certify and acknowledge for ourselves, our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania, Princes of Cammin, and otherwise to everyone, that before us, at the general act of hereditary homage, there appeared the steadfast men, our feudal vassals and dear faithful subjects, Asmus, son of Alexander, Christian Heinrich, son of Daniel, and Frantz, son of Asmus, cousins, the Kleists of Raddatz, and that they, for themselves and for their under-age cousins, Jochim Daniel, son of Philip, and Alexander, son of Hans Jürgen, most humbly petitioned and requested us that, upon the feudal oath they had sworn, we would grant and enfeoff to them and to their male bodily feudal heirs their hereditary estate and fief, so far as it had descended to them from their forefathers, and would renew, confirm, and ratify the former feudal charters. Since, then, we have considered the faithful services which their forefathers and they themselves have willingly and gladly rendered to the late Dukes of Pomerania and to

⁷³⁰ III. 75.

⁷³¹ After the word "conceded," the draft still had the following: "also granted and assigned to him and his feudal heirs the expectancy to the other half of such field-mark of Glinike, which the Vangerows still presently hold and possess, in the event that the family of the Vangerows should become extinct, with the collective hand, and alongside this also confirmed and ratified the grants and enfeoffments given concerning it by the late most blessed Lord Dukes of Pomerania." The reviser, Chancellor von Somnitz, however, crossed this out.

⁷³² The day is omitted.

⁷³³ The draft originally had "Frederick III" as the issuer; this, however, was crossed out and changed to "Frederick William."

us, and which they and their male bodily feudal heirs shall, can, and may hereafter render to us and to our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania, Princes of Cammin, we have therefore, and by special grace, granted to them their hereditary estate and fief, etc. etc.

(Identical in wording with No. 556.)

Yet without prejudice to the rights of us, our heirs, and everyone else, and on condition that the minors, as soon as they have completed the eighteenth year of their age, shall appear before us and, as their cousins have done, bind themselves to us by oath of fealty. In witness whereof this feudal charter has been strengthened with the seal of our Government of Farther Pomerania and Cammin and with the prescribed subscription. Done at Colberg, 20 December 1665.

645.

1667. September.

Register of the taxable hides in the Farther Pomeranian districts. Extracts.

According to the originals in the P. P. A.: Stettin Archive, P. I, Tit. 97, ad No. 912.

Schlawe District, from the first to the last day of September Anno 1667.

Jochim Henningk Kleist in Tichow 14 5/16 Hakenhufen.

Philip Kleist's widow there 16 5/6 =

Peter Kleist in Tichow 28 3/4 =

Likewise the same man in Sukow 6 =

Alexander Jochim Kleist of Segentin 8 =

[525] Christian Kleist of Krolow 29 1/2 Hakenhufen.

Rüdiger Kleist of Krolow 22 =

Hide register of the Belgard District, as these are now assessed for tax, Anno 1667, in the month of September.⁷³⁴

I. Families of the Kleists.

Pomlow.

Mr. Peter Kleist (steward Christopf Zibelle) 7 1/2 land hides.

Dubberow.

Mr. Christian Kleist 13 7/8 =

Mr. District Councillor Berndt Monnichow 11 1/4 =

(Hanß Steffen of Bößin pays tax on 1/2 =)

Bulgrin.

The Messrs. Ramel from the Kleists (the late Heinrich Ramel's widow and heirs) 2 1/2 =

Vietzow.

⁷³⁴ Two identical registers of the Belgard District in the P. P. A.: l. c. and No. 919, under the heading "Hide status of the Belgard knighthood, as they are now assessed for tax by my collector Johan Leymbke, Belgard, 14 October 1669," respectively "10 September Anno 1670," contain the bracketed additions and variants.

Mr. Ewaldt Jürgen Kleist (steward Peter Gardische) $7 \frac{3}{8}$ ($8 \frac{1}{4}$) =

The late Hanß Kleist's widow (steward Jochim Grimme) $1 \frac{3}{4}$ =

Mr. Jacob Daniell Kleist (there) $1 \frac{1}{4}$ =

Dahmen.

Mr. District Councillor Jochim Kleist of Zebbelin (steward Jurgen Manneke) $6 \frac{1}{2}$ =

Cathrina Dahmes of Drenow (on account of one farm) 1 =

Mr. Christopf Friederich Kleist $10 \frac{1}{4}$ =

Mr. Dubschlaff Jochim Kleist $6 \frac{1}{8}$ =

Mr. Richart Christian Kleist (of Nemmerin) $2 \frac{1}{4}$ ($2 \frac{3}{8}$) =

Mr. Captain Glasenap's people at Dahmen (and steward Erdtman Gardische) $2 \frac{3}{4}$ =

Mr. Georg Barts of Dahmen (Mr. Richart Christian Kleist on account of Mr. Georg Barts) $1 \frac{3}{4}$ =

Mr. Jochim Kleist on account of Zernnikow $\frac{3}{4}$ =

Peter Jesche of Bossin on account of Christian Kleist (missing in 1669 and 1670) $\frac{1}{2}$ =

Greater Tichow.

Mr. Colonel Christian Kleist, separated out, $8 \frac{3}{4}$ land hides.

Mr. Peter Kleist there $2 \frac{1}{4}$ =

Mr. Rittmeister Jochim Henning Kleist $2 \frac{1}{4}$ =

Mr. Rittmeister Paul Daniell Kleist $2 \frac{1}{2}$ =

Volckow.

Mr. Alexander Jochim Kleist (Mr. Jochim Heinrich Kleist) 1 =

Paul Klabunde, peasant under Heydebreck $\frac{3}{4}$ =

[526]

Schmentzin.

The late Adrian Heinrich Weyer's widow (steward and peasants) 2 land hides.

Kowalcke.

Mr. Reimer Kleist (together with his peasants) $1 \frac{1}{4}$ =

The late Adrian Kleist's heirs $1 \frac{1}{16}$ ($1 \frac{5}{16}$) =

$\frac{1}{4}$ set aside because of fire damage. (missing in 1669 and 1670)

Andreas Zempke (peasant) under Heydebreck $\frac{3}{4}$ =

Dimkuhr.

The late Aßmuß Kleist's widow $2 \frac{1}{16}$ =

Mr. Jochim Kleist (in 1670, heirs there) $1 \frac{1}{2}$ =

The late Hanß Friederich Kleist's widow on the Kalckberg $\frac{7}{8}$ =

Muttrin.

Mr. Pribschlaff Kleist $10 \frac{1}{2}$ =

Mr. District Councillor Berndt Mönnichow (steward Philip Meschke) 4 =

Little Crößin.

Mr. Jochim Kleist (there) $2 \frac{1}{8} =$

Saatkow.

Mr. Colonel Caspar Kleist (there) $6 \frac{3}{4} =$

Kyckow.

Mr. Vallentin Kleist (there) $5 \frac{3}{4} =$

$124 \frac{3}{4} =$

and separated out $8 \frac{3}{4} =$

II. Families of the Podewilses.

Bulgrin.

The Messrs. Wedel 7 =

The peasant Jochim Ventzke of Silesen 1 =

Podewils.

Mr. Lieutenant Colonel Ewaldt Podewilß, hereditary and mortgage hides 22 =

The late Captain Engber's heirs in Reichow 1 =

Mr. Christopf Podewilß (steward Michell Schnieder) 3 =

The late Jochim Kleist's widow $2 \frac{1}{12} =$

The late Jochim Podewilß's widow (steward Schimmelpfennig) $3 \frac{1}{4} =$

III. Families of the von Wolden.

Bolckow.

Mr. Jochim Kleist (there) $4 \frac{1}{2} =$

The late Christopf Podewilß's widow $2 \frac{1}{2} =$

Sietkow.

Mr. Frantz Rüdiger von Wolden, including 2 Versen hides $7 \frac{1}{2} =$

His peasant Carsten Kadow of Laßbecke 1 =

IV. Families of the Versen.

Greater Tichow.

Mr. Christian Wilcke Versen $2 \frac{1}{2} =$

[527]

Tietzow.

Mr. Colonel Lorentz Verse $2 \frac{1}{2}$ land hides.

Mr. (Rittmeister) Andreas Jochim Kleist (steward Peter Zempke together with the peasant Bork) $2 \frac{1}{2} =$

Schmentzin.

Mr. Clauß Versen together with the peasant Christopf Steffen (Pagell) 1 =

At Kowalcke, on account of two deserted peasant farms (Andreas Zempke and Jürgen Zempke) 1 =

V. The Butzkes.

Bulgrin.

The Ramels of Bulgrin (the late Heinrich Ramel's widow and heirs) $5 \frac{3}{4}$ =

Hide status of the Rummelsburg District, according to which, after deduction of the fire-damaged hides, the contribution was collected in the month of September of this year.

Peter Kleist on account of Sukow 12 Hakenhufen.

Tax register of the Stolp District, according to which collection was made among the knighthood in September 1667.

Frantz Kleist's people at Crampe 7 Hakenhufen.

Gerson Kleist of Rusche 18 =

Register of the hide status of the New Stettin District, Anno 1667.

separated hides in the New Stettin District.

Philipp Kleist's 13

The late Daniel Kleist's heirs 5

Christian Heinrich Kleist 5

Register for the month of September, assigned by the district directors of the New Stettin District on 202 land hides; and the individual entries stand as follows:

Lieutenant Colonel Kleist $9 \frac{1}{2}$ land hides.

Luedewig Kleist $1 \frac{1}{2}$ =

Peter Rudiger Kleist 9 =

Asmus Kleist $4 \frac{1}{8}$ =

Frantz Kleist $4 \frac{1}{8}$ =

Dolgen Peter Kleist 1 =

Luedewieg Kleist $1 \frac{3}{4}$ =

[528] Jacob Kleist in Berwalde $\frac{1}{2}$ =

Hans Jürgen Kleist's heirs 1 =

Hide register in the Principality of Cammin (according to the triple mode), according to which the September tax of this year 1667 was to have been collected.

The Heydebrecks.

Mayor Carsten Kleist's heirs on account of Todenhausen 2 triple hides.

The Kleists.

Mr. District Councillor Jochim Kleist $4 \frac{1}{2}$ =

Mr. Castle Captain Jacob von Heydebreck's heirs 2 =

Alexander Jochim Kleist $\frac{2}{3}$ =

Jochim Kleist $1 \frac{2}{3}$ =

Vallentin Daniel Kleist 0 =

Jürgen Kleist's heirs $2 \frac{2}{3}$ =

Annotations:

734 – Two identical registers of the Belgard District in the P. P. A.: l. c. and No. 919, under the heading “Hide status of the Belgard knighthood, as they are now assessed for tax by my collector Johan Leymbke, Belgard, 14 October 1669,” respectively “10 September Anno 1670,” contain the bracketed additions and variants.

...

646.

1668.

“Designation of the villages and peasants, together with cottagers, which have been, and still are, in the Neustettin district.” Extract.

After a copy in the P. P. A.: Stett. Arch. P. I. No. 97. ad No. 912.

Dolgen was originally a princely administrative village, but later was exchanged with Jacob Kleist for Zamborst. In former times 15 peasants and 2 cottagers lived there; now 7 peasant farms have been added to the noble estate. Of these, Major Georg Friedrich Kleist holds and possesses 5 1/4 hides together with 6 still well-occupied peasant farms, while Samuel Ludwig Kleist possesses and uses 1 3/4 hides together with two deserted peasant farms.

Klingebeck belongs to the Glasenapps, and in former times there were 11 peasants and 3 cottagers there, which are still occupied.

Dallenthin belongs for the most part to the Kleists, and in former times there were 30 peasants and 8 cottagers there; now there are no more than 14 peasants and 3 cottagers.

Juchow: there Asmus Kleist has 4 peasants and 2 cottagers; Mr. District Councillor Rudiger Maßow has 3 peasants and 1 cottager. How many there were there in former times, he does not know.

Raddatz: formerly there were 12 peasants and 12 cottagers there; now 10 peasants and 10 cottagers.

Gißolke: there are 10 peasants and 1 cottager there; how many there were in former times, he does not know.

Kucherow: in former times 8 peasants and 8 cottagers; now 5 peasants and 4 cottagers.

Lantzen: now 3 peasants; how many there were in former times, he does not know.

Schneidemühl: now, apart from the Junkers' farms, there is 1 peasant and 1 cottager; how many there were in former times, he does not know.

Bornenthin: in former times there were 18 peasants and 3 cottagers there; now only 9 peasants and 1 cottager. However, Mrs. Colonel Carsten Zastrow, Pribslaff Kleist, and Otto Casimir Glasenap have the deserted land together with the occupied land among themselves.

Glincke, belonging to the Kleists: there are 8 half-peasants and 2 cottagers there.

647.

1668–1731.

“Particular enfeoffments which took place after the general hereditary homage in the year 1665,” continued down to the year 1731. Extract.

After the original protocols in the L. A.: Tit. V. No. 26.⁷³⁵

On 8 December 1668, Werner Kleist took the oath of homage in the government on behalf of his brother Mr. Eowald Kleist, in the presence of Their Princely Grace and the gentlemen councillors of government, and was enfeoffed by the Lord Governor, His Princely Grace.

1678, on 1 March, Ewald Balzer Kleist, Wilhelm's son, took this oath and was enfeoffed by me; he gave the chamberlain 2 Reichsthaler.

Anno 1680, on 22 March, Christian Wilhelm and Ewald, the brothers Kleist, sons of the late District Councillor Jochim Kleist, took the oath and were enfeoffed by Chancellor Krockow, in the presence of the above-named gentlemen councillors of government, von Flemming, Natzmer, Brunnemann, and Corswant. They requested a postponement for their youngest brother, who was in France and was named Jochim Wedige.

Done at Stargard, 20 August 1680. Jochim Rüdiger and Arend Heinrich, the Kleists, sons of Peter at Tichow, whose father died 6 years ago, took the feudal oath in the presence of Councillor of Government Brunnemann and Councillor of Government Corswant. Since Chancellor Krockow was unable to be present, Councillor Brunneman, in the Chancellor's name, performed the enfeoffment for them, and they were enfeoffed with their hereditary fief.

All those who rendered homage on 20 August gave nothing to the hereditary chamberlain; some gave a written acknowledgement that they would pay within 4 weeks, and others, such as the Kleists, requested and received an extension.

On 14 September 1680, Bernd Ertmann Kleist, son of the late Christian Kleist, took the oath for himself and on behalf of his absent brother Adam Wilhelm Kleist, by virtue of the power of attorney he held, in the presence of the court administrator Ernst von Krockow and Councillor of Government Brunnemann, and was enfeoffed by the said court administrator.

On 24 September 1680, Philip Hartwig Kleist, son of Philip Kleist of Ticho, took the feudal oath in the presence of Councillor Georg Caspar Fleming, by whom he was also enfeoffed; he gave the Chancellor 2 Reichsthaler.

On 13 October 1680, Gerd von Belo at Sileßke, for himself and in the name of — — — 21. Peter Ewald Kleist, 22. Jurgen Kleist, took the feudal oath in the house of the Lord Chancellor, by whom he was also enfeoffed.

On 19 November 1680, Christian Heinrich Kleist, son of Christian of Dubberow, took the feudal oath in the presence of Councillor of Government von Mönchow, by whom he was also enfeoffed.

On 20 November 1680, Christian Wedig Kleist, Heinrich's son, took the oath and was enfeoffed by Councillor of Government Natzmer.

On 16 December 1680, Jochim Daniel Kleist, Philip's son at Raddatz, took the oath in the presence of Councillor of Government Natzmer and Councillor of Government Corswant, and was enfeoffed by Mr. Natzmer.

On 31 August 1681, Lorentz Wilhelm Kleist, son of Christian at Dubro and Crolo, took the oath and was enfeoffed by His Excellency the Chancellor, in the presence of Castle Captain Podewils and Councillor of Government Brunneman, with his inheritance and fief.

⁷³⁵ In addition to these protocols there was kept a "Farther Pomeranian Enfeoffment Register de anno 1665–1688 incl." (L. A.: Tit. V. No. 25), in which the individual enfeoffments are arranged alphabetically according to the enfeoffed families. It agrees exactly with the protocols, but extends only to the year 1688 inclusive.

On 24 March 1685, Ewald Jochim Kleist, son of Ewald Jürgen of Vitzo, swore the oath and was enfeoffed by His Excellency the Chancellor at Colberg in the government.

On 19 February 1686, Peter Kleist at Vitzo, son of Hans and nephew of Jochim, swore the oath and was enfeoffed by the Chancellor.

On 24 February 1686, Henning Ertmann Kleist, son of Christian Kleist at Dubbero and Crolo, swore the oath, was enfeoffed by the Chancellor, had no certificate of feudal entitlement, and was therefore reserved.

On 6 March 1686, Frantz Hans Kleist, son of Asmus Kleist, of Dallentin and Zemmentz, swore the oath and was invested by Chancellor Lorenz Georg von Crockow.

On 1 April 1686, Fridrich Wilhelm, son of the late Hans Friedrich Kleist at Eschenrey, swore the oath and was enfeoffed by the Lord Chancellor.

On 20 April 1686, Alexander Lorentz Kleist swore the oath for himself and in the name of his eldest brother Jochim Heinrich, likewise in the name of the youngest brother Jurgen Kleist, all sons of Jurgen, on Kowalck, Volko, and Schmentzin.

Likewise Matth. Joachim and Bernd Christian, brothers, the Kleists, sons of Asmus at Kowalck and Dimkur, swore the oath and were enfeoffed by the Lord Chancellor.

On 14 May 1686, at Colberg, Alexander Kleist, son of Hans Jürgen at Gisork, swore the oath and was enfeoffed by the Lord Chancellor.

On 2 June 1686, Ewald Kleist swore the oath in the name of his brother Jochim Wedig von Kleist, son of District Councillor Jochim at Zeblin, and was enfeoffed by His Excellency the Chancellor on behalf of his brother.

On 10 June 1686, Gurgen Friedrich, son of Peter Rüdiger Kleist at Dallentin, had no certificate of feudal entitlement, swore the oath, and was enfeoffed.

On 19 October 1686, Wilhelm Christian Kleist, son of Peter of Pumlo, whose father was indeed still living but had transferred the estates to the son, who had also himself acquired the Kamphoff in Timmenhagen, swore the oath and was enfeoffed by the Lord Chancellor.

On 1 April 1687, Peter Ernst Kleist of Woldisch Ticho, which he had bought from the Bonins, swore the oath; his father is named Jochim Kleist at Bolko and is still living. He was enfeoffed by Councillor of Government von Natzmer, since the Chancellor was absent.

On 12 December 1687, Melchior Ludwig Kleist, son of Colonel Georg Friedrich at Dolgen, swore the oath and was enfeoffed by the Lord Chancellor, in the presence of Mr. von Fleming, Mr. von Carnitz, Mr. von Natzmer, and Mr. Ramel.

On 12 March 1688, Adam Heinrich Kleist, son of Pribschlaß Kleist, swore the oath; he said that his father was indeed still living, but had transferred the estate Borrentin to him. He was enfeoffed by the presiding lord of the court with the estate Borrentin, in the presence of Councillor of Government Ramel and Councillor of Government Corswant.

On 14 September 1703, Baltzer Christian von Kleist, Adam's son at Damen, Zattchow, and because of the death of his father, took the feudal oath, and in the presence of Councillor of Government and Captain at Saatzig, Mr. Döring Jacob von Somnitz, was thereupon enfeoffed by the Privy and Government Councillor, also Castle Captain, Mr. Joachim von Carnitz.

On 29 April 1706, Clauß Christoff von Kleist, serving in His Royal Majesty's Life Regiment of Horse, Heinrich's son and nephew of Christoff at Glineke, took the feudal oath, and was enfeoffed by the Privy

Councillor and Chamber Director Joachim von Carnitz in the presence of Councillor of Government Matthias Döring von Somnitz.

On 3 March 1707, Teßen Erdmann von Kleist, after the fief in Poberow of his father's brother Teßen Christian had, through the latter's death, passed to him, reported himself; and since he had already performed the feudal duty for himself at the homage because of the fiefs which he already then held, and had been enfeoffed with them, he promised, by a handclasp to the Privy Councillor and Chamber Director Jochim von Carnitz, in accordance with the royal resolution, also to perform everything contained in the feudal oath with respect to this present fief Poberow.

On 1 October 1708, Joachim Magnus Kleist, son of Lorentz Wilhelm at Egsow, which he holds entirely, together with the fourth part in Dubberzin, Cummerzín, and Schlönnewitz, appeared to perform the feudal duty because of the death of his father, which occurred anno 1701. As an excuse he knew nothing to cite except the lack of means for the journey. Meanwhile the feudal oath was received from him, and on that date he was enfeoffed by the Privy Councillor and Chancellor Matthias Döring von Somnitz, in the presence of Councillor of Government Jochim Friedrich Schaper.

On 19 June 1711, by power of attorney of Joachim Ewald von Kleist at Zeblin, Warnin, Damen, and Lindenbusch, Colonel Rüdiger von Maßow at Zwirsén and Kaffz, etc., took the feudal oath on his behalf, and was enfeoffed by Chancellor von Somnitz, in the presence of Councillor of Government Schaper and Councillor of Government von Wenden, with his feudal estate.

On 27 May 1712, Rittmeister Jochim Heinrich von Kleist, Heinrich's son, took the feudal duty because of the joint hand in the Kleist fiefs and in the fief at Glieneke in the Neustettin district, which his eldest brother, Major Clauß Christoff von Kleist, now possesses; and he was enfeoffed by Chancellor von Somnitz, in the presence of Councillor of Government Schaper, with the joint hand in the estate Glineke and otherwise.

On 15 November 1715, Jürgen Bogißlaff von Schmeling, on production of a power of attorney from Jürgen Valentin von Kleist, swore the feudal oath on his behalf because of the purchased estate Nemitz, and was thereupon enfeoffed by the Chancellor *jure feudi novi*.

On 30 July 1722, Ewald George von Kleist, son of Ewald Jochim at Viezow, appeared upon presentation of his certificate of feudal entitlement of 3 July 1717 and stated that his brothers Dinisius and Philip Wilhelm were dead. He requested admission to the feudal oath, which he thereupon performed in the government, and in the absence of the Chancellor and Vice-Chancellor he was enfeoffed with his fief in the customary manner by the Privy and Government Councillor Matth. Dan. von Laurens, and was also given a *breve testatum* concerning it.

On 8 November 1729, Rittmeister Dubsclaff Bernhardt von Kleist at Kiekow, etc., because of the share of the estate in Muttrin purchased from Dean Ewald Georg von Kleist at Viezow, gave the handclasp to the late Councillor of Government von Laurens.

On 8 November 1729, Jacob Henning von Kleist, Adam Heinrich's son at Mutterin and Döbel, performed the feudal oath *ob mortem parentis*, and the enfeoffment was carried out by the late Councillor of Government von Laurens.

On 14 February 1731, Christoph von Kleist, son of Stephan Clausen at Damen, because of the death of his father's brother, Captain Georg Valentin von Kleist, performed the feudal oath through Lieutenant Franz Andreas von Kleist by power of attorney, and was enfeoffed by His Excellency the Chancellor.

On 4 June 1731, Christoff von Kleist, son of Stephan Clausen at Damen, performed the feudal oath *ob mortem parentis*, and in the absence of the Chancellor the enfeoffment was carried out by Councillor of Government von Laurens.

Stargard. 16 March, 1669

Opinion of the Government of Farther Pomerania concerning the exemption from the Belgard castle court to be granted to District Councillor Jochim Kleist⁷³⁶ for his person.

After the draft in the P. P. A.: Stett. Arch. P. II. Tit. 4. No. 222.

Ad Serenissimum.

P. P. And since Your Electoral Serene Highness has most graciously commanded us to submit our most humble opinion as to whether District Councillor Jochim Kleist, in his petition *ratione exemptionis fori a prima instantia* before the castle court at Belgard, because of the fiefs lying under that castle court and fallen to him, might well be granted his request, we report most obediently upon this that we find no reason why Your Electoral Serene Highness should not graciously permit this to him for his person *ad vitam*, since such exemptions were from time to time granted by the late most blessed Dukes of Pomerania, for motivating reasons, to one person or another. For the rest, we obediently return the enclosed document as commanded, etc. Stargard, 16 March 1669.⁷³⁷

Stargard. 28 April, 1670

Feudal charter concerning Timmenhagen and Gr. Raddow c. p. in Wulkow, Salmow, and Vogelfang for the Electoral-Bavarian Vice-Governor in the Upper Palatinate, Eowaldt Kleist⁷³⁸, and confirmation of the allodial sum fixed at 10,000 thalers.

After the draft in the L. A.: Tit. IX. Sect. 88. No. VIII. fol. 12.

Frederick William, Elector.

We certify and acknowledge hereby for ourselves, our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and otherwise to everyone, that the worthy and steadfast man, our former privy councillor, chamberlain, president of the Duchy of Farther Pomerania and Principality of Cammin, captain at Marienfließ, dean of the honorable Cathedral Chapter at Cammin, and our dear faithful subject, Eowaldt Kleist, seated at Timmenhagen, Raddow, Nähringen, and Zatichow, etc., at present Electoral-Bavarian Vice-Governor in the Principality of the Upper Palatinate, has obediently approached us and requested that we, after the feudal duty had been performed, would graciously grant and enfeoff to him and to his male bodily feudal heirs his hereditary and feudal estates

⁷³⁶ III. 129.

⁷³⁷ Jochim Kleist, because of his estate Zeblin, situated in the Principality of Cammin, already stood immediately under the court of justice, as did the entire nobility of the bishopric, in which there were no castle courts as courts of first instance. When he then became the feudal heir of District Councillor Dubschlaff Kleist (III. 123), whose estates lay in the district of the Belgard castle court, he petitioned the Elector to place him and his descendants, also in respect of these estates, immediately under the court of justice and to exempt them from the Belgard castle court, "so that, to our great inconvenience and at double expense, we should not have to litigate in two courts, keep advocates, procurators, and solicitors, and travel to two places." Upon the above report of the Government of Farther Pomerania, the Elector granted him the exemption under date 23 March (2 April) 1669, but only for his person. (G. St. A.)

⁷³⁸ III. 170.

Timmenhagen and Great Raddow, which respectively had been awarded to him by judicial decision and purchased by him with our Electoral consent.

Since we have graciously considered the most humble faithful services which the said our Privy Councillor and present Vice-Governor in the Upper Palatinate has for many years willingly and gladly rendered to us, and which he and his male bodily feudal heirs hereafter can, shall, and may render in obedience to us and to our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, we therefore, for the sake of the same and out of special grace, have, after the feudal duty has been performed, granted and enfeoffed to him and to his male bodily feudal heirs the estates Timmenhagen and Great Raddow, with all their old and new boundaries and marks, church fiefs, the right of patronage and of calling pastors, courts, highest and lowest, over neck and hand, rights of roads and ponds, with the Schulzengericht, rents, leases, and income, with the demesne farm, sheep-farm and its rights, likewise tavern sites, arable fields, cultivated and uncultivated, meadows, woods, waters, islands, fisheries, hunts, mast-woods, bushes, pasturage, and drift-ways, all occupied and unoccupied peasants and cottagers at Timmenhagen, Great Raddow, Wulcko, and Salmow, likewise the peasant farm at Vogelsang purchased from Adrian Bork with our Electoral consent of 29 March 1669, also the absent subjects belonging to the estates, and otherwise all other appurtenances, uses, favors and accessories, liberties, privileges, and rights, with nothing at all excluded, just as the estates were formerly held respectively by the Weyhers and the Borks, and as they ever possessed, used, and enjoyed them, or in any way could enjoy and use them; in particular also with the clause and addition annexed to our Electoral consent dated Cölln an der Spree, 9 March 1658, concerning the payment of 10,000 Reichsthaler, namely that these 10,000 Reichsthaler, together with their increase, shall be repaid, before surrender of the said estate, in one undivided sum to those of his family in the male and female lines, or to those whom, failing such heirs, he may appoint thereto by a disposition of last will.

We have granted and enfeoffed the same to him as a true male fief, and grant and enfeoff him with it hereby and by virtue of this charter, yet in such form and manner that von Kleist and his heirs, as often as it is necessary and the case occurs, shall seek and receive such feudal estates from us and our heirs according to the form of the oath sworn, and shall also do and perform therefrom whatever the nature, character, and custom of a male fief, and the feudal oath, require; without prejudice to our rights, those of our heirs, and those of everyone else.

In witness whereof this charter has been strengthened with the seal of our Electoral Government of Farther Pomerania and with the prescribed subscription. Done at Stargard, 28 April 1670.

Ernst v. Krockow. Sebastian Brunnemann. M. Höltzener.

Councillor of Government. Councillor of Government.

650.

1670 and 1671.

Hufen-status registers of the Farther Pomeranian knighthood, especially in the Neustettin district and the Principality of Cammin. Extracts.

After the original protocols and copies in the P. P. A.: Stett. Arch. P. I. Lit. 97. No. 923.b, No. 927.a, and No. 917.b, and copies in the Library of the Society for Pomeranian History and Antiquities: Löper Library Msc. Nos. 127, 128, 130, 131.

Hufen status of the Pomeranian knighthood, as revised and arranged in the year 1668 by the Electoral Government and by the deputies appointed for this purpose by the estates, and closed on 14 December

1668. Published on 21 March 1670.

Land-hides: increase; decrease by measurement; by transfer; by concession.

Greifenberg district.

In Poberow, Wilhelm Kleist: — $2 \frac{1}{8}$ — —

Belgard district.

From the Neustettin district, in the village of Bornentin: $1 \frac{1}{2}$ — — —

From Grünenwalde, District Councillor Jochim Kleist: $\frac{1}{2}$ — — —

At Wilhelm Kleist's in Vietzow, now Ewaldt Jürgen Kleist: $4 \frac{1}{2}$ — — —

All the Kleists together: — $38 \frac{1}{2}$ — —

Christian Kleist in Boisin: — 1 — —

Also at Christian Kleist's: — 3 — —

At Alexander Kleist's: — $\frac{3}{4}$ — —

It must, however, be proven that these $4 \frac{3}{4}$ hides are not already included among the $38 \frac{1}{2}$ hides.

Neustettin district.

At Borntin, to the Kleists: — 1 — —

Into the Belgard district, from Borntin to Pribßlaff Kleist: — — $1 \frac{1}{2}$ —

Also in Grünwalde to Jochim Kleist: — — $\frac{1}{2}$ —

At Dolgen: — — — 6

N.B. These Dolgen hides are deducted from the whole land, in consideration that the loss is included within the proportion of the 50,000 hook-hides.

The newly arranged hufen register of the Neustettin district of the year 1671, on 28 March, according to the register of the year 1670.

The Bonins have 114 land-hides, and the following are taxed:

Land-hides.

Peter Rüdiger Kleist in Grossenborn: $2 \frac{1}{2}$.

Obristwachtmeister Kleist of Dolgen, after deduction of 6 land-hides according to the register of 1670: 9.

The Kleists in Glyneke: $3 \frac{1}{2}$.

The hufen status of the Glasenapps on the Belgard side stands in the register of 1670 at $37 \frac{7}{8}$ land-hides, which are taxed among the individuals in the following manner:

Peter Rüdiger Kleist in Pribko: 2.

In Dummerfitz: 1.

Pribschlaff Kleist in Bornenthin: 1.

The hufen status of the family von Wolde according to the register of 1670: $49 \frac{1}{2}$ land-hides:

Jacob Kleist: 3.

Peter Rüdiger Kleist in Dummerfitz: $\frac{1}{2}$.

Peter Rüdiger Kleist in Pribkow, because of Carsten von Wolde, of which Alexander von Wolde had for a time held $\frac{1}{2}$: 2.

According to the register of 1628, the family of the Kleists is to be taxed, apart from their pledged hides, on 84 1/2 land-hides.

From this are deducted according to the register of 1670:

In Klingebeke: 2 land-hides.

In Borrenthin, because of sand damage: 1.

Ibid., transferred into the Belgard district: 1 1/2.

Because of Dolgen, which, according to the register of 1670, has been transferred from the whole land: 6.

Sum: 10 1/2; thus remain 74 land-hides.

From this is further deducted what is taxed on the Prussian side:

At Dolgen, Major Kleist: 9.

Christoff Kleist at Glyneke: 3 1/2.

12 1/2.

Thus there remains to be taxed on the Belgard side: total 61 1/2 land-hides.

These are taxed among the individuals:

Philip Kleist's widow: 13.

Asmus Kleist: 4 1/8.

Reimer Zastrow: 2.

Franz Kleist: 4 1/8.

Cassulke, now Wobser in Kucherow: 1/2.

Rudiger Massow in Juchow: 2 3/4.

Daniel Kleist's heirs, Christian Heinrich Kleist: 5.

Alexander Kleist: 5.

The possessors of Simon Kleist's estates: 5 3/4.

Peter Rüdiger Kleist with Peter Kleist's widow: 14.

The same, because of Cassulke: 1/2.

Captain Gerth Wedige Glasenap, because of Eschenriege and Klingebeke: 4 3/4.

Sum: 61 1/2.

Done at Colberg, 26 May 1671. Hufen status in the Principality of Cammin.

The Manteuffels.

They stand in the register of the year 1628, etc. etc.

Reimer Manteuffel, because of Trineke and Nerese: 19 1/2 hook-hides.

Also the same there: 4.

Present possessors: 1. Jürgen Kleist's heirs. 2. Heinrich Manteuffel. 3. Christoph Heinrich Briesen. What each of them specifically has could not be indicated.

The Heydebrecks.

Mayor Carsten Kleist, because of the peasant purchased from Berndt Heydebreck at Todtenhagen: 2 hook-hides.

The Kleists.

They stand in the register of the year 1628 at 55 hook-hides. They are taxed by:

1. Churdt Kleist, now Jochim von Dimkuhlen because of Dargen, now his heirs: 6 hook-hides.
2. Jürgen, now Jochim Kleist at Zeblin: 16.
3. Jochim Kleist, now under the title Reimer Kleist's heirs because of Schwellin: 10.

These 10 hides are taxed by:

- a. The late Castle Captain Heydebreck's heirs because of 3 peasants in Schwellin: 6.
 - b. The late Alexander Jochim Kleist's heirs: 2.
 - c. Lieutenant-Colonel Ulrich Bonin in Schwellin: 2.
4. Peter Kleist, now Valentin Daniel because of Dargen: 16.
- Of these hides the following are taxed:
- a. Lorentz Versen in Schwellin: 2.
 - b. Lieutenant-Colonel Ulrich Bonin at Dargen: 2 1/2.
5. Peter Kleist, now Valentin Daniel, is further taxed because of Gabriel Sommerweiß in Dargen: 5.
 6. The same, from Heinrich von Wolde in Dargen: 2.

Thus Valentin Daniel Kleist's hides: 23.

Total: 55.

Decreases.

From Valentin Daniel Kleist's 23 hides:

1. Because of the measurement in the year 1632: 7 hook-hides.
7 1/2 are supposed to decrease, but Lieutenant-Colonel Ulrich Bonin enjoys the one, because 1/2 hide is deducted from him because of sand damage.
1. From 3 peasants who had 4 1/2 hook-hides, and which long before the year 1627 had been joined to the manor seat, as he proved before the commission.
3. To Lorentz Versen in Schwellin, which he sold to him: 2.
4. Also from Lieutenant-Colonel Ulrich Bonin in Dargen: 2.

Mr. Lieutenant-Colonel Bonin refers to the protocol of the year 1668 because of the 2 1/2 hides, and does not wish to retain them, but to transfer them back to Kleist until the contract has been fulfilled; that contract provides that he is to tax only the eighth part of his taxable hides, and that Kleist is to cede the full arable land. Since Kleist had the land measured and enjoys a decrease, the gentlemen commissioners find it equitable that the colonel should participate in such decrease.

N.B. The 4 1/4 hides because of the manor seat are not deducted, because it has not been shown that in the year 1627 such hides were removed from the assessment; thus the decrease remains 11.

Further, from Jochim Kleist's 16 hides there are decreased 3, which before the year 1628 were joined to the manor seat, and afterwards approved by His Electoral Highness and the estates. He produces the originals, petitions to be protected therein, and leaves certified copies among the records; thus Jochim Kleist has 13 remaining after deduction of the 3 hides which were joined to the manor seat.

Mr. District Councillor Jochim Kleist likewise petitions that the half-hide which does not stand in the registers of the years 1626 and 1628 be deducted. The gentlemen commissioners agree to this.

Permanent decreases.

From Valentin Daniel Kleist because of measurement: 7 1/2 hook-hides.

From Jochim Kleist, joined to the manor seat: 3.

10 1/2.

Thus only 44 1/2 hook-hides remain to the Kleists.

The Stoyentins.

They stand in the register of the year 1628 with 8 hook-hides.

Now: Jürgen Kleist's heirs because of Nerese: 8 hook-hides.

651.

1672.

Calculation of the collected and outstanding feudal-horse moneys from Farther Pomerania. Extract.

After a copy in the Library of the Society for Pomeranian History and Antiquities: Löper Library Msc. No. 163, fol. infra 186–214.

Collected. Arrears.

rthlr. ßl. rthlr. ßl.

Castle-seated nobles.

The Glasenapps at Gramenz etc. etc. Toward this have paid:

Uladislaw Kleist: 5 — — —

Belgard district.

The Kleists are to maintain 16 horses; toward this they have paid:

Christian Kleist of Dobbero is to maintain 3 horses, amounting to 120 rthlr.; paid 33 rthlr. 12 ßl.; remains in arrears 86 rthlr. 24 ßl.; alleging that the executors from Colberg had collected the same.

Mr. Rittmeister Paull Daniell Kleist of Tichow is to maintain 1 horse; remains in arrears: 40 rthlr. He otherwise had nothing but a little livestock, which the executors could not convert into money.

Mr. Colonel Christian Kleist of Tüchow for 1 horse: 40 rthlr.

Joachim Henning Kleist of Tüchow is to pay for 1/2 horse, 20 rthlr.; he has paid 11 rthlr.; remains in arrears 9 rthlr., which he could not raise.

The widow of the late Peter Kleist of Tüchow is also to maintain 1/2 horse; she is in such a miserable condition that the executors can obtain nothing; thus remains in arrears: 20 rthlr.

Ewaldt Jürgen Kleist of Fitzo for 1 horse: 40 rthlr.

Mr. Colonel Caspar Kleist of Saticko for 3/4 horse: 30 rthlr.

1/4 horse is to be paid by the widow of the colonel's brother of Vietzow; there was nothing there; remains in arrears: 10 rthlr.

Pritzlaff Kleist of Borntin for 1/2 horse: 20 rthlr.

Mr. District Councillor Joachim Kleist of Dahmen has paid for 1/2 horse: 20 rthlr.

According to his report, for the other 1/2 horse Carsten Kleist of Kuecko is to pay 13 rthlr. 12 Bl., and the late District Councillor Berndt Münchow's heirs of Mutterin 6 rthlr. 24 Bl.; they are unwilling to do this, and according to the statement of the executors there is also nothing with the first of them; remains in arrears: 20 rthlr.

Dubschlaff Jochim and Christian Richardt, brothers, the Kleists at Dahmen, have paid 33 rthlr. 12 Bl.; they are to pay 40 rthlr. for 1 horse; remains in arrears 6 rthlr. 24 Bl., which they were unable to give.

Christoph Friderich Kleist at Dahmen for 1 horse: 40 rthlr.

Reimer Kleist at Kuwaldt has given 5 rthlr.; Joachim Heinrich at Volckow 6 rthlr. 24 Bl.; Alexander at Kowaldt 6 rthlr. 24 Bl.; Wulff Ernst Schnell 6 rthlr.; together 24 rthlr. 12 Bl. They remain in arrears, because they are to give 40 rthlr. for 1 horse: 15 rthlr. 24 Bl. This is to be paid by Hans Friderich Wobeser, but the executors report that he was able to pay nothing.

The widow of Heinrich Rahmel of Nembrin: 6 rthlr. 24 Bl.

The widow of the late Prietlaff Kleist of Klein Nembrin: 6 rthlr. 24 Bl.

Valtin von Kleist of Dobel: 20 rthlr.

But since the executors found nothing there from which payment could be taken, there remains in arrears: 33 rthlr. 12 Bl.

Daniel Kleist's heirs of Dahmen are to maintain 1 horse, therefore should pay 40 rthlr.; they are said to be wholly impoverished; remains in arrears: 40 rthlr.

The Woldes etc. etc. Toward this have paid:

Kleist of Eichenberg, the Woldes of Alten Mühle, the Podewilses of Bolcko, are to pay 3/4 horse; they also offered their livestock, which could not be turned into money; they remain in arrears.

The Versens etc. etc. Toward this are to give:

The administrator of Rittmeister Kleist of Titzow for 1/2 horse: 20 rthlr.

Neustettin district.

The Kleists are to furnish 4 horses; these give:

Peter Kleist's widow of Dallentien is to give 15 rthlr., as for 1 1/2 foot of a horse; she is wholly impoverished; thus remains in arrears: 15 rthlr.

Mr. Frantz Kleist of the Schneidemühle has paid for 1 1/2 foot: 15 rthlr.

Mr. Asmus Kleist of Guchow is to pay 20 rthlr. for 1/2 horse; remains in arrears: 20 rthlr.

Miss Christine Kleist of Guchow for 1/4 horse: 10 rthlr.

Christian Heinrich Kleist of Raddatz has paid 10 rthlr.; he is to give for 3/4 horse; remains in arrears: 20 rthlr.

Mr. Alexander Kleist of Raddatz for 1/4 horse: 10 rthlr.

Mr. Jochim Daniell Kleist of Raddatz has paid 10 rthlr.; he must pay 50 rthlr. for 1 1/4 horse; remains in arrears: 40 rthlr.

Rehmer von Zastrow must, because of Kleist fief, maintain 1/4 horse from Raddatz and Schneidemühl; remains in arrears because of poverty: 10 rthlr.

Landvogtei Stolp.

Mr. Jerßon Kleist of Rusitz: 40 rthlr.

Knighthood of the Principality of Cammin.

Bonins.

Valentin Kleist of Dargen, which is a Bonin fief, for 1 horse: 40 rthlr. in arrears.

Kleists at Zeblin for 1 horse: 40 rthlr. in arrears.

Knighthood of the Landvogtei Schlawe.

Kleists of Tichow and Quesdow.

Peter of Tichow for 1 horse: 40 rthlr. in arrears.

Philip and Jürgen of Tichow and Quesdow for 1 horse: 40 rthlr. in arrears.

Knighthood of the Rügenwalde district.

Kleists of Krolow.

Rüdiger Kleist of Krolow for 1 horse 40 - - -

Kleists of Crolow.

Christian Kleist of Crolow, Schlackow, Ecsow, Frantzen, and appurtenances: 1 horse.

Through the above-named Kleists' administrator at Frantzen: 6 2/3 — 33 1/3 —

652.

Thurrow. 27 June, 1672

The widow of Christian Dietrich Kleist⁷³⁹ and the guardians of her sons cede the right of redemption to one half of Nassen-Glienke to Christoff Kleist of Nassen-Glienke for 3,500 Pomeranian florins.

After an authenticated copy in the L. A.: Tit. IX. Sect. 88. No. IV. fol. 56.

Before the Most Serene, Most Mighty Prince and Lord, Lord Frederick William, Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire, Duke in Prussia, of Jülich, Cleves, Berg, Stettin, Pomerania, before His well-appointed Court and Provincial Courts of Farther Pomerania, and otherwise before everyone, we, the appointed guardians of the widow and son of the late Christian Dietrich Kleist, acknowledge: Whereas previously the late Christian Dietrich Kleist had pledged and mortgaged his share in Glinke to the noble and highly virtuous lady Margaretha Lucretia Rothberger, wife of Colonel Michell Jenicke, jure antichretico for 2,000 Pomeranian florins, by virtue of the contract dated Steinberg, 6 April 1663, and of the gracious Electoral confirmation; and whereas thereafter the mother and sisters of the aforementioned Christian Dietrich Kleist came forward, and, since the mother claimed about 6,000 florins from this estate by virtue of the marriage settlement of 27 June 1612 and other receipts, and the sisters likewise each claimed 1,000 Reichsthaler as marriage portion, they reached a complete settlement with the aforementioned lady colonel and, cum consensu Serenissimi, assigned all their rights to her; and since, therefore, on behalf of our wards we had little or nothing to hope for, yet nevertheless by the contract alleged were bound to bear the burdens, we have, with the consent and approval of our wards, prevailed upon and requested the honorable Christoff Kleist, likewise hereditary owner at Glinke, that he would redeem and take over this portion of feudal estate, namely the half-village of Nassen Glinke, and pay out to our ward his share from his grandmother's side, since he had no expectation at all of enjoying anything from his father's estate, and in this way, if we

⁷³⁹ III. 225, 220.

were to ratify the lady colonel's contract and allow her to remain there longer, he would lose it.

Since he, upon our insistent urging, has willingly agreed to this, we have, by virtue of this instrument, sold, ceded, and transferred to the aforesaid Christoff Kleist this little estate for 3,500 Pomeranian florins, each florin reckoned at 24 Lübsche shillings, and one good horse with full equipment, as hereditary and proper property, with all appurtenances, privileges and rights, namely the manor house and hides, peasants, their houses and hides, cottagers, their houses and land, drift-way, pasture, woodland, pond sites, road rights, sheep-farm rights, jure patronatus, yet with the proviso that the burial place of the late Christian Dietrich Kleist shall remain free for his person, hunts, courts over hand and neck, shepherds' quarters, reeds, bushes, and woods, with nothing at all excluded, just as the late Christian Dietrich Kleist himself possessed, used, and enjoyed it; and we set him at once into full and actual possession.

In return, he has paid the agreed sum in the following manner: first, to Colonel Jenicke, 2,070 florins 12 shillings, of which 2,000 florins in value were paid in pure, full-weight coins, each reckoned at 2 Reichsthaler; secondly, to the mother and the two sisters, since for the benefit of our ward they remitted the rest and expressly gave 500 florins as a gift, 929 florins 24 shillings; and the 500 florins to our ward, being what was given to him by his grandmother and paternal aunts. Thus the 3,500 florins have been fully discharged. And since he has also at the same time given to our often-mentioned ward a good, well-equipped horse, likewise 12 scheffels of rye, 12 scheffels of barley, and 24 scheffels of oats, he is hereby, in the most lasting legal form, discharged from all claims and demands; and he now has full power and authority to use and enjoy the estate according to his best convenience.

And since our ward has not entered, and does not enter, into the estate left by his late father as an heir, and is therefore not bound to satisfy the remaining alleged claims upon Glinke, especially since by the above rights the estate is wholly absorbed and no surplus exists, we will at all times warrant to Mr. Christoff Kleist the sold rights *ut nomina vera et bona*. For this reason the widow of the late Christian Dietrich Kleist pledges as an express hypothec, *ex constituto possessorio*, her illata and womanly rights, likewise the little estate Steinburg in the Busch, which the late Christian Dietrich Kleist had acquired from Mr. Caspar Rüdiger Hertzberg; she also knowingly renounces the *beneficium Senatus Consultum Velleiani*, as well as the *authentica si qua mulier*, inasmuch as she has been informed of all this by the undersigned notary. And we do not wish to retain either natural or civil possession any further.

Rather, at the same time and in particular, and by virtue of this instrument, we knowingly renounce all Roman, papal, imperial, royal, and Electoral liberties and favors, privileges, indults, absolutions, exemptions, dispensations, monitories, suspensions, and customs, especially also the provincial statute concerning the alienation of fiefs, as well as the old and new provincial and imperial ordinances which may have been devised or may have made provision against this.

Furthermore we renounce also all ecclesiastical and secular legal exceptions and benefits, none excepted, just as though they were all specifically named here; but especially the *exceptiones doli mali, fraudulentæ persuasionis, cujusque laesionis enormis et enormissimæ, rei non sic sed aliter gestæ*, likewise *restitutionis in integrum, nullitatis, deductionis, appellationis ad Cameram imperialem, reductionis ad arbitrium boni viri, fori, belli*, the *exceptiones et dilationes in jure non scripto nec non ex speciali mandato vel indulto Caesariae Majestatis quoquo modo impetratis vel deinceps impetrandis, etiam et ordinationibus sive generalibus sive particularibus de praesenti existentibus*, and thus, in summary, all other privileges in general, whether general or special, likewise exceptions *de jure vel de facto*, arising by reason of the *senatus consultum* or minority, *pecuniae in rem minoris non versae*, and especially the rules of law requiring that a general renunciation is not valid unless a special express renunciation has preceded it, likewise that these renunciations were inserted merely according to the

custom of notaries or draftsmen. Thus this deed, in all its incorporated points and clauses, shall, without any evasion, obtain the force of a decided case and of three conforming judgments.

At the same time we hereby request all impartial judges, conscientious advocates and procurators, as honorable men, that they neither judge nor advocate nor write against this deed of sale and cession, but rather direct that it be honorably observed.

Since, then, this contract has thereby been honestly completed, the widow of the late Christian Dietrich Kleist and her son confirm it not only by their own signatures, but also declare, under the above renunciation and as truly as God shall help them, that they will undertake nothing against it, nor allow anything to be undertaken against it by others.

If, however, Mr. Christoff Kleist or his heirs should wish again to alienate this portion of the estate, we reserve to our ward the nearest right, provided, however, that building and improvement costs and the contributions advanced in the meantime are likewise reimbursed and paid on one board in the same coin.

Finally, we intend to have this contract confirmed by the high territorial authority as the circumstances of the time permit, but Mr. Christoff Kleist shall pay the costs of this. All without fraud or deceit and upon the word of eternal truth. Done at Thurow, 27 June 1672.

At the request of the widow of the late Christian Dietrich Kleist, I, the undersigned, have read aloud the foregoing contract separately and privately to her as well as to her son Lorentz Ditrich Kleist, have clearly and thoroughly explained it to them in all its clauses, and especially have clearly explained the *Senatus Consultum Velleianum* and the *Authentica si qua mulier*; whereupon they, mother and son, both declared that they now well understood the contract in all its clauses, and had also been sufficiently instructed concerning all legal exceptions and clauses contained therein, for which reason they wished to hold it firmly and steadfastly as written, and for the greater confirmation of this they requested me to sign it with my own hand and also to affix my customary seal.

(L. S.) Petrus Gudejahr,

Imperial-authority Notary Public.

Since the widow of the late Christian Ditrich Kleist cannot write herself, she has requested me to sign this once more in her name.

Petrus Gadejahr, in the name of the widow of the late Christian Ditrich Kleist, Barbara Elisabeth von Bandemer.

Lorentz Ditrich Kleist⁷⁴⁰,

my own hand.

L. S. Eowaldt Jacob Kleist,⁷⁴¹

guardian.

L. S. Joachimus Falck, with his own hand.

L. S. Joachim Christoff Kleist⁷⁴²,

as witness.

I transmitted this contract when it was signed.

⁷⁴⁰ III. 310, son of 225.

⁷⁴¹ III. 266, guardian of the sons.

⁷⁴² III. 233.

Paul Nitz, Doctor of Both Laws, litigation curator, with his own hand.

653.

Stolp. 19 and 20 September 1672

Joachim Henningk Kleist⁷⁴³ of Gr. Quesdow and Wendisch Tichow transfers to Peter Kleist of Wendisch Tichow his estate Groß Quesdow in return for the assumption of his debts in the amount of 6,266 florins.

After the original in the L. A.: Tit. IX. Sect. 88. No. IV. fol. 30b.

Whereas the noble-born, honorable, steadfast Mr. Joachim Henningk Kleist, hereditary owner at Great Quesedow and Tichow, being advanced in age, intended to rid himself of the extensive household management, and had accordingly resolved to transfer his estate Great Quesedow to one of his creditors, in order to satisfy the others from it; and whereas among the creditors he found his friendly dear cousin, Mr. Peter Kleist, hereditary owner at Ticho, he has joined with him and, in the presence of the below-named gentlemen and friends, has transacted, agreed, and voluntarily contracted with him as follows.

1. Joachim Henningk Kleist transfers to his said cousin Mr. Peter Kleist his estate Great Quesedow with all its appurtenances, privileges and rights, subjects born and unborn, no one excepted, except only the servant Greger Hoefftman, whom Mr. Joachim Henningk Kleist reserves for himself, and Jürgen Christian Hoefftman ad dies vitae suae, so that after his death he shall remain with the Great Quesedow estate—the former entirely, the latter only so long as Mr. Joachim Henningk Kleist lives—together with the right of patronage, jurisdiction, arable fields, meadows, streams, lakes, ponds, pasture, heath, reeds, bushes, woods, hunts, fisheries, streams, just as he has possessed it until now from his forefathers, or could possess it by right. Nothing, whatever name it may have, shall be excepted, except only that the paddock used from Tichow, as well as the reeds on the mill-pond, shall remain with the little Tichow farm. Peter Kleist shall henceforth possess it according to his best convenience, enjoy, use, and make use of it as his own, and shall not be required to surrender it again until he has been properly and fully satisfied and paid, to the last heller and pfennig, for everything set out below in capital, interest, damages, and costs.

2. The delivery is to take place fully on the coming 30 September, the day after Michaelmas of this year 1672, and Mr. Peter Kleist shall receive the cutting of the grain and meadows, paying Mr. Joachim Henning Kleist for the same according to the custom of the land, for which the measure of grain is to be specified. In return, Mr. Joachim Henning Kleist retains for this year all interest due to the creditors, as well as all other debts not specified here, known or unknown, sive latentia, and transfers them to the little farm at Tichow.

3. A correct inventory shall be drawn up upon delivery of the estate, showing its condition.

In return, Mr. Peter Kleist binds himself and promises:

1. First, to take over from his said cousin Mr. Joachim Henning Kleist the debts named below, to transfer them to himself as his own debts in the manner set forth below, and, with the estate Great Quesedow standing as security, and with all his other estates pledged ad optionem et licitationem ex constituto possessorio, to hold Mr. Joachim Henning Kleist harmless and indemnified in every necessity and damage.

⁷⁴³ II. 106, 65.

2. Mr. Peter Kleist retains against himself 600 florins of his own debt in capital, together with the annual interest accruing thereon, and hereby fully discharges Mr. Joachim Henningk Kleist from the interest accrued until this Michaelmas.

2. He takes over and transfers to himself 1,500 valued florins in capital owing to Mr. Joachim Henningk Kleist, to be paid at Michaelmas; or, so long as the capital remains unpaid, to be duly paid with annual interest at Michaelmas according to the custom of the land. Joachim Henning Kleist may otherwise dispose of this as he pleases, and assign from it whenever he wishes.

3. Mr. Peter Kleist takes upon himself 1,300 valued florins in capital owed to Mr. Lorentz Putkamer, hereditary owner at Crampe, and the one year's interest accrued thereon to date, and thereafter, so long as the capital remains unpaid, the interest thereon is to be paid annually at Michaelmas according to the customary interest of the land. It is to be noted here that Mr. Peter Kleist has given this Lorentz Putkamer 40 Reichsthaler, which have nothing to do with this contract, but were previously bargained for and paid toward the purchase, because the estate was left to him at a favorable price.

4. Mr. Peter Kleist pays to the widow of the late Lieutenant Schultz 1,000 florins in capital, and so long as the same remains unpaid, he pays the interest thereon annually at Michaelmas.

5. Further, Mr. Peter Kleist pays to the son of the late Lieutenant Schultz by his first marriage 700 valued florins. But because this is not yet liquidated, Mr. Peter Kleist transfers this debt to himself cum onere et commodo, yet in such a way that, if he should have to pay more than the 700 florins, he shall receive full reimbursement from the feudal successor upon redemption of the estate.

6. He pays to the widow of the late Philipp Kleist 300 florins in capital, and so long as it remains unpaid, he pays the interest from the coming Michaelmas.

In addition to the preceding items, Mr. Peter Kleist undertakes to pay at the coming Michaelmas:

7. 100 florins in capital to the heirs of the late Jacob Böhn of Beso.

8. 200 florins to Miss Elisabeth Lojow.

9. 101 florins to Miss Esse Lojow.

10. 150 florins in capital to the heirs of the late Heyse, and also one year's interest accrued up to now. If Mr. Peter Kleist should have to give these Heyse heirs more than they have specified, Mr. Joachim Henningk Kleist will allow it to be deducted again from the first cutting mentioned in another point.

11. 100 florins in capital to the church at Schlawe.

12. 50 florins in capital to the church at Stolp.

13. 165 florins in capital to the heirs of the late Mr. Joachim Pritz.

The sum of all these items is 6,266 florins in capital.

2. Secondly, Mr. Peter Kleist takes upon himself the interest on all the above-mentioned items from the coming Michaelmas, and Mr. Joachim Henningk Kleist shall have nothing to do with it. If one or another creditor resigns the capital, Mr. Peter Kleist shall pay it off and transfer it to himself upon the estate Great Quesedow. All other interest not named herein, as well as debts, known or unknown, sive latentia, which are not specified here, shall be paid by Mr. Joachim Henning Kleist, and he shall free Mr. Peter Kleist from them, as set forth above at the beginning in the second point.

3. Mr. Peter Kleist retains for himself the contributions and feudal dues from the estate Great Quesedow, and shall pay the same from Michaelmas as tempore traditionis, so that Mr. Joachim Henningk Kleist henceforth shall have nothing to do with them. Yet Mr. Joachim Henningk Kleist takes upon himself the taxation of 3 1/16 hides at Tychow, so that Mr. Peter Kleist retains 11 taxable hides at Great Quesedow.

In return, upon redemption of the estate, Mr. Peter Kleist shall receive reimbursement for this, together with the interest accrued from the day of payment, just as the contributions were paid each time, before surrender is made.

4. All improvements which Mr. Peter Kleist shall make in the estate from the time of delivery shall be reimbursed to him, to the last heller and pfennig, together with due interest, before he surrenders it again; and he shall not be obliged to leave it before this has been done.

5. ... ruin, casus fortuiti, and other inconveniences and burdens Mr. Peter Kleist retains upon himself, and whatever he may be able to claim on this account he shall claim upon redemption of the estate. Before that time, however, Mr. Joachim Henningk Kleist shall have nothing to do with it.

6. Mr. Peter Kleist promises to hold Mr. Joachim Henning Kleist harmless and indemnified in all respects concerning everything set forth above, in such a way that in his vitalitium at Tichow, which he reserves for himself, he shall suffer no molestation or burden from it.

And since this has thus been voluntarily agreed, maturely considered, settled, contracted, and concluded by both parties, each binds and promises for himself, his heirs and successors, to keep it firmly, steadfastly, and inviolably, and to comply with it in all respects, sub hypothecatione omnium bonorum suorum ad optionem et licitationem ex constituto possessorio, with renunciation of all exceptions and legal benefits, whatever names they may have, especially exceptionibus doli mali, fraudis, persuasionis, laesionis enormis ac enormissimae et ultra dimidium justii pretii, casus fortuiti ac insoliti, fructus non adaequare quantitatem usurarum et interesse ac impensarum, rei non sic sed aliter gestae, and the beneficia reductionis ad arbitrium boni viri, restitutionis in integrum, appellationis ad Cameram Imperialem, supplicationis, compensationis, delegationis, as well as all moratory indults, both introduced and to be introduced, biennial, triennial, and quinquennial. Both parties knowingly and unknowingly hereby renounce all and each of these. They also intend to present this respective voluntary agreement and settlement in the Provincial Court here to the Electoral Lord Landvogt, to have it firmly observed, and to have it confirmed by His Electoral Serene Highness; the costs for this shall be paid by Mr. Peter Kleist, who at the time of redemption of the estate Great Quesedow shall recover them together with customary interest from the day of the outlay.

To hold all this faithfully, without fraud or deceit, upon noble honor, fidelity, old Pomeranian faith, and in place of an oath, both principals, together with the below-named assistants requested for this purpose, have signed this with their own hands. Thus done, concluded, and transacted in the presence of the noble-born, honorable and steadfast Mr. Jacob Gutzmerow of Freist and Cämpen, Mr. Gustav Richard Grapen of Caruitz, etc., Mr. Michael Putkamer of Plaßow, Mr. Lorentz Christian Stoyentihn of Podel, and Mr. Greger Bichow, hereditary owner at Gieseitz, in Stolp, on 19 and 20 September 1672.

Joch. Henning Kleist, with his own hand.

Georg v. Kleist,⁷⁴⁴ with his own hand.

Jochim Rüdiger Kleist.

Arndt Hinrich Kleist.

Friederich Wilhelm Kleist.

654.

Stargardt. 7 November, 1673.

⁷⁴⁴ In the signatures the purchaser Peter is missing; instead his sons have signed: II. 93–96.

Feudal charter concerning Dolgen for Lieutenant-Colonel Georg Friedrich Kleist.⁷⁴⁵

After the draft and authenticated and simple copies in the L. A.: Tit. IX. Sect. 88. No. V. fol. 4 and 6, No. XI. fol. 16, No. XII. fol. 47 and 57.

We, Frederick William, by the grace of God Margrave, etc. (as in No. 641.)

We certify and acknowledge hereby for ourselves, our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania, Princes of Cammin, and otherwise to everyone, that the steadfast man, our feudal vassal, Lieutenant-Colonel of Foot, and dear faithful subject Georg Friedrich Kleist, Peter's son, has most humbly produced to us in original his contract of exchange concerning the estate Zamborst and Dolgen, obtained from the late most blessed Lord Duke of Pomerania, Bogislaw the Last, of blessed memory, and the respective feudal charter, and has at the same time requested that we graciously be pleased to confirm the same. It reads word for word as follows:

By the grace of God, we Bogislaw, the Fourteenth of that name, etc. (No. 595.)

Since, then, we have graciously considered and weighed the most humble faithful services which the forefathers of our Lieutenant-Colonel Georg Friedrich Kleist willingly and gladly rendered to the late most blessed Lords Dukes of Pomerania, and which he and his heirs can, shall, and may hereafter render to us and to our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania, and Princes of Cammin, we have therefore graciously resolved to grant room and place to his most humble petition. Accordingly, we confirm and ratify the above-inserted contract of exchange and feudal charter in all its points and clauses, in the strongest and most lasting manner, as we are able to do by Electoral and territorial princely power and authority, and as may be done most permanently and effectively in law; yet without prejudice to our rights and to those of everyone else.

In witness whereof this confirmation has been strengthened with the seal of our Electoral Government of Farther Pomerania and with the prescribed subscription. Done at Stargardt, 7 November 1673.

Ernst v. Krockow,

Councillor of Government.

Seb. Brunneman,

Councillor of Government.

Matthias Höltzner,

Councillor of Government and Feudal Secretary.

655.

Großen Tichow. 1 June, 1679.

Hereditary settlement between the four sons by the first marriage of Colonel Christian Kleist⁷⁴⁶ of Gr. Tychow concerning the feudal estates left by him at Groß Tychow, Kiekow, and Mandelatz.

After an authenticated copy in the P. P. A.: Stett. Arch. P. I. Tit. 77. No. 361. fol. 35.

Agreement between the heirs by the first marriage left by the late honorable Lord Colonel Christian Kleist, formerly of Great Tichow, concerning the brotherly and sisterly division of their fiefs, drawn up today at the date below in Great Tichow in the presence of the noble-born gentlemen Mr. Jochim Ernst

⁷⁴⁵ III. 246, father 157.

⁷⁴⁶ II. 60.

Bonin of Nasebandt, Mr. Rüdiger Möncho of Seger, hereditary lords and Electoral Farther Pomeranian duly appointed district councillors, as well as Mr. Rittmeister Andres Jochim Kleist⁷⁴⁷ of Völtzko and Pobantz, hereditary lord, as follows:

1. It has been agreed that the two gentlemen brothers to whom Mandelatzke and Kieko may fall by lot shall receive from the Tichow Zülo, because there is no timber at Mandelatzk and Kieko, 400 pieces of timber for building, half oak and half fir, without any payment, before the future measurement of the wood. And since the knight's seat in Tiecho has been assessed and valued at 800 florins, the two brothers who fall out must be paid 400 florins in building costs by the other two brothers to whom the knight's seat falls, in two installments, namely at the coming Easter of the year 1680, and the other half at the following Easter of the year 1681, without refusal; for this the Zülo remaining with Tichow shall be liable *pro expressa hypotheca sine iudicii strepitu*.

It has next been mentioned that:

2. Their sister, Mrs. Herath Juliana Kleist, widow of the late Mr. Jochim Heinrich Heydebreck of Schübben and Zuchen, hereditary lord, shall have 2,155 florins on account of her bridal portion and her maternal and paternal inheritance. According to her receipt written with her own hand, she has received 316 florins thereon, so that there still remain due to her 1,839 florins.
3. All the estates, namely Great Tichow, Kieko, and Mandlatzk, have been assessed at 13,400 florins. Since from this sum 2,621 florins in debt items are deducted, there remain 10,779 florins, of which 2,235 florins fall to each of the gentlemen brothers.
4. If, contrary to all expectation, their stepmother together with her son and daughter should bring them before court concerning any claim, they hereby and by virtue of this agreement reserve to one another assistance and mutual support therein, likewise with respect to any debts which may still be found and have not been liquidated.
5. With regard to the entire wood, a land surveyor shall be summoned as soon as possible, who, upon his oath of office and with the participation of requested friends, shall measure this wood and bring it into a definite valuation; for his compensation *pro labore* the common wood shall be liable.
6. Since an amicable agreement has now been reached among all the gentlemen brothers, they have, in God's name, proceeded to the casting of lots; and the lot at Tichow has fallen to the eldest and youngest brothers, namely Mr. Bernd Erdmann⁷⁴⁸ and Mr. Bastian Hinrich Kleist; Kieko to Mr. Lieutenant Christian Casimir Kleist; and Mandlatzke⁷⁴⁹ to Mr. Adam Wilhelm von Kleist.
7. Because the estate Mandlatzke is entirely stripped of subjects, the brothers have agreed that they will assign to it three subjects, namely Jochim Klannen, the younger Hase, and Pagel Nemötgen.
8. Of taxable hides, 10 remain with Tychow, 4 with Kieko, and 4 with Mandlatzke.
9. Those to whom the knight's seat falls must pay to each of the other two brothers who fall out 255 florins.

For greater authentication, all the heirs, together with the gentlemen witnesses requested for this act,

⁷⁴⁷ II. 61.

⁷⁴⁸ II. 81, 84, 82, 83.

⁷⁴⁹ The copy suffers from inaccuracy. Just as shortly before the bracketed passage was missing and had to be supplied, Kiekow and Mandelatz also seem to have been transposed here; at least in the year 1681 Christian Casimir has Mandelatz, and Adam Wilhelm has Kiekow. It is possible, however, that when the formal contract was executed on 1 July 1679 (cf. No. 656), a new casting of lots was undertaken.

have signed this agreement with their own hands; and a formal contract shall be drawn up from it as soon as possible. Until then, however, this shall be held firmly, steadfastly, and inviolably in all points and clauses. Given at Great Tichow, 1 June anno 1679.

Bernd Erdmann Kleist.

Christian Casimir Kleist.

Andres Jochim Kleist as witness.

Rüdiger Möncho tanquam testis.

Jochim Ernst Bonin as witness.

Paul Daniel Kleist as witness.

Adam Wilhelm Kleist signs this by entrusted power of attorney from Mr. Bastian Hinrich Kleist.

Christoph Erdman Versen.

Johann Feist, Notary Public.

656.

Großen Ticho. 1 July, 1681

Christian Casimir Kleist⁷⁵⁰ exchanges his estate Mandelatz to his brother Bastian Heinrich Kleist for the latter's share of the estate at Groß Tychow.

After an authenticated copy in the P. P. A.: Stett. Arch. P. I. Tit. 77. No. 361. fol. 37.

Let it hereby be known to everyone that, after a settlement concerning the fiefs situated in these lands had taken place on 1 July anno 1679 between the brothers, sons of the late Mr. Christian Kleist, and after, by the casting of lots, the estate Mandlatzke had fallen to Mr. Lieutenant Christian Casimir, and Mr. Sergeant-Major Bastian Heinrich had received his hereditary share in Tichow, these gentlemen brothers nevertheless made an exchange, so that Mr. Lieutenant Christian Casimir Kleist transferred the estate Mandlatzke, and Mr. Bastian Heinrich in return transferred his share in Tichow to him. Each shall expect and use, with the estate left and assigned to him through the exchange, that which has otherwise already been added to it and may still come to it; and both gentlemen brothers, namely Lieutenant Christian Casimir with the estate Tichow, and Bastian Heinrich with Mandlatzke, have transferred the same and accepted, in place of an oath, that this exchange shall be held firm. Therefore this has been signed with their own hands by both of them and by the others present as witnesses. Thus done in Great Ticho, 1 July anno 1681.

Christian Casmir Kleist,

my own hand.

Bastian Heinrich Kleist,

my own hand.

Jochim Kleist⁷⁵¹ as witness.

Jürgen Kleist as witness.

Christoph Erdmann Versen as witness.

⁷⁵⁰ II. 82, 84.

⁷⁵¹ II. 61?, ?, 83, 81.

Adam Wilhelm Kleist as witness.

Bernd Erdmann Kleist as witness.

657.

Dahmen. 20 March, 1685.

Christian Heinrich Kleist⁷⁵² of Raddatz sells to Lorentz Heinrich Kleist of Damen his share-estate at Zatikow for 1,137 Pomeranian florins.

After a copy in the P. P. A.: Stett. Arch. P. I. Tit. 77. No. 220. fol. 110.

In the name of the most holy Trinity. Amen.

Let it hereby be known and made known, especially to those whom it concerns, that on the date written below the following irrevocable purchase and sale has been unanimously agreed and concluded between the noble-born gentlemen Christian Hinrich and Lorentz Hinrich, cousins, the Kleists, hereditary lords of Raddatz and Dahmen.

After Mr. Christian Hinrich Kleist, the seller, upon previous timely and mature counsel and for weighty and legally valid reasons, had resolved to alienate as hereditary property his estate situated in the village of Zatikow, now occupied by the administrator Daniel Jante, he first presented the aforesaid estate of Zatikow, which in fact had been assigned to him in dotem by his late father-in-law, Mr. Christian Kleist, hereditary lord of Dubberow, for 1,300 Pomeranian florins, to that man's surviving bodily and feudal heirs, the noble-born gentlemen Christian Hinrich, Lorentz Wilhelm, and Henning Ertmann, brothers, the Kleists, hereditary lords of Krolow, Eggesow, and Dubbero, his much-beloved brothers-in-law respectively, in order to prevent future dispute, since he intended to proceed against them *ex capite laesionis*. They, however, would not agree to this, but wholly renounced the right of repurchase, until he, finally, from pressing necessity, especially because it lay far distant from his other estates and he could have no supervision over it and therefore could derive little benefit from it, entered into negotiations with the noble-born Mr. Lorentz Hinrich Kleist, hereditary lord of Dahmen, and sold it to him hereditarily and as property.

Accordingly, Mr. Seller, for himself, his heirs, heirs-taking, feudal successors, and everyone else, by virtue of this instrument transfers to Mr. Buyer the aforesaid estate Zatikow with all its appurtenances, fields, meadows, lands and woods, the subjects belonging to it, namely Daniel Jante together with his five sons, jurisdiction, regalia, and whatever else is dedicated to the estate, with nothing at all excluded; rather, immediately upon delivery of this deed of sale, he may take possession of it, possess, and enjoy it as his well-purchased estate, just as Mr. Seller could have used or employed it, with no right whatsoever reserved to himself or to his heirs.

The winter sowing remains with the estate, and the present administrator is also obliged to perform the summer sowing upon it. But because he is somewhat in arrears with the rent, Mr. Buyer promises to hold him to paying it between now and Michaelmas; on the other hand, Mr. Seller retains until then the burdens without any contribution, inasmuch as he promises to deliver vacant possession to him.

If also, with respect to this sold estate, any servitude should be claimed or obtained by anyone beyond three hides, or if it should be withdrawn and evicted on account of a pre-emption right or nearer right of purchase, likewise if any lawsuit should arise with anyone on that account, Mr. Seller promises, even *absque litis denunciatione*, as soon as he receives notice of it, to warrant Mr. Buyer, inasmuch as he has

⁷⁵² IV. 25, III. 294.

expressly stipulated to him, sub hypotheca bonorum, the warranty against eviction arising ex quocunque capite.

The documents concerning it shall be delivered upon request; and whatever Mr. Seller otherwise has to claim from his brothers-in-law on the basis of them is ceded to Mr. Buyer in optima juris forma, and he may pursue this against them by whatever competent actions at law, especially since Mr. Seller hereby relinquishes these rights and transfers them to him together with the sold estate.

In return, Mr. Buyer promises to pay for the often-mentioned estate Zatikow 1,137 Pomeranian florins, each reckoned at 24 Lübsche shillings, etc. etc. Dahmen, 20 March 1685.

Christian Kleist.

Anna Ursula Kleist⁷⁵³.

(L. S.) Lorentz Hinrich Kleist.

(L. S.) D. J. Kleist,⁷⁵⁴ quasi witness.

658.

Bolkow. 27 September, 1885

Lieutenant Peter Ernst Kleist⁷⁵⁵ of Bolkow buys from Otto Casimir Bonin of Ristow the estate Woldisch Tychow for 1,000 thalers.

After an authenticated copy in the L. A.: Tit. IX. Sect. 88. No. XX. fol. 4, and a simple copy in the P. A.: Bagmihl Collection, v. Kleist, No. 14.

In the name of the Most Holy Trinity.

Let it hereby be known, and especially to all whom it concerns, that on the date written below the following irrevocable purchase and sale has been unanimously agreed and concluded between the noble-born Mr. Otto Casimir von Bohnin, on the one side, and Mr. Lieutenant Peter Ernst von Kleist, on the other side, hereditary lords at Ristow and Bolkow, concerning the estate Woldisch Tychow.

After Mr. Otto Casimir von Bohnin, for weighty and urgent reasons, had resolved to alienate his estate Woldisch Tychow, chiefly because, owing to his absence, he could not supervise it, and because it was burdened with heavy contributions which not only consumed the annual use of the estate but almost every year required him to make an additional payment from his other estates, so that this estate had been more harmful than advantageous to him, he first offered it to his two brothers, seated at Cartzin and Bohnin. They, however, for the same reasons, would not agree to a purchase, until at last, at the repeated urging and advice of his brothers, he entered into negotiations with his neighbor and sold it to him as hereditary and proper property.

Accordingly, by virtue of this instrument, Mr. Otto Casimir von Bohnin, as seller, transfers and sells the aforesaid estate Woldisch Tychow to Mr. Lieutenant Peter Ernst von Kleist, as buyer, together with 4 occupied peasant farms, meadows, fields, the Kavel-wood situated in Wusterbard Dechow, the right of patronage—which the seller reserves to himself with respect to Bergen only so far that he shall be entitled to build a pew in the Woldisch Tychow church wherever such place may be assigned to him—fisheries, mill rights, rents, higher and lower courts, rights of road and drift, and also the

⁷⁵³ Wife of IV. 25, daughter of II. 71.

⁷⁵⁴ III. 201

⁷⁵⁵ III. 341.

jurisdictions belonging to him; in sum, with all appurtenances, whatever name they may have, and as the seller or his forefathers could or wished to use them. He also permits whatever meadows or hides have in any way been separated from the estate to be vindicated from the possessors, insofar as they are entitled to do so.

Since the seller is also entitled to fish one day each week on the Wussow lake, a right purchased by his forefather, the late Hans Kleist, for 50 florins, he likewise cedes this right and will warrant it against everyone for 50 florins. The movable property present at the estate is retained by the seller, except for 2 oxen, for which he is separately compensated.

Furthermore, von Bohnin promises to deliver vacant possession to Mr. Kleist, except for the contributable hides attached to it, of which he nevertheless wishes to transfer one hook-hide to his share in Bergen, in such a manner that, if the buyer should be called upon in respect of old debts, contribution arrears, or anything else, or if a right of pre-emption to the estate should be claimed, the seller shall be liable for everything, inasmuch as he will warrant the said estate to him in *quemcunque casum*.

With respect to the Electoral consent, the contracting parties have agreed that it shall be obtained at the expense of both sides. In return, Mr. Buyer promises to pay for this purchased estate 1,000 Reichsthaler, which, with the consent of his dear wife, he cedes and assigns to him from his wife's marriage money held by his brothers-in-law, Ewald Jochim⁷⁵⁶ and Rüdiger, brothers, the Kleists, hereditary lords at Vietzow. They have also immediately delivered to him a special obligation for 1,000 Reichsthaler and prepaid two years' interest, namely 100 Reichsthaler, which the seller accepts in place of cash payment, and hereby duly gives receipt to the buyer for it.

In addition, the seller also transfers the deserted cottager's land in Bergen, of which the buyer may take possession according to his pleasure, and he will warrant the same to him against everyone; however, the buyer must retain the due burdens attached to it. With this, Mr. von Bohnin is fully satisfied in respect of the Woldisch Tychow estate, and by virtue of this instrument gives a general receipt to Mr. Lieutenant Peter Ernst von Kleist.

For the rest, both contracting parties renounce the *exceptiones doli mali, fraudulentæ persuasionis, rei non sic sed aliter gestæ, restitutionis in integrum*, L. 2 Cod. de Resc. Empt. et Vendit., and all other legal remedies, whatever names they may have, already devised or yet to be devised by human wit and understanding, whether expressed in this sale or not, all without fraud and deceit. Done at Bolkow, 25 September anno 1685.

L. S. Otto Casimir Bonin, with his own hand.

L. S. Peter Ernst Kleist.

L. S. Ewald Jochim Kleist, as witness.

659.

1685.

“Revised hufen status of the Pomeranian knighthood from the year 1684 and the year 1685, as it was engrossed in December 1695.” Extract.

After copies in the Library of the Society for Pomeranian History and Antiquities: Löper Library Msc. Nos. 127 and 131.

⁷⁵⁶ III. 257, 258.

Belgard district.

Increases omitted from the matriculation:

In Vietzo, Ewald Jürgen Kleist: 9 hook-hides.

Increases by transfer:

From the Belgard office into the Pumlow estates, to the Kleists: 7 hook-hides.

Decreases because of sand:

All the Kleists together: 77 hook-hides.

Christian Kleist of Boyssin: 2 hook-hides.

Further, at Christian Heinrich Kleist's in Klein Dubberow: 6 hook-hides.

Alexander Kleist: 1 1/2 hook-hides.

Decreases from revision of the cottagers:

In Voldekow, Jochim Heinrich Kleist, 1 cottager: 1/2 hook-hide.

In Cowalck, Jürgen Kleist, 1/2 cottager: 1/4 hook-hide.

Hides deducted from the Belgard district because of overburdening:

Pumlow. 32 hook-hides, 16 peasants, 1 cottager; now 4 peasants, all serving every other day. Sowing per hook-hide: 9 to 10 scheffels of rye and 7 scheffels of summer grain. One third of the arable land still lies in heath; the soil is middling, but marshy; cattle-raising is middling. Per hook-hide, 6 rthlr. rent are paid, in addition 2 florins and 8 scheffels of rye from 2 hook-hides. Necessary peat, no baking wood or fence brushwood. Because of lack of wood and the burden of the Ripkorn, deducted: 4 hook-hides.

Manlatz. 18 1/2 hook-hides, formerly 10 peasants, now only 3 peasants. Sowing per hook-hide: 7 scheffels of rye, 3 scheffels of summer grain; poor cattle-raising, no wood or peat. The peasant is to give 3 rthlr. toward the contribution, but cannot raise it. Deducted: 6 hook-hides.

Vietzow. According to the receiver's tax register, 18 1/2 hook-hides, 12 peasants, now none at all. Sowing per hook-hide: 6 scheffels of rye, 4 scheffels of summer grain. Cattle-raising and haymaking middling. The noblemen live in the farms themselves. Near the place there is a considerable area blown over with sand, which has been measured. It had indeed been supposed that among the sand-damaged hides 1 1/2 hook-hides had already been allowed; but since the gentlemen investigating commissioners did not find this to be so, there are now deducted: 2 hook-hides.

Woldisch Tichow. 36 hook-hides, 18 peasants, now 3 peasants with 2 hook-hides' sowing each. Per hook-hide: 7 to 8 scheffels of rye, 6 scheffels of summer grain. Very marshy land, has only 2 fields, no hay, middling pasture. 30 hook-hides yield 200 florins rent. Deducted: 12 hook-hides.

Kickow. Has reported 18 hook-hides, formerly 9 peasants, now 4 peasants with 2 hook-hides each. The remaining hides have been added to the noble hides. Per hook-hide sowing: 6 scheffels of rye, 2 1/2 scheffels of barley, 2 1/2 scheffels of oats. Gravelly soil, good haymaking, middling pasture. Each of the 4 occupied peasants gives 2 rthlr. from 2 hook-hides toward the contribution. Deducted by the other revision commissioners: 3 hook-hides.

Großen Dubberow. District Councillor Wilhelm Berndt von Mönchow: 2 hook-hides.

Neustettin district.

Hides deducted because of the incursion of the Poles and because of sand:

In Klingebeck: 4 hook-hides.

In Borrentin: 6 hook-hides.

Hides deducted because of overburdening:

Borrentin. 30 hook-hides, formerly 18 peasants, now 8 peasants. Sowing per hook-hide: 8 scheffels of rye, 6 scheffels of summer grain. Poor, sandy and gravelly soil, so that above, under the title "because of sand," 6 hook-hides have already been deducted; middling pasture, good hay. Each peasant gives 2 rthlr. contribution. In addition to the above 6 hook-hides there are deducted only: 4 hook-hides.

Raddatz. 20 hook-hides, formerly and now 10 peasants. Sowing per hook-hide: 5 1/2 scheffels of rye, 2 1/2 scheffels of summer grain. Middling soil, good haymaking and pasture. They serve only 4 days and give nothing toward the contribution. Deducted: 5 hook-hides.

Dallentin. According to the church matriculation, 5 hook-hides; according to the matriculation of 1628, however, 43 1/4 hook-hides, among them 8 cottagers, or 4 cottager hides, leaving 39 1/4 peasant hides. Now 8 peasants live there. Sowing per hook-hide: 10 scheffels of rye, 4 scheffels of summer grain. The soil near the village is middling, the rest poor, being hilly and sandy. The peasant, from 2 hook-hides, gives 10 rthlr. rent. Little haymaking and pasture. The Gallowsche Amts sheep-farm pastures the field. The peasants serve 4 days with cattle and 2 on foot. The serving peasants are to give 4 rthlr. toward the contribution. From the 39 1/4 hook-hides there are deducted: 10 hook-hides.

Gesorke. 20 hook-hides, with formerly 10 peasants, now 4 peasants. Sowing per hook-hide: 5 scheffels of rye, 2 1/2 scheffels of barley, 2 scheffels of oats, 1 1/2 scheffels of buckwheat. Very poor soil, good haymaking and pasture, abundant wood. Each peasant can indeed make 2 rthlr. from it, but thereby ruins his cattle. They perform no foot service. Deducted: 5 hook-hides.

Dollgen. 30 hook-hides, with formerly 13 peasants of 2 hook-hides each and 1 Schulze with 4 hook-hides; now 3 peasants. Sowing: 7 scheffels of rye, 5 scheffels of summer grain. Very poor soil and pasture, also poor meadow growth. They must give the Polish villages 20 scheffels of hay-oats and also hire wood from there. The peasant gives nothing; yearly assistance in bread and seed must be given. Together with the 12 hook-hides exempted of old, altogether deducted: 15 hook-hides.

Schlawe district.

Hides deducted because of overburdening:

Tichow and Qweßdow stand in communion and together have 64 hook-hides; in Qweßdow, 14 peasants of 1 1/2 hook-hides each, 2 cottagers, now 5 peasants. In Tichow, formerly 12 peasants, 42 hook-hides, 5 cottagers, who now reside there. They sow in Qweßdow per hook-hide 10 to 11 scheffels of rye and 10 scheffels of summer grain, in Tichow just as much. The soil in both villages is middling, cattle-raising good in both places, necessary firewood. The peasants previously gave 2 to 3 rthlr. contribution, now nothing. Deducted because of the large quantity of hides and the poor condition of the peasants in Tichow: 6 hook-hides.

Nemitz. 13 1/2 hook-hides, 9 peasants, now 5 peasants. They sow per hook-hide 12 scheffels of rye and 16 scheffels of summer grain. Cattle-raising middling. Deducted from each peasant 1/4 hook-hide, makes: 2 1/4 hook-hides.

Hufen status of the Principality of Cammin, 1698.

After a copy in the P. P. A.: Stett. Arch. P. I. Tit. 97. No. 917b.

The Kleists have in the matricula of 1628: 55 hook-hides.

From this are deducted:

Because of sand:

In Dargen, according to the protocol of 1683, yet with the proviso that the sand damage be proved according to the rules: 3 3/4 hook-hides.

Because of overburdening:

Dargen. 25 hook-hides. How many peasants there were formerly, no one knows; now there live there 2 full peasants, 4 half-peasants, and 2 cottagers. One full peasant has 1 1/2 hook-hides. Sowing per hook-hide: 7 scheffels of rye, 2 1/2 scheffels of barley, 2 scheffels of oats, 1 scheffel of buckwheat. Increase in rye: 2 1/2 grains; in barley, oats, and buckwheat: the second grain. A peasant obtains 2 to 3 loads of sour hay. The pasture is poor for horses and cattle, middling for sheep. The soil is rather poor; most of it has become heath and much has been covered with sand. Woodland, fishery, and other uses are not present. The peasants give nothing toward the contribution, and must be preserved by the lordship with teams, seed, and bread grain. Therefore, according to the decree of 4 March 1692, 1/4 is deducted from each hide, and here: 4 5/8 hook-hides.

Together: 8 3/8 hook-hides.

Remaining stock: 46 5/8 hook-hides.

660.

1686. Colberg.

Feudal charter for the Kleist Vietzow line.

After the unissued⁷⁵⁷ draft in the L. A.: Tit. IX. Sect. 88. No. IV. fol. 132.

Frederick William, Elector.

We certify and acknowledge for ourselves, our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania, Princes of Cammin, and otherwise to everyone, that in the general hereditary homage held by us there obediently appeared before us the steadfast and honorable men, our feudal vassals and dear faithful subjects, all Kleists seated in our Duchy and lands, and especially also those belonging to the Vietzow line, namely Peter, Peter's son at Pumlo; Ewald Jurgen, son of Achatius, formerly princely Pomeranian District Councillor, at Vietzo; Jürgen, Ewald's son at Pobero, called the Kleists; and they obediently petitioned and requested us that we would graciously grant, bestow, and enfeoff to them and their male bodily feudal heirs their inheritance and fief, as it had descended and been inherited by them from their forefathers, and would also confirm and ratify the joint hand.

We have granted their humble petitions, in consideration of equity and also in view of the many faithful services which the forefathers of the Kleists and they themselves have hitherto humbly and willingly rendered to the late blessed Dukes of Pomerania and to us, and which they and their male bodily feudal heirs hereafter can, shall, and may likewise render and perform for us, our heirs, and the succeeding lordship. Therefore, and out of special grace, upon the feudal duty performed to us, we have graciously granted, bestowed, and enfeoffed to them and their male bodily feudal heirs the following-described estates: Vietzo, Wußo, together with the sheep-farms, dwelling farm and villages situated therewith; Pobero; Pumlo, both what derives from Wilhelm Kleist and also the peasants in the said village which Peter Kleist's father, likewise named Peter Kleist, purchased with right of redemption on 26 July 1616 from Reimar von Wolde's widow and her son's guardians, but whose redemption not only did not take

⁷⁵⁷ Another hand noted beneath the draft: "This draft, because it is not complete, has been put aside, and a complete feudal charter has been prepared and delivered." The hereditary homage mentioned here is that of the year 1665.

place, but whose feudal successor Frantz Rudiger von Wolde also renounced it on 1 July 1686, whereupon our confirmation followed on 19 October 1686; no less the peasant farm and cottager farm there, which Jurgen Bote and Peter Paul cultivate, and which the often-mentioned Peter Kleist obtained by transaction from Christian Josua Hechthausen on 4 April 1651, concerning which, first, the confirmation of our Farther Pomeranian Court was granted on 8 June 1678, and afterwards also our feudal-lordly consent on 19 October 1686.

With woods, arable fields, meadows, pastures, waters, streams, strands, lakes, hunts, fisheries, mills, moors, marshes, services, courts, highest and lowest, over hand and neck, and all other favors and rights, uses and usufructs, nothing excepted, just as the above-named estates lie within their boundaries, borders, and marks, and their fathers held, used, and possessed them in the quietest and freest manner, and as they inherited them, and as they are also still at present in possession and use of them, we hereby and by virtue of this grant, bestow, and enfeoff as a true male fief.

Yet in such form and manner that they all and their male bodily feudal heirs shall seek and receive the aforementioned estates, with their appurtenances and rights, from us, our heirs, and the succeeding lordship, according to the formula of their sworn feudal duty and feudal oath, as often as necessary, and from no one else; and that they shall do, keep, serve, and render from them what the nature and custom of a male fief are, what the feudal oath requires, and what befits and is proper for faithful feudal vassals.

We also enfeoff in the aforementioned estates everything which, by grace and by right, we may enfeoff to them therein; and we have also confirmed and ratified to them all their old feudal charters and joint-hand charters which they hold in all the feudal estates of their cousins the Kleists, and which the family of the Kleists likewise holds in theirs, and which they thus hold hinc inde. In the same manner we hereby confirm and ratify the same, without prejudice to our rights and those of everyone else, etc.

In witness whereof this feudal charter has been issued with the seal of our Government of Farther Pomerania and Cammin and with the prescribed subscription. Done at Colberg, the day, anno 1686.

661.

(sine dato) 1686 (?).

Feudal charter for the Kleist Dubberow, Tychow, and Krolow line.

After the draft⁷⁵⁸ in the L. A.: Tit. IX. Sect. 88. No. IV. fol. 147.

Frederick William, Elector.

We certify and acknowledge for ourselves, our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania, Princes of Cammin, and otherwise to everyone, that before us, in the general hereditary homage, there appeared the steadfast and honorable men, our feudal vassals and dear faithful subjects, all Kleists seated in our Duchy and lands, especially those Kleists who belong to the Dubberow, Tychow, and likewise the Krolow main line, and are descendants of old George Kleist, namely Christian, seated at Dubro and Krolo, Lorentz's son, Carsten's nephew, Christoff's great-nephew; Philip Kleist at Wendisch Ticho, Henning's son, Peter the Long's nephew, Henning the Elder's great-nephew; Rüdiger at Crolo and his brother Peter at Ticho, sons of Jürgen, seated at Crolo and Ticho, Friedrich's nephews; further Jochim Henning and Christian at Groß Ticho, sons of Jacob and Berndt, Carsten's nephews.

After taking the feudal oath, they humbly petitioned and requested us that we would graciously grant,

⁷⁵⁸ The end of the draft, which otherwise seems to belong in the same category as No. 660, is missing. See the first annotation there.

bestow, and enfeoff to them and their male bodily feudal heirs their fiefs and feudal rights which they hold from us and from the princely House of Stettin-Pomerania, and which they possess and have in use; and also the joint hand, which by special grace has been conferred upon the family of the Kleists in all their feudal estates which they have or may hereafter acquire and bring to the family; and that we would also renew, confirm, and ratify their joint and separate feudal charters, and have them inserted here. These charters read word for word as follows:

By the grace of God, we Franz, Duke, etc. (No. 588.)

662.

Colberg. 14 September, 1686⁷⁵⁹

⁷⁵⁹ Although this feudal charter bears the year 1686, it was antedated and was actually not drafted until 1706. Conversely, the persons named in it are not those of the year 1686, but those of 1665. When the Government of Farther Pomerania wished to issue the family with a collective feudal and joint-investiture charter following the homage of 1699, it emerged that the family had not yet applied for and taken up the feudal charter relating to the homage of 1665. The issue of the new feudal charter was refused until the charter concerning the investiture of 1665 had first been obtained. The feudal authorities' only basis for preparing it was the homage record of 9 November 1665 (No. 640). The ancestry of the individual persons was so inadequately stated in that record that, after forty-one years, the feudal chancery was unable to establish the correct genealogical relationship between those named in the homage record and the persons named in the last joint-investiture charter of 1621. On 11 February 1706, the Government of Farther Pomerania therefore ordered District Councillor Ewald Joachim von Kleist at Vietzow, Werner von Kleist at Dubberow and Alexander Kleist at Gissolk, as representatives of the three principal lines, to clarify these genealogical relationships by questioning the best-informed members of the family and to submit a report within six weeks. After a further reminder dated 31 August of the same year, District Councillor von Kleist submitted a memorandum which is now held in the L. A., I. c., No. IV, fol. 156, but no further report accompanies it. The feudal charter printed here was drafted from this memorandum, its genealogy being followed closely and almost word for word. The commissioners had assigned consecutive numbers to the persons in their memorandum and had entered these numbers beside the persons in the copy of the homage record of 1665 supplied to them (see No. 640), in order to show where and how those persons had been placed. For ease of reference, these numbers were likewise added in the margin of the present printed version of the feudal charter. The commissioners could certainly derive little from the homage record, since they had received only the portion relating to the Belgard district, and that in a copy which was not free from errors and which must have appeared rather confused because several individuals were listed twice. Since the information supplied by individual family members likewise appears not to have produced satisfactory results, the commissioners evidently used as an additional aid the traditional family tree, which had already been modified under Elzow's influence. See Family History, Part II, Division II: The Compilation of the Genealogy of the Kleist Family.

The entire manner in which this joint-investiture charter came into being must itself create distrust of its genealogy, and obvious errors do indeed occur, for example in positions 13 and 38. Feudal Secretary Thilo, who had the unfortunate habit of correcting records that were a hundred years old or more, had already noticed the error in position 13; in his usual manner, however, he also distorted the entirely correct positions 7, 16 and 20 by means of marginal comments. The passage placed in parentheses in the present printing, which is absent from both the draft and the copy, was added from the commissioners' memorandum. The reviewer subsequently inserted the date in the draft. It is no longer possible to determine what led him to choose the date 14 September 1686, although the persons listed are those of the year 1665. Perhaps an unexecuted draft bearing that date had previously been prepared and remained among the files, and was now cancelled; compare No. 660. In every respect, this document must therefore be used with the greatest caution.

Even at the end of 1710 this feudal charter, although it had already been formally executed, had still not been taken up by the family. When the new collective feudal charter relating to the homage of 1699 had already been executed and lay ready, dated 3 February 1711 (see No. 678), the earlier charter was delivered to Werner Kleist on credit. The apportionment, collection and payment of the feudal fee and chancery charges gave rise to various further difficulties; the feudal charter of 1711 was never taken up at all.

Addition of 2021: Under the former marginal position 24 concerning Christoff and Heinrich, only their

Feudal and Joint-Investiture Charter for the Entire Kleist Family.

According to the draft in the L. A.: Tit. IX, Sect. 88, No. IV, fol. 164, and a certified copy *ibid.*, No. XI, fol. 182.

We, Frederick William, by the Grace of God Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire, Duke in Prussia, of Magdeburg, Jülich, Cleve, Berg, Stettin, Pomerania, the Cassubians and Wends, and also in Silesia of Crossen and Jägerndorf, Burgrave of Nuremberg, Prince of Halberstadt, Minden and Cammin, Count of the Mark and Ravensberg, Lord of Ravenstein and of the lands of Lauenburg and Bütow, etc. etc.,

hereby make known and acknowledge for Ourselves, Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and to everyone else, that at the general hereditary homage held by Us there obediently appeared before Us the noblemen, Our vassals and beloved faithful servants, all the Kleists residing in Our Duchy of Pomerania and its lands: first, those belonging to the Muttrin line and to the Damen, Vietzow and Dargen family lines descended from it, and who are the male heirs-in-fief or descendants of Prissebur Kleist, namely:

Valentin at Kickow, Mutterin, Kalckberg and Döbel, Otto's son, and Valentin Daniel at Dargen, Peter's son, Valentin's grandson, Andreas's great-grandson, a great-great-grandson of Peter Kleist the Elder, and descendants of old Dubschlaff Kleist, also called Brata; Daniel Kleist at Damen and Rhoden, Daniel's son, a grandson of Asmus the Elder, a great-grandson of old Pripschlaff Kleist, a great-great-grandson of Peter and a descendant of Dubschlaff, for himself and his two absent underage nephews Adam and Christian, Tessen's sons; Richardt Christian, Dubschlaff Jochim and Lorentz Heinrich, brothers at Damen and Nemmerin, Christian's sons, Richardt's grandsons, Jürgen's great-grandsons and descendants of the aforementioned old Dubschlaff Kleist; Marten Kleist at Kowalck and Warnin, Adrian's son, Marten's grandson, Adrian's great-grandson, Pripschlaff's great-great-grandson and a descendant of Peter the Elder and Dubschlaff, for himself and his absent underage cousins Marten Jochim and Berndt Christian, the sons of Asmus at Kowalck and Dimkuhle; District Councillor Jochim at Zebelin, Warnin, Damen and Zarniko, Christian's son, Jürgen's grandson, Bisproe's great-grandson and a great-great-grandson of the frequently mentioned Dubschlaff Kleist; Christoff Friderich at Damen, Kickow and Nemmerin, Steffen's son, Christoff's grandson, Lorentz's great-grandson, Jürgen's great-great-grandson and a descendant of old Churt and Dubschlaff Kleist; Reimar at Schmentzin, Kowalck and Dimkuhr, for himself and his four absent brothers, Jochim Heinrich, Alexander Lorentz of Nerese in the Greiffenberg district, Jürgen and Jacob, the sons of Jürgen, Reimar's grandsons, Churt's great-grandsons, Andreas's great-great-grandsons and likewise descendants of Churt and Dubschlaff; Asmus Jürgen at Berwalde, Jacob's son, Adrian's grandson, Pripschlaff's great-grandson, Peter's great-great-grandson and a descendant of the aforesaid Dubschlaff, for himself and his absent, sick cousin Alexander Jochim, Reimar's son, Churt's grandson, Georg's great-grandson, Andreas's great-great-grandson and a descendant of the aforesaid Churt and Dubschlaff, all of whom belong to the Damen line.

Further, from the Vietzow line: Ewald Jürgen at Vietzo and Wussow, Achatz's son; Peter Rüdiger, Ewald's son, at Lantzen and Dallentin; and Peter, Peter's son, at Pumlow, all grandsons of Wilhelm, the former princely Landvogt of Stolp and Schlawe, and great-grandsons of Jacob at Bublitz and Vietzo; Caspar, Jochim's son, at Zatikow and Latzens, Peter's grandson; Jochim, Hans's son, at Vietzo and Zarniko, for himself and his absent underage brothers Peter and Caspar, and their absent cousins Jacob

father was named Carsten, not their grandfather as well. After the second occurrence of Carsten is deleted, the names of the more remote ancestors are correct.

Daniel, who is ill, and the latter's underage brother Tessen Christian at Vietzo and Wussow, the sons of Ewald, grandsons of Jacob and great-grandsons of Ewald the Elder; Wilhelm, Jürgen's son, at Poberow, a grandson of the aforementioned Ewald the Elder, for himself and his son Ewald Baltzer, all belonging to the Vietzow line and being great-great-grandsons and descendants of old Jacob Kleist, resident at Publitz and Vietzo, and of old Peter Kleist, Princely Captain at New Stettin; Pripschlaff, Hans Jürgen's son, at Mutterin, Bornentin and Drenow, Pripschlaff's grandson, Hans's great-grandson at Bornentin, a great-great-grandson of Canon Pripschlaff the Elder and a descendant of old Hans Kleist; Simon Pripschlaff at Nemmerin and Bornentin, Otto's son, Hans's grandson, a great-great-grandson of Canon Pripschlaff the Elder and a descendant of Hans Kleist; Christoff and Heinrich, brothers at Glienike, sons of Carsten at Dentzin and Cöblin, grandsons of Valentin, great-grandsons of Jacob and descendants of Jochim and Henning at Belgard, for themselves and their sick father Carsten Kleist; Vladislaus Kleist from Poland, Hans Heinrich's son, Egidius's grandson, Hans's great-grandson and a great-great-grandson of Henning the Younger, in respect of the joint investiture for himself and his absent underage cousin Friedrich Wilhelm, Hans Friedrich's son of Eschenrig, a grandson of Richardt, Princely Captain of Colbatz, a great-grandson of Antonius, a great-great-grandson of Jochim and a descendant of the aforesaid Henning, all belonging to the Vietzow line and descended from old Bispero Kleist.

Secondly, the Kleists belonging to the Dubberow, Crolow, Greater Tichow and Wendish Tichow family lines and descended from old Georg Kleist, namely:

Christian at Dubberow, Crolow and Egso, Lorentz's son, Carsten's grandson, Christoff's great-grandson and Peter's great-great-grandson; Peter and Rüdiger at Wendish Tichow, Jürgen's sons, Peter's grandsons, Jürgen's great-grandsons and great-great-grandsons of the aforementioned Peter, for themselves and their absent underage cousins Christoff and Philip, brothers and sons of Philip at Wendish Ticho, Henning's grandsons, Peter's great-grandsons and great-great-grandsons of Henning the Elder, and descendants of Jürgen and the aforementioned Peter; Jochim Henning, Jürgen's son, at Quesedo, Peter's grandson, Henning the Elder's great-grandson and Jürgen's great-great-grandson, all great-great-grandsons and descendants of old Peter Kleist; Jochim Henning, Jacob's son, at Greater Tichow, Christian's grandson, Andreas's great-grandson and Bartel's great-great-grandson, for himself and his underage nephews Andreas Jacob and Frantz Tessen, brothers and sons of Carsten Christoff at Greater Tichow; Christian, for himself and his absent brother Andreas Jochim, at Greater Tichow and Voltzko, the sons of Berndt, Christoff's grandsons, Andreas's great-grandsons and Bartel's great-great-grandsons; Jochim and Paul Daniel, brothers at Greater Tichow and Lütken Kressin, Dionisius's sons, Jochim's grandsons, Andreas's great-grandsons and Bartel's great-great-grandsons, for themselves and their underage cousins Christian Erdtman and Frantz, Michel's sons, Jochim's grandsons, Bartel's great-grandsons and Reimar's great-great-grandsons; Peter, Jochim's son, at Greater Tichow, Hans's grandson, Jochim's great-grandson and Bartel's great-great-grandson, all descended from old Georg Kleist.

Thirdly, those of the Raddatz line and the descendants of old Völtz Kleist:

Frantz, Asmus's son of Juchow, Schneidemühl and Valckenhagen, Alexander's grandson, Völtz the Younger's great-grandson and Schir Kleist's great-great-grandson; Christian Heinrich, Daniel's son of Raddatz, Klingbeck and Gissolck, Alexander's grandson, Völtz's great-grandson and Schir Kleist's great-great-grandson, for himself and his underage nephews Alexander and Jürgen, the sons of Hans Jürgen of Raddatz; Asmus, Alexander Jürgen's son, at Zemmin, Juchow and Dallentin, Asmus's grandson, Völtz's great-grandson and Schir Kleist's great-great-grandson, for himself and his underage cousins, namely Jochim Daniel, Philip's son of Raddatz, a grandson of Völtz Jochim, a great-grandson of Asmus and a great-great-grandson of Völtz the Younger; and Asmus Henning, Daniel's son of Gisolecke, Asmus's grandson, Alexander's great-grandson and Völtz Kleist's great-great-grandson, all descended

from old Völtz Kleist.

After taking the feudal oath, they most humbly petitioned and requested Us, for themselves and their absent and underage cousins, that We should graciously grant and enfeoff them and their male bodily heirs-in-fief with their hereditary estates and fiefs and their feudal rights, which their forefathers held in fief from the Princely House of Stettin-Pomerania, which have descended and passed to them by inheritance and which they possess and use, together with the joint investiture which, by special grace, was confirmed to the Kleists in all their fief estates that they possess or may acquire in the future and bring into the family; all of which was initially granted by the late Duke Bogislaus X of Stettin-Pomerania, of blessed and Christian memory, in 1477, subsequently confirmed at Rügenwalde in 1486, and thereafter granted, renewed, confirmed and extended by Duke Barnim IX, Duke Johann Friedrich and Duke Philipp, by Duke Franz at Belgard on 6 May 1608 and at Alten Stettin on 26 September 1618, and lastly by Duke Bogislaus XIV at Alten Stettin on 28 September 1621; and that We should graciously grant, enfeoff, renew, confirm and ratify the charters in their possession.

Having considered and taken into account the many obedient, faithful and beneficial services which the aforesaid ancient Kleist family willingly and faithfully rendered in submission to the late Dukes of Stettin-Pomerania and subsequently to Us down to the present time, and which they may, shall and can continue to render to Us and Our heirs, the Margraves and Electors of Brandenburg and Dukes of Stettin-Pomerania, We have therefore, and by special grace, graciously granted and enfeoffed them and their male bodily heirs-in-fief, upon the feudal oath rendered to Us, with all their estates which they presently still possess in Our duchy and lands, together with the joint investiture in those estates which they now possess or which they may in future bring into the family and acquire jointly or individually, without prejudice, however, to the precedence of closer kinship and relationship in accordance with the privileges of Our knighthood and the customary usage of the land; and We have renewed, confirmed and ratified the aforesaid collective and individual feudal and joint-investiture charters.

Accordingly, We hereby grant and enfeoff them with all their fiefs and estates, together with all their appurtenances in arable land, woodlands, meadows, pastures, moors, marshes, hunting, fisheries, stuveten, lakes, standing and flowing waters, mills, mill sites, church patronage, high and low jurisdiction, including jurisdiction over life and limb, and all other rights of use, whatever their names may be, nothing excepted; likewise with mutual joint investiture in one another's estates, not only in the estates which the Kleists presently possess, but also in those which they may in future bring into the family or acquire jointly or individually with Our consent as feudal lord. By virtue of this charter, We renew, confirm and ratify the aforesaid collective family feudal and joint-investiture charters, but upon the condition that all of them and their male bodily heirs-in-fief shall seek and receive their estates, together with their appurtenances and rights, from Us and Our heirs whenever necessary, in accordance with their sworn feudal obligation and the formula of the feudal oath, and shall perform, observe, attend to, serve and discharge all obligations arising from them, as the nature and custom of a male fief require and as befits faithful vassals, without prejudice to Our rights or those of anyone else.

In witness whereof, We have caused this charter to be authenticated with the seal of Our Electoral Government of Farther Pomerania and the prescribed signatures.

Done at Colberg on 14 September in the year 1686.

Matthias Döring von Somnitz

Chancellor

Balth. von Schrödern

Government Councillor and Feudal Secretary

Johan Friederich Schaper
Government Councillor

663.

Stargardt. 14 September, 1687.

Feudal charter for Wilhelm Christian von Kleist⁷⁶⁰ concerning his possessions at Pumlow: a manor house, ten whole and three half peasant holdings, one cottager's holding, and 23½ Hakenhufen.

According to the draft and certified copies in the L. A.: Tit. IX, Sect. 88, No. V, fols. 13, 29 and 31.

We, Frederick William, by the Grace of God, etc. etc., hereby make known and acknowledge for Ourselves, Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and to everyone else, that the nobleman, Our beloved faithful servant Wilhelm Christian von Kleist, Peter's son, resident at Pumlow, has most humbly represented to Us that he has acquired various peasant holdings, together with certain taxable Hakenhufen and parish hides, which had been adjudged to his ancestors and to his father-in-law Werner von Kleist⁷⁶¹ with authority to alienate them, partly from Heinrich von Bünow, partly from the late Achatz Kleist,⁷⁶² partly from Reimar von Wolde, and partly from Christian Josua Hechthausen, pursuant to the contracts concluded at Vietzow on 2 June 1606, at Anklam on 24 October and 23 November 1653, at Belgard on 4 April 1651, and at Pumlow on 26 July 1616, all of which were confirmed by Our consent as feudal lord, the originals of which he presented to Us, and that he still possesses them at the present time. He has also most humbly petitioned Us that, since he duly took the feudal oath to Us on 19 October 1686, We should once again grant and enfeoff him and his male bodily heirs-in-fief with the aforementioned properties.

Having therefore graciously considered the faithful and obedient services which the ancestors of von Kleist, and he himself, have rendered to Us and Our predecessors, and which he and his male bodily heirs-in-fief can, shall and may continue to render, We have, for that reason and by special grace, granted to Wilhelm Christian von Kleist the following fief properties: six whole and two half peasant holdings, together with fourteen Hakenhufen and the manor house built upon them, which came from the late Wilhelm von Kleist⁷⁶³ and descended to him; four and a half peasant holdings, together with one cottager's holding and nine and a half Hakenhufen, including the parish hides, which were formerly possessed by the Podewils family and subsequently passed to his ancestors, and which were granted to them in fief by the late and most blessed Duke Bogislaus XIV, by charter dated at Alten Stettin on 6 April 1626; all situated at Pumlow, with all their appurtenances, rights and privileges, together with all the arable land, woodlands, hunting rights, meadows, pastures, rents, services, fisheries, ponds and pond sites, standing and flowing waters, and all associated rights, benefits and usufructs.

We have granted, bestowed and enfeoffed him with all these properties in the same manner in which their former possessors previously held, used and enjoyed them and in which he now possesses and holds them. We hereby grant, bestow and enfeoff him and his male bodily heirs-in-fief with all the aforesaid by virtue of this charter, in accordance with the nature, character and custom of a male fief.

The said von Kleist and his male bodily heirs-in-fief shall, however, be obliged to receive these fief

⁷⁶⁰ III. 268; father: III. 179.

⁷⁶¹ III. 169.

⁷⁶² III. 110

⁷⁶³ III. 49 (great-grandfather).

properties from none other than Us and Our heirs, the Margraves and Electors of Brandenburg, and to perform, render and provide the services arising from them as required by the nature and character of a male fief and in accordance with the oath of fealty, without prejudice to Our rights, those of Our heirs, or those of anyone else.

In witness whereof, We have caused this charter to be authenticated with the seal of Our Electoral Government of Farther Pomerania and the signatures of the appointed officials, and to be issued at Stargardt on 14 September in the year 1687.

Lorentz Georg von Crockow

Chancellor

Paul von Ramel

Government Councillor

Immanuel Wendtlandt

signed on behalf of his father

Die folgende Übersetzung der **Urkunde 664** beruht auf Deiner Worddatei. Das im Original nicht ausgefüllte Ausstellungsdatum am Ende bleibt unverändert offen. Die Seitenangabe in eckigen Klammern ist weggelassen.

664.

Stargard. 1687.

Feudal charter for Wilhelm Christian Kleist⁷⁶⁴ concerning 2½ peasant holdings at Pumlow and one half of the manor estate at Timmenhagen.

According to the draft in the L. A.: Tit. IX, Sect. 88, No. V, fol. 33.

We, Frederick William, Elector, etc. etc., hereby make known and acknowledge for Ourselves, Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and to everyone else, that the nobleman, Our beloved faithful servant Wilhelm Christian Kleist, Peter's son at Pumlow, has most humbly represented to Us that he possesses 2½ peasant holdings at Pumlow. One of these had been adjudged to his father-in-law Werner Kleist by Heinrich von Bünow with authority to alienate it; the remaining 1½ holdings had been sold to the same, his late father-in-law, by the sons of Achatz Kleist, in accordance with the original contracts concluded at Anklam on 24 October 1653 and 23 November 1653, which he presented to Us in the original, with Our consent as feudal lord dated at Colberg on 2 January 1666, and had subsequently passed to him by right of dowry and inheritance.

Likewise, by title of gift and inheritance, he possesses one half of the manor estate at Timmenhagen, which had been adjudged to the heirs of Jürgen Kleist⁷⁶⁵ in the insolvency proceedings concerning Achatz Weyher and assigned to them with Our consent dated at Colberg on 28 January 1676. He had inherited part of it from his father-in-law and his wife, while another part had been given to him by Our former President Ewald Kleist⁷⁶⁶, as is more fully stated in the instrument of gift executed at Loretto on

⁷⁶⁴ See the preceding document.

⁷⁶⁵ III. 98 (father of his father-in-law).

⁷⁶⁶ III. 170 (brother of his father-in-law).

20 (30) March 1664 and in Our consent thereto, dated at Stargard on 13 June 1688.

He has therefore most humbly petitioned Us that, since he duly took the feudal oath to Us on 19 October 1686, We should once again grant and enfeoff him and his male bodily heirs-in-fief with these properties.

Having considered the faithful and obedient services which he has rendered to Us, and having also taken into account that he and his male bodily heirs-in-fief can, shall and will continue to render useful and faithful services to Us in obedience, We have therefore, and by special grace, granted, bestowed and enfeoffed Wilhelm Christian Kleist with the aforesaid 2½ peasant holdings at Pumlow and one half of the manor estate at Timmenhagen, together with all appurtenances, rights and privileges, high and low jurisdiction over life and limb, meadows, in particular those called the Little and Great Drentzke in the fields of Bulgrin, pastures, moors, waters, marshes, woodlands and hunting rights, together with the right of patronage.

We grant, bestow and enfeoff him with them in the same manner in which the former possessors—the Weyhers, Podewilses and Hechthausens, from whom these ancient fief properties and appurtenances derive and from whom they were, as already stated, judicially awarded and assigned to von Bünow and the heirs of Achatz Kleist—formerly possessed, used and enjoyed them, including the two parish hides, and in which he now possesses and holds them.

Not only these properties, but also any fiefs which he and his male bodily heirs-in-fief may, by God's grace, inherit or acquire by purchase or exchange, shall be inserted and incorporated into this feudal charter as though they were actually set out herein word for word; in particular, he shall hold as a fief the two parish hides which his father and ancestors purchased.

The said Kleist and his male bodily heirs-in-fief shall, however, receive these properties in fief from none other than Us and Our heirs, the Margraves and Electors of Brandenburg, and shall perform, render and provide the services arising from them as required by the nature and character of a male fief and in accordance with the oath of fealty, without prejudice to Our rights, those of Our heirs, or those of anyone else.

Issued under the seal of the Government of Farther Pomerania and Cammin and the signatures of the appointed officials.

Done and issued at Stargard on ⁷⁶⁷

665.

1688. Großen Tichow. 29 June.

The widow of Peter Kleist⁷⁶⁸ of Groß Tychow and the guardians of her daughters convey their half of Klein Crössin to Master of the Horse Jochim Henning von Kleist for 800 guilders.

From the draft and copies in the State Archives: Tit. IX, Sect. 88, No. XIII, fols. 12 and 7, and in the Groß Tychow Archives, Conv. IV, Tit. VI, litt. A, No. 2, p. 5.

Articles of Agreement

Concerning the terms upon which an agreement was reached between, on the one part, the widow left by the late Peter Kleist, hereditary proprietor of Groß Tychow, and the gentlemen appointed as guardians of

⁷⁶⁷ The date is missing from the draft.

⁷⁶⁸ II. 74, 59.

his unmarried daughters, and, on the other part, Master of the Horse Jochim Henning Kleist.

1. Whereas the said widow and her gentlemen guardians have already conveyed to Jochim Kleist⁷⁶⁹ of Crössin, in satisfaction of his claim, one half of the estate, and the widow, on account of her continual illness, has been unable to administer the half still in her possession, so that its deterioration from day to day was to be feared; and whereas the Master of the Horse had his farmstead close to this one, both of which had formerly also belonged to one lord, and had previously, when the late Castle Captain Jacob von Heydebreck was paid off, made a substantial advance toward the 600 guilders in Reichsthalers and ducats, whereby the estate was freed from great embarrassment and from the claim made by Castle Captain von Heydebreck; the gentlemen guardians have, for these and other compelling reasons, conveyed this share of the estate to him.
2. The widow and her unmarried daughters, together with their gentlemen guardians, accordingly cede all the rights which they possessed in the estates of their late husband and father respectively. They are also willing, should it be judicially required, to take the Juramentum in Supplementum concerning the claims stated, and will not refuse to do so.
3. In return for the cession of these rights, the Master of the Horse shall, three years from the present date, pay 800 Pomeranian guilders in cash and in one sum. Should he be able to raise the money earlier, the parties making the cession will accept it, even if only one half can be paid, and will leave the remainder at interest.
4. Until actual payment is made, the 800 guilders, or the outstanding balance thereof, shall be duly and unfailingly interest-bearing each year at five per cent. One half of the interest shall be paid at Christmas and the other half at St John's Day; or, should the widow be able to dispense with it, the entire interest shall then be paid at one time.
5. In addition, until full payment has been made, the widow shall enjoy from the Master of the Horse free lodging together with a cabbage plot, and likewise free firewood, which he shall have brought by his people. Beginning in the year 1689, he shall also deliver to her annually, without deduction, half a Drömbt of rye. All these benefits shall cease upon full payment of the 800 guilders.
6. The Master of the Horse shall immediately take into his possession, administration, and beneficial enjoyment the said share of the estate, as it has hitherto been possessed by the widow, and shall deal with it as he considers most advantageous.
7. As regards the impending harvest, the widow shall retain all the grain and shall deliver from it no more than the seed required for the next winter and summer sowing. She shall also pay the shepherd the grain due under his lease. The Master of the Horse, however, shall receive all the fodder and shall also arrange for the harvesting; from it he shall additionally feed two cows belonging to the widow.
8. Whereas the widow has pledged certain parcels of land to the Reverend Pastor Michael Verman for fifty guilders, and he is in actual beneficial possession thereof, the widow shall gradually satisfy him from the interest. The pastor is content with this arrangement and, after taking the present harvest, will surrender the parcels to the Master of the Horse.
9. With respect to the fifteen guilders for which Dubschlaff Versen has the beneficial use of a meadow called the Leitznitz, the widow shall arrange for him to surrender it to the Master of the Horse.
10. The widow shall, however, retain the eighty guilders which the Master of the Horse advanced to her

⁷⁶⁹ II. 63, already deceased.

upon certain parcels of land, and no deduction shall be made on that account.

11. The Master of the Horse shall, jointly and in equal shares with the sons of the late Jochim Kleist, bring the still-pending insolvency proceedings to a conclusion. He shall satisfy, from this half of the estate, those creditors to whom anything from the estate may be awarded and allocated in the distribution, in accordance with the separate agreement made between the widow and the late Jochim Kleist when the estate was divided.

12. Finally, these Articles of Agreement shall have the force of a fully executed contract, in which all and every beneficia and exceptiones juris, in genere et in specie, shall be deemed renounced. For greater security, a decree concerning it shall also be requested and obtained from the Electoral Castle Judge at Belgard. All without fraud or deceit.

13. Since a difference has also arisen concerning the contribution payable upon the hides belonging to the two hides surrendered by Castle Captain von Heydebreck, this point shall be reserved for judicial determination. Actum at Großen Tichow on 29 June 1688.

Jochim Henning v. Kleist, mpp.

Georg Hinrich Ramel,

tutorio nomine.

D. J. Kleist,

citra meum meorumque prejudicium,

guardian of the widow and daughter of the late Peter Kleist, mppria.

Michael Naumann,

for myself and as a witness, mppria.

Christophorus Stiege,

as litis curator, subscr. mppria.

666.

1688. Stolp. 4 July.

Georg Kleist⁷⁷⁰ leaves the estate of Crolow, which had been pledged to Captain Rüdiger Manteuffel, in his possession for a further eight years for 6,800 Pomeranian guilders.

From an authenticated copy in the Provincial Archives of Pomerania: Stettin Archives, P. I, Tit. 77, No. 375, fol. 67.

In the Name of God, Amen!

Be it known to the high territorial authority and to all others whom it may concern that the following agreement concerning the estate of Crolow has been reached and concluded between the high and nobly born Captain Rüdiger Manteuffel, on the one part, and Georg Kleist, on the other part.

Whereas, on 1 June 1683, a certain agreement was made concerning the estate of Crolow and a certain sum of money was paid upon it; and whereas it was subsequently found, in the agreed settlement dated at Crolow on 20 May 1686 and the agreement contained therein, that 5,500 Pomeranian guilders had been paid on account of the estate of Crolow and that 1,700 guilders remained outstanding, for which total

⁷⁷⁰ II. 97.

sum of 7,200 Pomeranian guilders Captain Manteuffel has hitherto possessed and enjoyed the estate of Crolow; and whereas Georg Kleist is at present unable to repay in cash the 4,500 Pomeranian guilders that have been paid, the said Kleist has resolved to leave the estate of Crolow with the Captain for a further fixed period, namely eight years.

It is agreed that, for certain sound and well-founded reasons, 400 guilders shall be remitted to Captain Manteuffel from the aforementioned sum of 7,200 guilders, and that he shall continue to possess and enjoy the aforesaid estate of Crolow for the sum of 6,800 Pomeranian guilders. Should Georg Kleist, after the expiration of the eight years, fail to pay the 6,800 Pomeranian guilders together with all improvements and contributions hitherto made and subsequently capable of proof, the estate, together with all resident subjects and all absent subjects who departed during the Captain's period of possession, shall remain the Captain's hereditary and absolute property.

Captain Manteuffel shall pay the outstanding principal sum of 1,300 Pomeranian guilders in two interest-bearing instalments⁷⁷¹, one half at Easter in the coming year 1689 and the other half at Michaelmas in the same year, all in ready money together with the interest. The still-outstanding interest has been settled at twenty-five thalers, which Captain Manteuffel promises to pay in cash at the coming feast of St Martin, *sub paratissima executione ad optionem et licitationem*.

As security for the 1,300 Pomeranian guilders, Captain Manteuffel pledges to Kleist all his movable and immovable property *ad optionem et licitationem*, and in particular the sum of money paid upon the estate of Crolow, *sub constituto possessorio*. In lieu of a formal oath, and as truly as God shall help him, he renounces all *beneficia et exceptiones* which might be invoked against this agreement and the promised cash payment.

Both parties likewise deliberately renounce, in lieu of a formal oath, in *genere et specie*, everything which, contrary to this honestly concluded agreement, might in any manner benefit either party *ex jure civili seu statuario*, including the *exceptiones rei non sic sed aliter gestae, erroris in facto, fortissimae et fraudulentae persuasionis, doli mali, laesionis enormis et enormissimae*, and the *remedia protestationis, supplicationis, appellationis, restitutionis in integrum, nullitatis*, together with all other remedies already devised or still capable of being devised; they shall never make use of them. They likewise renounce the common rule of law *generalem renunciationem non valere nisi specialis expressa praecesserit*.

Should the principal of 1,300 Pomeranian guilders, with the consent of Georg Kleist, remain outstanding for a further period, Captain Manteuffel is willing not only to pay the customary interest of five per cent, but also, at his own expense, to furnish a *perpetuum executoriale* for the annual interest. Thereafter notice of repayment shall be given six months in advance.

Finally, the high and nobly born Lady, wife of Captain Manteuffel, with the assistance of the *litis curator* and adviser requested by her, consents to this agreement. As security for the principal sum of 1,300 guilders and its interest, she pledges everything which she brought into her marriage and everything attached thereto, expressly renouncing under oath her rights as a woman and the legal benefits available to her, particularly those of the *Sctum Vellejanum* and the *Auth. si qua mulier et C. 23 Artic. C ad Sct. Vellejan*. She has received sufficient instruction from the said adviser concerning the legal force and effect of these provisions.

Electoral consent to this agreement shall be requested at the joint expense of both parties. For the firm observance of all the foregoing, it has been signed in their own hands by both parties and their advisers. All upon noble faith, without fraud or deceit. Stolp, 4 July 1688.

⁷⁷¹ Georg Kleist and the assignee Peter von Puttkamer issued a receipt for these 1,300 guilders—see No. 671—dated Stolp, 3 December 1692; *loc. cit.*, fol. 69v.

Georg Kleist,
 in my own hand,
 in the absence of a seal.
 (L. S.) Rüdiger Manteuffel.
 H. G. Below, mpp., as witness.
 Frantz Heinrich Lehmann,
 as adviser.

667.

1690. Belgard. 22 January.

Specification of the feudal-service horses of the von Kleist family in the District of Belgard.

From an authenticated copy in the Provincial Archives of Pomerania: Stettin Archives, P. I, Tit. 96, App. II, No. 188, fol. 42.

Actum at Belgard, in the residence of Mr Crüger, notary and receiver of the district, on 22 January 1690.

Praesentibus Christian Hinrich and Ewald Jochim, cousins von Kleist, as jointly appointed commissioners, and the following persons summoned:

1. Mr Valentin;
2. Mr Richard Christian, for himself and Captain Ewald;
3. Mr Pribschlaff;
4. Mr Christoph Friderich;
5. Mr Dubschlaff Jochim, for himself and his brother Lorentz Hinrich;
6. Mr Jürgen, pro se et fratribus Dnis. Jochim Hinrich, Reimar and Andreas;
7. Mr Jochim Henning, Captain of Horse and Master of the Horse;
8. Captain of Horse Paul Daniel;
9. Mr Marten Jochim, pro se et fratre;
10. Peter of Crössin, pro se et tribus fratribus;
11. Mr Peter of Vietzow;
12. Lieutenant Peter Ernst;

all of them respectively brothers and cousins von Kleist;

13. Mr Adam Henning von Kamicke, in the name of Colonel Berndt Erdtmann von Kleist and his three brothers.

I, the undersigned commissioner, praemissis praemittendis, briefly repeated the tenor of the commission of 7 (17) December 1689, authenticated the copies sent thereof by comparison with the originals, and thereby established the authority of my fellow commissioners and myself.

I then further requested that all the brothers and cousins von Kleist present, both for themselves and for their absent brothers and cousins, should, in accordance with His Electoral Highness's most gracious edict of 10 May, the circular of 1 August, and the most gracious orders now presented, duly conduct

themselves as most obedient vassals, now that the certificates of feudal entitlement had been properly redeemed by them, and should render the obedience due in all matters. At the same time, they should acknowledge with fitting respect the great favour shown by His Electoral Highness in most graciously allowing them time until now before exercising his sovereign rights against those in default. My fellow commissioners and I therefore expected that they would now fully comply with the aforesaid edict and orders. For the rest, my fellow commissioners and I commended ourselves to them for agreeable services and demonstrations of friendship.

The aforementioned persons present in response to the summons stated that they were properly bound to thank His Electoral Highness with the most submissive respect for his great favour, and that they had at all times been dutifully prepared to comply most submissively with the aforementioned edict, circular, and commission. Since, however, their family was large, they had been unable to assemble so quickly or to agree upon a definite declaration. Moreover, they had not yet most submissively received the letter of enfeoffment from His Electoral Highness of glorious memory, while some of the letters of enfeoffment formerly most graciously granted by the late Dukes of Pomerania had been produced in their originals before the highly esteemed Electoral Feudal Chancery.

They therefore believed it necessary that these documents should first be recovered and that further inquiry should then be made as to which persons had actually appeared and rendered hereditary homage during the reign of His Electoral Highness of glorious memory. On that basis the letter of enfeoffment could first be properly drawn up, after which further proceedings could be conducted in accordance with the oft-mentioned circular of 1 August anni curr.

My fellow commissioners and I likewise considered it necessary that a request should be made in our report for the most submissive return of those old letters of enfeoffment granted by the late Dukes of Pomerania and produced before the highly esteemed Electoral Feudal Chancery, and that a copy of the record of the aforementioned homage should graciously be communicated.

In the meantime, however, in order duly to establish the situation concerning the cavalry services as most graciously commanded, and so that both the old and the new feudal dues could be calculated and collected, the muster roll of the year 1655 sent to me was examined and carefully investigated at the present and other sessions, in order to determine who, and which possessors, were required to maintain the horses specified therein and to pay the feudal dues upon them.

According to the said muster roll, the gentlemen von Kleist in the Amt or District of Belgard maintained sixteen horses, as follows:

1. Dubschlaff of Dahmen: one horse.

His estates consisted of a share in Dahmen, together with Zarnekow, Lindenhof, Kickow, and Groß Dubberow.

The present possessors are:

(1) Captain Ewald von Kleist⁷⁷² at Dahmen, Zarnekow, and Lindenhof. His authorised representative, Richard von Kleist, acknowledged, salvo jure: 5/8 horse.

(2) Adam Wilhelm von Kleist at Kickow, who was absent militiae causa, was likewise assessed, with his rights reserved, at: 2/8 horse.

(3) The widow of the late District Councillor Berndt von Mönnichow at Groß Dubberow invoked her possessionem immunitatis. The gentlemen von Kleist, however, consider that she must bear: 1/8 horse.

⁷⁷² III. 205, ?, II. 83.

This would amount to: one horse.

2. Richard, now the heirs of Christian at Dahmen: one horse.

His estates consisted of a share in Dahmen, Nemrin, and Warnin.

The present possessors are:

(1) The brothers Richard Christian and Dubschlaff Jochim von Kleist⁷⁷³ at Dahmen and Nemrin acknowledge: 5/6 horse.

(2) Captain Ewald Kleist at Warnin, whose wife has declared: 1/6 horse.

Total: one horse.

3. Daniel of Dahmen: one horse.

He possessed a share in Dahmen, Zattkow, three peasant holdings in Döbel, and two peasant farmsteads in Kickow.

The present possessors are:

(1) The children of the late Daniel Kleist⁷⁷⁴ at Dahmen.

(2) Adam von Kleist at the estate of Rohden, belonging to Dahmen.

(3) Richard Christian Kleist, holding three peasant farmsteads in Dahmen.

(4) Valentin Kleist, holding three peasant farmsteads in Döbel and two peasant farmsteads in Kickow.

No settlement could be reached among these possessors because neither the knightly hides nor the complete taxable hides could be ascertained. They stated that, since the estates had already been in insolvency proceedings for a considerable period, they had formerly provided the horse proportionately in accordance with the valuation.

They must maintain: one horse.

4. Steffan of Dahmen: one horse.

His estates consisted of a share in Dahmen and Kickow, together with the sheep farm at Nemrin. They are now possessed by his son, Christoph Friderich von Kleist⁷⁷⁵, who acknowledges: one horse.

5. Jürgen of Kohwalck: one horse.

He possessed a share in Kohwalck, Schmentzin, and Klein Voldeckow.

The possessors of these estates are his sons:

(1.) Jochim Hinrich Kleist⁷⁷⁶ at Klein Voldeckow: 1/6 horse.

He maintains, however, that he is required to maintain only 1/12, and that the other 1/12 must be contributed by Schmentzin, which is now possessed by Lieutenant Kalckreuter, the son-in-law of the late Reimar von Kleist.

(2.) Reimar Kleist at Kowalck and the small estate of Dimbkuhr belonging thereto: 5/13 horse.

(3.) Jürgen Kleist, *ibidem*: 5/12 horse.

⁷⁷³ III. 200, 201, 205.

⁷⁷⁴ III. 221, 307b, 200, 215.

⁷⁷⁵ III. 291.

⁷⁷⁶ III. 286, 287, 289.

Total: one horse.

6. Christian of Dubberow and Crolow: three horses.

His estates consisted of seven peasants in Groß Dubberow, the whole of Klein Dubberow, Mandelatzke, Zattkow, Muttrin, two peasants in Boisin, Crolow, Egsow, Frantzen, and Schlakow.

The present possessors are:

(1.) Christian Hinrich von Kleist⁷⁷⁷ at Klein Dubberow, Mandelatzke, and Boisin acknowledges: one horse.

(2.) The widow of the late Anshelm von Bonin at Groß Dubberow.

(3.) Lorentz Hinrich von Kleist at Zattkow.

(4.) The widow of the late District Councillor Berndt von Mönchow at Muttrin and Groß Dubberow.

The gentlemen von Kleist have likewise claimed that these last three must provide one horse. The widowed District Councillor von Mönchow, however, was unwilling to agree to anything, while Lorentz Hinrich von Kleist refused to contribute anything without a prior decision by the highly esteemed Electoral Territorial Government. The widow von Bonin, however, declared, salvo regressu against the feudal successor, that she would account for 1/3 horse. The remaining 2/3 would therefore either have to be apportioned among the other possessors, or the feudal successor would have to be held liable for it.

(5.) Christian Hinrich von Kleist, now the heirs of the late Ernst Bogislaß Buderitz at Crolow: 5/12 horse.

(6.) Erdtmann Puttkamer at Frantzen: 1/6 horse.

(7.) Lorentz Wilhelm von Kleist at Egsow: 5/12 horse.

Together with the foregoing, these would make up the three horses maintained by Christian von Kleist of Dubberow and Crolow. It should, however, further be investigated whether, since the aforementioned estates of Crolow, Egsow, and Frantzen are situated not in the Belgard District but in the Schlawe District, the horses due from the Kleist fiefs situated there are also supplied separately in that district, as likewise in the Stolp and Rügenwalde districts. My fellow commissioner Christian Hinrich von Kleist was of the opinion that they were.

7. Christian of Tichow: one horse.

The present possessors are:

(1.) Colonel Berndt Erdmann von Kleist⁷⁷⁸ at Groß Tichow; his authorised representative, Adam Henning von Kamicke, acknowledged: 4/7 horse.

(2.) Master of the Horse Jochim Henning Kleist at Groß Tichow acknowledges: 3/7 horse.

Total: one horse.

8. Paul Daniel⁷⁷⁹ of Groß Tichow remains liable for one horse.

Formerly, however, his brother, the late Jochim Kleist of Klein Crössin, was required to contribute 1/4 toward it. Paul Daniel assumed this obligation by a special contract, but in return conveyed so much of the estates to his son Hans Caspar von Kleist that the latter must contribute one half toward the horse.

⁷⁷⁷ II. 107, III. 202, II. 108.

⁷⁷⁸ II. 81, 59.

⁷⁷⁹ II. 64, 63, 90.

9. Peter and Carsten at Groß Tichow: one horse.

The present possessors are:

(1.) Master of the Horse Jochim Henning von Kleist:⁷⁸⁰ 1/4 horse.

(2.) The daughters of the late Jochim Kleist: 1/4 horse.

(3.) Captain Christian Casimir von Kleist: 1/2 horse.

Total: one horse.

10. Ewald Jürgen at Vietzow: one horse.

His son Ewald Jochim von Kleist now contributes: 37/40 horse.

Pribschlaff Kleist at Muttrin acknowledges: 3/40 horse.

Total: one horse.

11. Hans Jürgen of one half of Muttrin and Bornentin: one horse.

The present possessors are:

(1.) Pribschlaff von Kleist at Muttrin: 1/3 horse.

(2.) The same in respect of Bornentin, but now Otto Jürgen von Zastrow: 1/6 horse.

(3.) Richard Christian von Kleist: 1/6 horse.

(4.) Otto Jürgen von Zastrow, in addition: 1/6 horse.

(5.) The heirs of the late Simon Pribschlaff Kleist: 1/6 horse.

Total: one horse.

12. Pribschlaff of Kohwalck: one horse.

The present possessors are the brothers Marten Jochim and Berndt Christian von Kleist, who contribute:
from Kohwalck: 3/4 horse;

and from the estate of Dimbkuhr belonging thereto: 1/4 horse.

Total: one horse.

13. Valentin of Kickow and Muttrin: one horse.

The present possessors are:

(1.) The widow of the late District Councillor Berndt von Mönchow: 1/2 horse.

(2.) Valentin von Kleist: 1/2 horse.

NB. He must, however, receive assistance from the widow of the late Hans Friederich von Kleist at Kalckberg to the amount of 1/8, and from Pribschlaff Kleist in respect of Drenow to the amount of 1/10.

Total: one horse.

14. Caspar of Zattkow: one horse.

The present possessors are:

(1.) Master of the Horse Jochim Henning Kleist acknowledges: 3/4 horse.

(2.) Peter Kleist at Vietzow, who, by the order of 4 December 1690, is assessed at: 1/4 horse.

Total: one horse.

⁷⁸⁰ II. 59, 63, 82.

The sixteen horses entered in the muster roll of the year 1655 would therefore be accounted for in full in this manner. Although the extract from the aforementioned muster roll sent to me states that eighteen horses were required to be maintained by the gentlemen von Kleist of the Belgard District, it was nevertheless impossible, despite every effort, to ascertain these horses or to obtain from the highly esteemed Feudal Chancery any further information concerning the two missing horses and the Kleist estates from which they may formerly have been maintained. This record was accordingly concluded.

668.

1690. Stargardt. 1 September.

Jochim Daniel,⁷⁸¹ Dinnies Christoph, Peter Heinrich, and Caspar Henning, brothers von Kleist of Klein Crössin and Groß Tychow, sell their share of the estate at Klein Crössin to Ewald Jochim Kleist of Vietzow for 2,400 Pomeranian guilders.

From a copy in the Groß Tychow Archives.

Before His Electoral Highness of Brandenburg, our most gracious Elector and Lord, we, Jochim Daniel, Dinnies Christoph, Peter Hinrich, and Casper Henning, brothers von Kleist and hereditary proprietors of Klein Crössin and Tychow, hereby declare and acknowledge, for ourselves, our heirs, successors, feudal successors, and all persons whatsoever, that, after timely and mature deliberation and for weighty and legally valid reasons, especially for the preservation of brotherly unity and the removal of all disputes, we resolved to sell as hereditary property our paternal estate of Klein Crossin, together with the adjoining woodland allotments called the Zülow.

We initially offered it to our respective paternal uncle, Captain of Horse Paul Daniel Kleist,⁷⁸² and his sons, hereditary proprietors of Groß Tychow. They all declined the purchase and, according to their letter of 31 August of the present year, renounced the *jus protimiseos*. We subsequently entered into negotiations with our cousin Ewald Jochim Kleist, hereditary proprietor of Vizow, and these negotiations were duly concluded on the date written below.

We therefore convey the aforementioned estate of Klein Crossin, together with the half-peasant Jacob Fritzke and the cottager Michael Fritzke there, as well as an unoccupied half-peasant farmstead at Groß Tychow, and Mewes Fritzke together with their children, born and unborn; also the three allotments in the Zülow, two extending beside the cleared land and the third in the Brandt woodland; likewise the woodland situated in the Nedder Holtze and on the Crossin fields, with thickets, moors, marshes, jurisdiction over life and limb, hunting, fishing, heath and pasture, reed and woodland, ponds and pond sites, nothing whatsoever excepted, together with all appurtenances belonging thereto, in the same manner as our late father Jochim Kleist possessed, used, and was entitled to use them.

The purchaser, Ewald Jochim Kleist, shall not be subjected to any claim on account of this purchased estate, from whatever cause such a claim might arise, nor shall he be burdened with any debts, arrears of contributions, or any other liabilities, by whatever name they may be known. By virtue of this instrument, we accordingly deliver vacant possession of the aforementioned paternal estate and undertake to warrant it in every eventuality. Should any claim arise, we will, as soon as it comes to our knowledge and without any formal notice of litigation, defend and protect the purchaser.

For this purpose, one of us warrants for all and all for one, expressly renouncing the *exceptio divisionis*

⁷⁸¹ II. 86–89; father: II. 63; III. 257.

⁷⁸² II. 64.

et excussionis and all other rights available in this respect, tam in genere quam in specie.

The estate comprises two and one-quarter taxable hides. If, however, a further half hide has recently been assessed upon it, the purchaser must seek the appropriate remedy from the Government at his own expense.

The purchaser assumes responsibility for the Riepen and Meskorn dues, as well as the district debt originating with the late Achatz Kleist,⁷⁸³ *ratione capitalis*.

The purchaser shall otherwise retain with the estate everything fixed to the earth by root or nail and everything else dedicated to the estate. Should any further subjects still exist, the purchaser shall be at liberty to reclaim them as he sees fit.

The winter sowing shall be completed in full by Dinnies Christoph Kleist, and the autumn manure shall be spread. He shall deliver the seed for the summer sowing to the purchaser by the bushel, namely nineteen bushels of oats, thirteen bushels of barley, one bushel of wheat, and half a bushel of peas.

For this estate of Klein Crössin, sold by us with the appurtenances described above, the purchaser shall pay 2,400 Pomeranian guilders. Of this amount:

537 guilders 12 Lübeck schillings shall be paid to the eldest brother, Jochim Daniel Kleist;

837 guilders 12 Lübeck schillings to Dinnies Christoph Kleist;

537 guilders 12 Lübeck schillings to Peter Hinrich Kleist;

and 537 guilders 12 Lübeck schillings to the youngest brother, Caspar Hennig Kleist.

These sums shall be paid in the following manner:

The purchaser shall pay 200 guilders to Jochim Daniel Kleist at the coming feast of St Martin;

100 guilders to Dinnies Christoph Kleist fourteen days after Michaelmas;

37 guilders 12 Lübeck schillings at Martinmas to the other brother, Peter Hinrich Kleist;

and 37 guilders 12 Lübeck schillings to Caspar Hennig Kleist.

At St John's Day 1691, he shall pay Dinnies Christoph Kleist his entire remaining balance, namely 737 guilders 12 Lübeck schillings together with interest.

The remainder shall remain with the purchaser from the coming Michaelmas onward, bearing interest at five per cent, but he promises to pay it after six months' notice of repayment.

As security for the full purchase price, not only the estate of Klein Crossin sold by the vendors, but also the purchaser's other estates of Vizow and Wutzow, shall remain expressly mortgaged *ad concurrentem debiti quantitatem, cum constituto possessorio et pacto de ingrediendo*.

Should Electoral consent also be required, it must be obtained at the purchaser's expense.⁷⁸⁴

Both parties otherwise renounce all legal objections, particularly the *exceptiones doli mali, fraudulentæ persuasionis, rei non sic sed aliter gestæ, laesionis enormis et enormissimæ, L. 2. C. de rescind. empt. et vendit., reductionis ad arbitrium bonorum virorum, appellationis, deductionis nullitatis*, and all others, by whatever names they may be known, whether expressly stated herein or not.

All without fraud or deceit and upon the words of heavenly truth.

In witness thereof, this instrument has been signed in their own hands by all the contracting parties and

⁷⁸³ III. 110.

⁷⁸⁴ The feudal lord's consent was granted at Stargardt on 5 September 1691; *loc. cit.*

subscribed by the witnesses named below. Done at Stargardt on 1 September 1690.

Jochim Daniel Kleist (L. S.)

Ewald Jochim Kleist.

Dinnies Christopher Kleist (L. S.)

Henning Kamcke, ut testis.

Peter Hinrich Kleist (L. S.)

Rüdiger Kleist⁷⁸⁵, ut testis.

Caspar Henning Kleist (L. S.)

Thomas Molzahn, tanquam testis subscripsit.

669.

1690. Stolp. 18 September.

Colonel Georg,⁷⁸⁶ Jochim Rüdiger, and Arndt, brothers von Kleist of Wendisch Tychow, Quesdow, and Besow, sell their share of the estate at Schlackow, which is pledged to the von Below family, to Peter von Puttkamer of Schlackow for 2,500 guilders.

From an authenticated copy in the Provincial Archives of Pomerania: Stettin Archives, P. I, Tit. 77, No. 305.

Be it hereby known to everyone, and particularly to those who now have or may hereafter acquire any interest herein, that on the present date a permanent and irrevocable hereditary sale has been made and concluded between the persons named below, in the following manner.

The well-born gentlemen Colonel Georg, Jochim Rüdiger, and Arndt, brothers von Kleist and hereditary proprietors of Tychow, Quesdow, and Besow, sell to the likewise well-born Peter Puttkamer, hereditary lord of Schlackow and Marsow, their share of the estate at Schlackow. For a considerable period it had been possessed in pledge by the late Jochim Below and is now so possessed by his sons.

The sale includes all rights, liberties, jurisdictions, road rights, fisheries, hunting rights, and other appurtenances belonging thereto, in the same manner as they have hitherto been enjoyed and used by the holders of the pledge, or as they or the purchaser were or might have been legally entitled to enjoy and use them, together with all subjects now belonging thereto or who have ever belonged thereto, without excluding the least item.

The purchaser assumes the burden of the contribution in accordance with the register. He shall likewise have nothing to do with any other public burdens which have not belonged to the estate from ancient times or by law.

For this purpose, the vendors, the gentlemen von Kleist, promise to provide the purchaser, Peter Puttkamer, with secure warranty of the property sold against every person's claims, whether such claims are made with or without legal grounds, in or out of court. In all such cases, the vendors, after receiving extrajudicial notice, shall immediately appear before the court and defend and protect the purchaser against all disputes raised.

For such an eventuality they pledge to the purchaser, by virtue of this contract of sale, so much of their

⁷⁸⁵ Several possibilities, none obvious. (2021)

⁷⁸⁶ II. 93–95.

estates as may be necessary, cum clausula constituti possessorii et paratissimae executionis.

For this property, Peter Puttkamer shall pay the vendors von Kleist 2,500 guilders in value, partly in cash and partly by assuming payment of certain items, as follows:

He shall satisfy the gentlemen von Below, the former holders of the pledge, in the amount of 1,600 guilders in value, at which their entire claim against the vendors has been settled.

Furthermore, when this contract of sale is executed, he shall deliver to the Colonel an obligation for 200 Reichsthalers, payable at Danzig from the auxiliary funds.

He shall additionally pay 33 Reichsthalers 12 Lübeck schillings in cash.

The remaining 366 Reichsthalers 24 Lübeck schillings have already been paid to Court Councillor Matthies Heinrich Below upon a valid assignment from the two younger brothers von Kleist.

The aforementioned purchase price of 2,500 guilders has therefore been fully paid and discharged in the manner stated above.

The purchaser is consequently hereby given a receipt for payment of the purchase price of 2,500 guilders in the strongest legal form. By virtue of this agreement, he is immediately placed and installed as true owner in peaceful possession of the farmstead sold.

The vendors, for themselves and their heirs, expressly renounce the jus reluendi and shall never, at any time, make use of it.

For the rest, the contracting parties not only promise to keep this contract of sale firm and inviolable at all times in all its clauses, but, for greater security, renounce all and every legal benefit, privilege, and favour which has ever been devised or which human understanding and ingenuity might devise in the future, as though each one had been expressed here word for word and inserted into this agreement.

In particular, they renounce the exceptiones non numeratae et non in rem versae pecuniae, simulati contractus, doli mali, deceptionis, laesionis cujuscunque, dolosae persuasionis, novationis, delegationis, compensationis, the beneficium restitutionis in integrum, appellationis, and the rule of law stating generalem renunciationem non valere nisi specialis praecesserit.

All without fraud or deceit.

In witness thereof, two copies of identical wording have been prepared, and one signed copy has been delivered to each party. Done at Stolp on 18 September 1690.

(L. S.) Georg v. Kleist, mpp.

(L. S.) Peter von Puttkamer, mpp.

670.

1691. Stargardt. 20 January.

Adam von Kleist⁷⁸⁷ purchases from Christian Heinrich and Gustav Georg von Dewitz the estate of Heyde near Arnhausen for 4,000 guilders.

From an authenticated copy in the State Archives: Tit. IX, Sect. 88, No. XI, fol. 103.

We, the undersigned, namely Captain of Horse Christian Heinrich and Captain Gustav Georg von Dewitz, vendors and assignors on the one part, and I, Adam von Kleist, purchaser and assignee on the

⁷⁸⁷ III. 307b.

other part, declare and acknowledge by virtue of this instrument, our own signatures, and our seals affixed hereto, that the following purchase and sale has been made and completed between us.

1. According to the distribution of 2 December 1673, we, the vendors von Dewitz, were allocated from the Manteuffel estates a principal sum of 2,000 guilders and interest amounting to 2,000 guilders, charged upon the estate of Heyde, and were assigned that amount therein, salvo jure concreditorum. Since, however, it was burdensome for us to administer it ourselves on account of our other estates, it has hitherto been leased to various administrators. As the aforementioned Adam von Kleist has now offered to purchase our rights therein:

2. We, the two brothers von Dewitz, sell to Kleist all the rights which we hold in the said estate of Heyde, situated near Arnhausen, and which were awarded and distributed to us in the amount of 4,000 guilders by the distribution of 2 December 1673. We immediately place Kleist, by virtue of this instrument, in actual, vacant, and undisturbed possession of our rights, promising to warrant to him the said 4,000 guilders in the estate sold, in accordance with the valuation and distribution made.

3. In return, von Kleist shall immediately, upon the execution of this agreement, pay the aforementioned brothers von Dewitz 900 Reichsthalers, or 1,350 Pomeranian guilders, for their claim of 4,000 guilders assigned and distributed to them in the estate of Heyde, each guilder being reckoned at twenty-four Lübeck schillings. The gentlemen von Dewitz have received as part of the purchase price 600 guilders in good two-thirds pieces and 750 guilders in current Polish coin. We therefore renounce the exceptio non numeratae pecuniae and discharge von Kleist in respect thereof.

4. Since this particular estate was distributed to the von Dewitz family as early as 2 December 1673 and has not since been redeemed by the Manteuffel feudal successors, and since His Electoral Highness has ordered in various edicts that, where particular portions of fiefs have been awarded by distribution to persons capable of holding fiefs, they must report the same to the Electoral Feudal Chancery and, if those portions are not redeemed by the feudal successors within a specified period, must obtain feudal investiture for them, the von Dewitz family has complied accordingly. They redeemed the certificate of feudal entitlement and took the Juramentum Fidelitatis. The von Dewitz family has therefore delivered to von Kleist, upon transfer of the estate, the certificate of feudal entitlement received and all documents relating thereto.

5. Should von Kleist or the feudal heirs of his body wish in future years to sell this particular estate called Heyde, we, the von Dewitz family, reserve for ourselves and for the feudal heirs of our bodies the right to be the nearest purchasers. We and the feudal heirs of our bodies shall pay von Kleist or the feudal heirs of his body whatever another outside purchaser is willing to pay for it. Von Kleist consents to this and hereby promises the von Dewitz family and the feudal heirs of their bodies the preferential right of purchase to this estate.

6. We, the brothers von Dewitz, as vendors and assignors, therefore assign to von Kleist, as purchaser and assignee, not only for ourselves but also for the feudal heirs of our bodies and our successors, all rights which we have acquired by legal proceedings in the estate of Heyde, in the best legal form, manner, and fashion in which this may most validly be done. In return, we renounce all rights which we have acquired therein.

We transfer to von Kleist all our rights in the said estate of Heyde, together with every lordship and right attached thereto, by whatever name they may be known and in the same manner as we could have enjoyed them had we retained the estate, cum onere et commodo.

Should arrears of contributions exist, von Kleist shall pay them and shall in return receive the outstanding rents. Should the Podewils family advance any claim, von Kleist shall press for the

accounting and shall enjoy the resulting profit or bear the loss.

7. We further bind ourselves, both for ourselves and for the feudal heirs of our bodies and our successors, upon our true, sincere, and faithful word and honour, not only to keep this purchase and sale and everything incorporated in this instrument firm, secure, and inviolable, but also, in respect of the rights assigned by us, unfailingly to provide von Kleist as assignee, or the feudal heirs of his body, with warranty under both ecclesiastical and secular law, in and out of court, upon the first notification and against every person, whoever he may be.

At our own cost and expense we shall actually defend von Kleist as purchaser and assignee. As security, we, the von Dewitz family, hereby pledge to von Kleist, sub constituto possessorio, as much of our goods and estates as may be necessary.

8. Finally, in order to keep this contract of purchase and sale firm, secure, and immovable, and never to act or proceed against it in any manner or way, all of us, both purchaser and vendors, for ourselves, our heirs, feudal heirs, and successors, renounce in the strongest and most valid legal form and in lieu of an oath all and every exception and objection, by whatever name they may be known, whether requiring a general or particular renunciation, whether already devised or still to be devised in the future.

In particular, we renounce the *exceptiones rei non sic sed aliter gestae*, *simulationis*, *doli mali*, *fraudulentae persuasionis*, *laesionis enormis et enormissimae*, as well as L. 2. C. de rescind. venditione, and the *beneficia restitutionis in integrum*, *deductionis nullitatis*, *reductionis ad arbitrium boni viri*, *supplicationis*, and *appellationis ex quacunque etiam justissima causa*.

For the faithful and inviolable observance of all the foregoing, two copies of identical wording have been drawn up and executed, subject to the reservation that the consent of the Government and Feudal Chancery of His Electoral Highness shall be requested, for which von Kleist shall provide the costs.

As it was concluded, agreed, and settled, it has been written down and signed by the contracting parties on both sides, namely the vendors and purchaser, their advisers, and witnesses, and confirmed with all their seals.

Done at Stargardt upon the Ihna on 20 January 1691.

L. S. Christian Heinrich von Dewitz, mppria.

Adam von Kleist, L. S.

Gustav Georg von Dewitz, L. S.

L. S. Gottfried Christian Koch, as adviser, mpp.

L. S. Christian Schultze, as a witness.

L. S. Johan Georg Frentzell, as a witness.

671.

1692. Frantzen. 28 January.

Georg von Kleist⁷⁸⁸ and his brothers assign their right of redemption in the estate of Crolow to Peter Puttkamer of Vietzke for 1,300 Pomeranian guilders.

From an authenticated copy in the Provincial Archives of Pomerania: Stettin Archives, P. I, Tit. 77, No. 375, fol. 39.

⁷⁸⁸ II. 97, 98, 101.

Whereas Rüdiger Manteuffel of Crolow still owes the brothers von Kleist, N. N. N., pursuant to the articles of agreement of 4 July 1688, a principal sum of 1,300 Pomeranian guilders together with the interest in arrears thereon, but has failed to observe the appointed dates or, following notice of repayment, to pay the principal sum of 1,300 Pomeranian guilders together with the interest, all the gentlemen von Kleist have accordingly resolved to dispose once more of the rights reserved to them in the aforementioned articles of agreement of the year 1688 in respect of the outstanding principal sum of 1,300 guilders and its interest.

For this purpose, they wholly, fully, and completely assign to Peter Puttkamer of Vietzke the rights thus reserved, *ut nomen verum ad optime bonum*. By virtue of the *constitutum possessorium* stipulated for the principal sum of 1,300 Pomeranian guilders and its interest, they hereby place their assignee, *ad licitationem*, in real, vacant, and unencumbered possession of whichever properties he may select, without any legal proceedings or costs. For this purpose, they shall deliver to him as soon as possible this copy corresponding in wording to the original.

In return, Peter Puttkamer shall duly pay to the gentlemen von Kleist in ready money the outstanding principal sum of 1,300 Pomeranian guilders together with the interest, following a prior accounting.

Since, pursuant to the aforementioned articles of agreement, the gentlemen von Kleist are entitled to the *jus relutionis* after the expiration of twelve years, they assign and convey to Peter Puttkamer, *optimo jure*, their right of redemption, so that he may exercise it in their name in the best possible manner.

They hereby renounce all and every exception, objection, and constitution, by whatever names they may be known, whether already devised or still to be devised in the future, and in particular the *exceptiones doli mali*, *fraudulentae persuasionis*, *rei non sic sed aliter gestae*, *simulati contractus*, *reductionis ad arbitrium boni viri*, *restitutionis in integrum*, *appellationis ad Cameram Imperialem*, *oblationis bonorum*, *dationis in solutum particularis praevia aestimatione*, and anything which the Court Ordinance might otherwise prescribe to the contrary herein, as well as the rule of law *generalem renunciationem non valere nisi specialis praecesserit*.

These articles of assignment, which shall have the force of a completed contract, have accordingly been signed in their own hands for firm observance. Where necessary, a formal contract shall subsequently be drawn up and written upon stamped paper.

Frantzen, 28 January 1692.

Georg v. Kleist, *mppria*.

Peter v. Puttkamer, *mpp*.

Peter Ewald Kleist, *tanquam testis*.

Anthon Kleist.

I hereby reassign the *jus reluendi* of the estate of Crolow contained in this instrument to R. Otto Zitzwitz in the same manner in which it was assigned to me, except that I have received one half of the inventory on account thereof.

Schmorsow, 31 October 1699.

Peter v. Puttkammer.

Kleist⁷⁸⁹ under an antichretic pledge for 6,000 Polish guilders, or 2,000 Reichsthalers.

From a copy in the State Archives: Tit. IX, Sect. 88, No. XI, fol. 114.

In the name of God, it is hereby certified that on the date written below an honest and binding contract of pledge was agreed upon and completed as follows:

Whereas, as early as 6 July 1681, the well-born Captain Joachim Philipp von Zitzwitz, as feudal successor to Marten Pirch, who had possessed the estates *jure retentionis*, redeemed the estates of Jammerin and Kottow cum pertinentiis with the marriage funds brought to him by his wife, Barbara von Puttkamer; and whereas he is now being severely pressed by various creditors whose claims still encumber the estates and is otherwise compelled, in order securely to preserve his wife's said marriage funds, to dispose of the estates once more and transfer them to another person by way of pledge, cum onere et commodo, adjecto pacto antichretico; and whereas the well-born Arndt Heinrich von Kleist has deliberately resolved to take possession of the said estates:

Captain von Zitzwitz, for himself, his heirs, and successors, accordingly surrenders and conveys to von Kleist and his heirs, to use and enjoy without rendering any account, the aforementioned estates of Jammerin and Kottow, together with the manor house and the other buildings and everything therein fixed to the earth or by nails; also the subjects, whether residing on or absent from the estates, their services, farmsteads, hides and other fields, gardens, meadows, mills, lakes, ponds and pond sites, fishing rights, grazing, pastures and drives, together with all lordships and rights, nothing whatsoever excepted, in the same manner as Marten Pirch, his predecessors, and now Captain von Zitzwitz acquired, redeemed, enjoyed, and used them, or were legally entitled to enjoy and use them.

The transfer likewise includes the entire present harvest of winter and summer grain, grass, and hay, by whatever name it may be known and wherever or in whatever parcels it may be situated. As an exception, Kleist shall provide eighteen bushels of rye on account of the new land at Jammerin and the remaining grain sown at Muttrin.

In the event of a future redemption, von Kleist shall be at liberty to have a proper schedule and inventory of everything drawn up.

For all the foregoing, von Kleist shall pay 6,000 Polish guilders, or 2,000 Reichsthalers. He shall immediately pay in cash, in one sum, to the wife of Captain von Zitzwitz 1,733 Reichsthalers 12 Lübeck schillings, each Reichsthaler being reckoned at thirty-six Lübeck schillings, in good coin current in the country. For the payment of these 1,733 Reichsthalers 12 Lübeck schillings, von Kleist shall be discharged in the strongest legal form by both von Zitzwitz and his wife, Barbara von Puttkamer, cum renunciatione exceptionis pecuniae dictae plane non, vel non plene numeratae aut in utilitatem praesentem non versae.

The remaining 400 guilders in value shall remain with von Kleist for one year, bearing interest, as security in case, within a year and a day, any latent claims should emerge in addition to those entered in the insolvency proceedings or disclosed by Marten Pirch and should take precedence over Mrs von Zitzwitz's marriage funds, beyond which they are not liable. In the meantime, the pledged estate of Jammerin shall remain liable to von Zitzwitz for the corresponding amount of the reserved 400 guilders in value, ex constituto possessorio.

Just as the pledgor has assigned the estates described above to the creditor and placed him in actual possession or quasi-possession, enjoyment, and use thereof, he and his wife have undertaken to warrant the estates cum pertinentiis against every person's claims in and out of court, apart from the debts

⁷⁸⁹ II. 95.

disclosed to him, which do not take precedence over their own claim and were not incurred by themselves.

The old debts encumbering the estates and specified by von Zitzwitz himself shall be left to von Kleist to negotiate and pay as best he can. Whatever advantage he may obtain in those negotiations shall accrue to him and shall not be deducted from the amount due to him upon a future redemption.

With respect to the costs of improvements that may be incurred in repairing and constructing buildings, fences, and equipment, restoring the peasant holdings, paying contributions, and otherwise, it has been agreed that, at the time of redemption, such costs, together with contributions advanced and other onerous feudal duties, as specified by him in good conscience, shall be reimbursed in cash to von Kleist, his heirs, and successors without any reduction. He shall not be obliged to surrender the estates or yield the least part thereof until he has been paid to the last heller and pfennig.

Should von Zitzwitz or the feudal heirs of his body wish to undertake such redemption and full payment, they shall be obliged to notify von Kleist or his heirs of their intention four years in advance. After the expiration of that period, when von Kleist or his heirs have received in cash, in one sum, the complete principal—both that received by von Zitzwitz and his wife and the other claims charged upon the estates which he had been required to assert and pay—together with all improvement costs, contributions paid, damages, and expenses, the estates cum pertinentiis shall be surrendered once more.

Just as von Kleist has, under the terms of this instrument, been free to use and enjoy the estates as his own property according to what he considers most advantageous for himself and his family, the holder of the pledge shall not be obliged to account for the least item. Still less shall any computation in sortem be raised against him at any time insofar as his enjoyment of the estates may have exceeded the customary interest, in consideration of the fact that the estates are in poor condition, the buildings dilapidated, the fields sandy and gravelly, extensive repairs therefore necessary, and the annual revenues entirely uncertain.

Finally, von Kleist may personally take possession of the pledged estates as early as Michaelmas of the present year. He nevertheless voluntarily permits von Zitzwitz to enjoy the mere lodging and the produce of the garden. Von Zitzwitz and his wife, however, undertake under an actual oath and on pain of forfeiting the still-outstanding 400 guilders in value to relinquish such lodging and enjoyment of the garden at the coming Michaelmas without any objection and immediately to vacate it.

For the greater confirmation of this and of all the foregoing, not only shall the most gracious consent of His Electoral Highness be obtained at the equal expense of both parties, but both parties also renounce under oath, as truly as God shall help them, all exceptiones which might benefit them, particularly the exceptiones doli mali, fraudulentæ persuasionis, metus, rei non sic sed aliter gestæ, plus scriptum quam actum, læsionis etiam enormissimæ, usurariæ pravitatis, the beneficia restitutionis in integrum ex quacunque etiam causa, appellationis, reductionis ad arbitrium boni viri, protestationis, and all other legal remedies and territorial constitutions already devised or still to be devised, insofar as they might conflict with this contract of pledge, together with the common rule of law *generalem renunciationem non valere nisi specialis præcesserit*.

In witness thereof, this contract has been signed and sealed in their own hands by both contracting parties, and particularly by the wife of von Zitzwitz, together with the advisers and *litis curator* requested for this purpose. Done at Jamrin on 5 July 1693.

Jochim Philipp von Zitzwitz.

Barbara von Zitzwitz, née von Puttkamer, in my own hand.

Johan Lorentz von Puttkamer, as requested adviser and witness.

Ewald von Puttkamer, as natural guardian of my sister and requested adviser.

Jochim Rüdiger von Kleist,⁷⁹⁰ ut testis.

Ernst Pribe, Not. Publ., ut testis subscr.

At the proper request of the well-born Barbara von Puttkamer, wife of Captain Jochim Philipp von Zitzwitz, I, as the *litis curator* requested by her *quo ad hunc actum*, explained to her the rights belonging to women, together with the *beneficium S. C. Vellejani et Auth. si qua mulier*, and interpreted the foregoing agreement. She renounced all the same, approved the agreement in every respect, and duly received in cash the money specified therein. For greater certification thereof, I hereby confirm this by my own signature and seal.

Wentzel Themeck,

Not. Caes. Publ. et Immatriculatus.

673.

1696. Kicko. 4 May.

Captain Bastian Heinrich von Kleist of Groß Tychow and Mandelatz sells his woodland allotment in the Zülów to the heirs of Valentin von Kleist of Kiekow for 750 Pomeranian guilders.

From a copy in the Provincial Archives of Pomerania: Stettin Archives, P. I, Tit. 77, No. 361, fol. 12.

Whereas Captain Bastian Heinrich von Kleist, hereditary lord of Groß Tychow and Mandelatz, has for weighty reasons resolved to dispose of his woodland allotment situated in the Zülów, he first offered it to his respective brothers and other cousins who might claim a preferential right to it. They were, however, unwilling to enter into a purchase and wholly renounced it.

The aforementioned Captain accordingly entered into negotiations with the heirs of the late Valentin von Kleist, hereditary lord of Kicko, and sold to them the aforementioned woodland allotment as their hereditary and absolute property in perpetuity.

The vendor therefore conveys this woodland allotment to the widow and heirs of the late Valentin Kleist within the boundaries and markers within which it was conveyed to him by his brothers at the division of the inheritance and within which he has hitherto used and been entitled to use it, together with the oak, fir, and beech timber, undergrowth, and mast, nothing excepted. From the present date the purchasers may take possession thereof, use it as they see fit, and deal with and dispose of it at their pleasure.

Should any preferential right or other burden be claimed against this woodland allotment, the vendor shall provide warranty. He hereby undertakes, with the pledge of his estates, to deliver vacant possession to the purchasers and to provide eviction warranty in every eventuality.

For this woodland allotment, the purchasers shall pay 750 Pomeranian guilders, each guilder being reckoned at twenty-four Lübeck schillings. Of this amount, fifty guilders shall be paid immediately upon the conclusion of this deed of sale. The remaining 709 guilders shall remain outstanding from Michaelmas of the present year, bearing interest at five per cent.

Until then the Captain shall also pay the forest keeper. Thereafter the purchasers must reach an agreement with him and pay his wages.

Should one party no longer wish the principal to remain at interest, and the other no longer wish to retain it, either shall give the other one quarter of a year's prior notice. The purchasers then promise to pay the principal together with all outstanding interest in one undivided sum, in good current coin.

⁷⁹⁰ II. 94.

As security, the estate of Kicko is pledged to the vendor as a true mortgage, cum constituto possessorio, so that, in the event payment is not made, he shall be entitled on his own authority and without the assistance of the public authorities to take possession of it and shall not be obliged to leave until the principal and interest have been paid in full.

Should he be compelled to bring an action upon this debt—which, God willing, shall not occur—the purchasers hereby request the Castle Judge at Belgard, upon the mere presentation of this instrument, to issue a *mandatum de non turbando* and to refer them with their objections *ad reconventionem*.

For the rest, both parties renounce the *exceptiones doli mali*, *fraudulentae persuasionis*, *rei non sic sed aliter gestae*, *laesionis ultra dimidium*, in particular L. 2. C. de resc. empt. et vend., and all other objections *tam in genere quam in specie*, all upon noble honour, true words, and faithful belief.

Done at Kicko on 4 May 1696.

Bastian Heinrich von Kleist.

Peter Casper von Kleist.

A. W. v. Kleist, as a witness.

C. F. v. Zastrow, as a witness.

674.

1697. Kicko. 5 February.

Captain Adam Wilhelm von Kleist⁷⁹¹ of Völtzkow sells his share of the estate at Kiekow to the heirs of Valentin von Kleist for 2,622 Pomeranian guilders.

From a copy in the Provincial Archives of Pomerania: Stettin Archives, P. I, Tit. 77, No. 361, fol. 13v.

For future information, be it hereby known to everyone, and particularly to those whom it concerns, that on the date written below the following hereditary and irrevocable contract of sale concerning Captain Adam Wilhelm von Kleist's share of the estate at Kicko was agreed upon, concluded, and completed between the heirs of the late well-born Valentin von Kleist, as purchasers on the one part, and the well-born Captain Adam Wilhelm von Kleist, hereditary lord of Völtzkow, as vendor on the other part.

1. The vendor sells to the purchasers his share of the estate at Kicko, together with the manor house, sheep farms, peasant farmsteads, and subjects, namely Michel and Christoph Kland together with their children; the fields, parcels of land and meadows, marshes, moors, woodlands, reed and woodland, heath and pasture, drives, hunting rights, fisheries, ponds and pond sites, mills and mill sites; also all lordships and rights, jurisdiction, *jus patronatus*, all other regalia, and all appurtenances belonging thereto, of whatever they may consist, nothing whatsoever excepted. The sale also includes the woodland allotment in the Zülów, with the land and soil, mast, and all timber standing upon it, within the boundaries and markers within which he and his predecessors possessed, enjoyed, and used this share of the estate and woodland allotment, and were or might have been entitled to use it, for 2,622 Pomeranian guilders, each guilder being reckoned at twenty-four Lübeck schillings or thirty-two Pomeranian groschen.

2. He shall convey the estate to the purchasers on the coming Walpurgis Day of the present year and shall then immediately place them in *vacua et quieta possessione*. In the meantime, he shall obtain the consent of his brothers at his own expense.

3. Since he enjoys the present usufruct, namely the annual rent paid by the administrator and the two

⁷⁹¹ II. 83; III. 215.

guilders in Schatt which the peasants must pay this year, the vendor shall also bear all burdens upon the estate until Michaelmas.

4. Since at present only one eighth and one fourteenth of a feudal-service horse are maintained from the estate, the purchasers shall not be burdened with any greater contribution.

5. In return, the purchasers shall pay the aforementioned purchase price of 2,622 guilders in the following manner. Immediately before the execution of this instrument, they shall pay 500 Pomeranian guilders in cash. Since the purchaser has safely received this amount into his hands and has applied it to the improvement of his fief, he knowingly and deliberately gives a receipt for these 500 Pomeranian guilders in the strongest legal form, cum renunciatione exceptionis non numeratae vel in utilitatem ipsius non conversae pecuniae.

6. The remainder of the purchase price shall be paid in cash at the following dates:

7. Two thousand Pomeranian guilders shall be paid at Easter in the coming year, in one undivided sum and in good, unrecalled coin. Until then the purchasers shall be liable with all their property and shall not presume to take possession of the estate before payment has been made.

The remaining 122 guilders shall be discharged in the following manner: thirty guilders for a meadow at Däbel pledged to Councillor and Castle Judge von Glasenapp at Balfantz; twenty-five guilders principal of a debt owed to the church at Kicko; and fifty guilders principal which Captain of Horse Peter Casper von Kleist⁷⁹² previously advanced to the vendor, together with the interest outstanding upon these principal sums. The purchasers promise bona fide to deliver the obligations issued by the vendor concerning these items.

8. Until the full purchase price of 2,622 Pomeranian guilders has been paid, the vendor's aforementioned share of the estate shall remain liable to him pro expressa hypotheca, cum constituto possessorio, so that, in the event of default in payment, he may retake possession thereof and obtain full payment from it as he sees fit.

9. In return, the vendor shall provide the purchasers with secure warranty against all claims, from whatever source they may arise, and shall provide eviction warranty. For this purpose he pledges all his present and future estates, particularly the estate of Völtzkow situated in the Neumark and all his outstanding capital, as a general mortgage cum clausula constituti possessorii. He shall obtain the consent of his brothers before Walpurgis Day of the present year. The purchasers may therefore, salvo jure variandi et eligendi, obtain payment of principal, interest, and costs either directly from this property or through the most expeditious immission or execution. Should the need arise, he shall accept extrajudicial notice of litigation and defend the purchasers at his own expense.

10. Both parties have knowingly and deliberately renounced all legal objections and benefits which might assist them against this agreement, particularly the exceptiones doli mali, fraudulentae persuasionis, erroris, simulati vel non sic celebrati contractus, laesionis enormis et cujuscunque enormissimae, L. 2. C. de rescind. vendit., the beneficium restitutionis in integrum ex quocunque capite, deductionis nullitatis, appellationis ad Cameram Imperialem et quodvis judicium Electorale superius, the Statutum Soldinense, recessus ad arbitrium boni viri, all indulgences and moratory statutes, the laws and constitutions of the Empire and the territories, both Pomeranian and Brandenburg, oblatio bonorum, concursus, vis major, the calamities of war and fire, all other casus fortuiti, and likewise the rule generalem renunciationem non valere nisi specialis praecesserit.

All has been done honestly and sincerely, in lieu of an oath and upon the words: as truly as God shall

⁷⁹² III. 303; second son of Valentin.

help the contracting parties.

In witness thereof, this contract of sale and the assurances attached by the respective parties concerning payment and eviction have been signed and sealed in their own hands by the contracting parties and the witnesses present.

Done at Kicko on 5 February 1697.

Adam Wilhelm von Kleist, mpp.

Peter Casper von Kleist.

Bastian Henrich von Kleist,⁷⁹³ as a witness.

Richardus Henke, P. M., tq. testis mpp.

Cartz Ulrich von Kleist, as a witness.

675.

1699. 11 October.

“Register of Enfeoffments, or Extract from the Record of Homage.” (Extract.)⁷⁹⁴

From the original in the State Archives: Tit. V, No. 30.

Present. — Absent.

List of the family branches from the District of Belgard enfeoffed on 11 October 1699.

Kleist.

Muttrin, Dahmen, Vietzow, and Dargen lines

1. Richardt Christian, son of Christian.

2. Christoff Friederich, son of Steffen; in his stead, according to the power of attorney, the son Steffen, who was present, rendered homage.

3. Adam, son of Tessen.

Pribschlaff’s sons; their brother’s son:

4. Adam Heinrich, ipse juravit.

5. Cartz Ulrich.

6. Bogißlaff Henning.

Present.

⁷⁹³ II. 84; brother of the vendor; III. 369.

⁷⁹⁴ Genealogical attribution of the consecutive numbers, including only those present:

Dahmen

Descendants of III. 8: 2, 17, 20, 21–22, 25.

Descendants of III. 9: 1.

Descendants of III. 10: 3, 7, 8, 18–19.

Muttrin

Descendants of III. 4: 24, after 51.

Descendants of III. 5: 9–10, 11, 12, 13, 14, 15–16, 23, 50–51.

Descendants of III. 6: 4–6.

Dubberow: 29–40.

Tychow: 26–28, 41–44.

Raddatz: 46–49.

7. Frantz Andreas, son of Valentin; his brothers are:

8. Peter Kleist, son of Valentin Daniel.

9. Ewaldt Joachim,

10. Rüdiger, sons of Ewaldt Jürgen and grandsons of Achatz.

11. Peter at Vietzow, son of Hans and grandson of Joachim.

12. Peter Ernst, son of Joachim and grandson of Hans.

13. Tessen Christian, son of Ewald, for himself and under power of attorney for the sons of Jürgen Friedrich, grandsons of Peter.

14. Tessen Erdtmann, son of Jacob Daniel and grandson of Ewald.

15. Melchior Ludwig at Detersdorff in the Mark, who granted a power of attorney.

16. Bastian Wilhelm.

17. Jürgen, son of Jürgen.

Sons of Asmus:

18. Martin Joachim.

19. Berndt Christian.

20. Jürgen Heinrich, son of Reimar.

Sons of Joachim Heinrich:

21. Hans Erdtmann.

22. Jürgen Ulrich.

23. Wilhelm Christian at Pumlow, son of Peter and grandson of Wilhelm; belongs to the Vietzow line.

24. Friedrich Wilhelm, son of Hans Friedrich.

25. Joachim Henning rendered homage in person and will report himself tomorrow.

Absent

Christian Lorentz, a minor, son of Dubschlaff Joachim.

Jürgen Christoff, a minor, son of Hans Jacob.

Otto Kleist, who lives in Prussia.

Dubschlaff Berndt, absent on account of military service.

His minor brother Friedrich Wilhelm.

Colonel Christian Ewald at Pillow, brother of Nos. 15 and 16; he swore the oath on 24 June 1700 and was invested by the Lord Chancellor.

Joachim Ewald, son of Ewald and grandson of Joachim, a minor.

Three Kleists of Nerese belonging to the Dahmen line, two of whom are still minors; the third is No. 25.

Dubberow, Crolow, and Tychow lines

26. Master of the Horse Joachim Henning, son of Jacob and grandson of Carsten.

27. Caspar Henning, Captain,

28. Frantz Jürgen, Ensign, sons of the Master of the Horse.

29. Colonel Jürgen, son of Peter and grandson of Jürgen.

30. Joachim Rüdiger,

31. Arndt Heinrich, brothers of the Colonel, who holds their power of attorney.

32. Lorentz Wilhelm, son of Christian and grandson of Lorentz, of the Dubberow line.

33. Werner at Dubberow, son of Christian Heinrich and grandson of Christian.

Present.

Werner's brothers at Dubberow:

34. Peter.

35. Jürgen Caspar.

36. Anton Jacob.

37. Philip Hartwich, son of Philip and grandson of Henning, at Tychow.

Sons of Rüdiger and grandsons of Jürgen:

38. Jürgen.

39. Peter Ewald.

40. Anthon.

41. Captain Bastian Heinrich at Mandelatzke granted a power of attorney; his brother is absent.

42. Hans Caspar; his next younger brother is absent.

43. Friedrich Wilhelm, frater minor natu; sons of Paul Daniel and grandsons of Dinnies.

44. Caspar Henning, son of Joachim and grandson of Dinnies.

45. Blank.

Absent

Colonel Berndt Erdtmann,

Captain Christian Casimir,

Captain Adam Wilhelm,

sons of Colonel Christian and grandsons of Berndt.

Paul Daniel; he swore the oath on 8 May 1700 and was invested by the Lord Chancellor.

Captain Andreas Jacob, son of Carsten Christoph and grandson of Jacob.

Raddatz line

46. Alexander, son of Hans Jürgen and grandson of Daniel.

47. Joachim Daniel, son of Philip and grandson of Voltz Joachim; he granted a power of attorney.

48. Jürgen Heinrich, son of Christian Heinrich and grandson of Daniel.

49. Frantz Hans, son of Asmus and grandson of Alexander Jürgen.

50. Rüdiger Clauß, son of Peter Rüdiger and grandson of Ewald.

NB. These two belong to the Vietzow line and are to be transferred.

51. Jürgen Friedrich, brother of the preceding.

All the gentlemen cousins reserve the rights of those now absent and residing in Poland, as likewise those of the family members in Saxony, Bavaria, and Courland.

List of the family branches in the New Stettin District

Kleist.

Christoff at Glineke in the New Stettin District swore the oath and was enfeoffed by the Lord Chancellor on 8 December 1699, in the person of his authorised representative Berndt von Wobeser, pledge-holder at Barcken.

676.

1699. Stargard. 3 November.

Renewal of the letter of enfeoffment for Pumlow in favour of Wilhelm Christian von Kleist.⁷⁹⁵

From the draft in the State Archives: Tit. IX, Sect. 88, No. XII, fol. 68.

We, Frederick the Third, Elector, etc.

Declare and acknowledge hereby, for Ourselves, Our heirs, Margraves and Electors of Brandenburg, Dukes of Pomerania, Princes of Cammin, and for everyone else, that the worthy Wilhelm Christian von Kleist, resident at Pumlow, son of Peter and grandson of Wilhelm, Our dear and faithful subject, appeared before Us at the general hereditary and territorial homage and most submissively petitioned Us graciously to grant and enfeoff him with the hereditary property and fief which he possesses at Pumlow and, for that purpose, graciously to renew and confirm the previous letter of enfeoffment granted to him by the grace of Our late father, dated Stargard, 14 September 1687.

Having graciously considered and taken into account the faithful and submissive services which von Kleist's forefathers, as well as he himself, willingly and readily rendered to Our late father, and which he and the male feudal heirs of his body can, shall, and may continue to render to Us and Our heirs, the Margraves and Electors of Brandenburg, Dukes of Pomerania, and Princes of Cammin, We have therefore, and by special grace, granted, enfeoffed, and bestowed upon Wilhelm Christian von Kleist the fief holdings described in the previous instrument.

These consist of various peasant farmsteads, together with several taxable hook-hides and parish hides which had been assigned cum potestate alienandi to his forefathers and to his father-in-law Werner von Kleist,⁷⁹⁶ and which he himself acquired partly from Heinrich von Bünow, partly from Reimar von Wolde, and partly from Christian Josua von Hechthausen, pursuant to the agreements concluded concerning them, dated Vietzow, 2 June 1606; Anclam, 24 October and 23 November 1653; Belgard, 4 April 1651; and Pumlow, 26 July 1616, all of which were confirmed by the feudal lord's consent.

The property, which he still possesses, consists of six full and two half farmsteads with fourteen hides and the manor house erected upon them, originating with the late Wilhelm von Kleist and inherited by him; and four and one-half farmsteads, together with one cottager and nine and one-half hides, including the parish hides, formerly possessed by the von Podewils family and subsequently inherited by his forefathers, to whom they were granted as a fief by the late Duke Bogislav XIV of blessed memory, under date of Alten Stettin, 6 April 1626.

All these properties are situated at Pumlow, with all appurtenances, rights, and lordships, together with all fields, woodlands, hunting rights, meadows, pastures, rents, services, fisheries, ponds and pond sites, standing and running waters, and all rights, profits, and beneficial enjoyment belonging thereto, in the

⁷⁹⁵ III. 268.

⁷⁹⁶ III. 169.

same manner as the previous possessors formerly held, enjoyed, and used them, as they were subsequently granted in fief to them by the grace of Our late father, and as he still holds them in possession and seisin.

We therefore hereby and by virtue of this instrument grant, bestow, and enfeoff him and the male feudal heirs of his body with all the same, upon the feudal duty rendered to Us at the homage, in such manner as the nature, character, and custom of a male fief require and entail. We likewise renew and confirm the aforementioned letter of enfeoffment dated Stargard, 14 September 1687.

This is done, however, upon the condition that von Kleist and the male feudal heirs of his body shall be obliged, whenever the fief falls due, to receive these fief holdings from none other than Us and Our heirs, the Margraves and Electors of Brandenburg, and to render, perform, and provide from them whatever the law and character of a male fief require and whatever accords with the Juramentum Fidelitatis, without prejudice to Our rights, those of Our heirs, or those of any other person.

In witness thereof, this instrument has been issued under the seal of Our Electoral Government of Farther Pomerania and with the prescribed signatures.

Done at Stargard upon the Ihna on 3 November 1699.

677.

1703. Stargardt. 13 August.

Special letter of enfeoffment for Master of the Horse Jochim Henning von Kleist⁷⁹⁷ concerning the share of Peter von Kleist at Groß Tychow which had descended to him by feudal succession.

From the draft in the State Archives: Tit. IX, Sect. 88, No. XIII, fol. 19, and a copy in the Groß Tychow Archives, Conv. IV, Tit. IV, No. 1, fol. 10.

Frederick, King in Prussia, etc.

We hereby declare and acknowledge, for Ourselves, Our heirs, Kings in Prussia, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and for everyone else, that the worthy Jochim Henning von Kleist, Our Master of the Horse and dear and faithful subject, son of Jacob and grandson of Caspar—or Carsten—has most submissively petitioned Us as follows:

Since, in the insolvency proceedings concerning the creditors of the late Peter Kleist, he had been recognised as Peter von Kleist's nearest feudal successor, and since he and his two sons, Captain Caspar Henning⁷⁹⁸ and Ensign Frantz Jürgen, had rendered their feudal duty at the most recent homage, We should most graciously cause a special letter of enfeoffment to be issued to him, his aforementioned sons, and the feudal heirs of their bodies concerning Peter von Kleist's share of the fief and its appurtenances at Groß Tychow, subject to the rights of joint investiture held therein by their cousins.

According to the terms of a contract concluded at Groß Tychow on 29 June 1688 between him and the appointed guardians of Peter von Kleist's widow and daughters, this share had formerly belonged to the same proprietor as his own property, and its farmstead was situated close to the farmstead which he already possessed at Groß Tychow.

Having most graciously considered the many faithful services which the forefathers of these Our vassals rendered willingly and readily to the late Dukes of Pomerania, and which they themselves rendered to

⁷⁹⁷ II. 59, 74.

⁷⁹⁸ II. 77, 78.

Our late father and to Us, and which they and the male feudal heirs of their bodies can, shall, and will continue to render in all submission to Us and Our heirs, the Kings in Prussia, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, We have therefore, and by reason of the special favour which We bear toward Our said Master of the Horse and his sons, most graciously granted, bestowed, and enfeoffed them and the male feudal heirs of their bodies, upon the feudal duty rendered to Us, in particular with the oft-mentioned farmstead of Peter Kleist and the other fief holdings belonging to it at Groß Tychow, in which they already possess the undisputed *jus reluendi*, together with those properties which they had previously inherited there.

By virtue of this Our instrument, We grant, bestow, and enfeoff them and the male feudal heirs of their bodies with both farmsteads and all their appurtenances in fields, meadows, pastures, services, rents, hunting rights, woodlands, fisheries, moors, marshes, coppices, jurisdiction over life and limb, church patronage, and all other lordships, rights, uses, and beneficial enjoyment, in the same manner as they and their forefathers, and Peter Kleist respectively, held, possessed, used, and enjoyed all the same, and as they have descended and been inherited by them, as a true male fief.

This is done subject, however, to the joint rights which their cousins hold therein, and upon the condition that they and the male feudal heirs of their bodies shall, whenever necessary, seek and receive these fief estates from Us and Our heirs in accordance with the sworn formula of the feudal oath, and shall render, serve, and perform from them whatever the law and custom of a male fief require and whatever is proper and becoming to faithful vassals, without injury or prejudice to Our rights, those of Our heirs, or those of any other person.

In witness thereof, this letter of enfeoffment was granted by Our most gracious special command issued at Rosenthal on 2 June of the present year, and has been executed and delivered under Our Royal Prussian seal of Our Government of Farther Pomerania and Cammin and with the prescribed signatures.

Done at Stargardt on 13 August 1703.

677a.

1704.

“Calculation of the feudal and knight-service horse money levied by His Royal Majesty in the year 1704 in the Duchy of Pomerania and the Principality of Cammin, at 100 guilders or 66⅔ Reichsthalers per horse.” (Extract.)

From a copy in the Library of the Society for Pomeranian History and Antiquities, Löper Library, Manuscript No. 163, fols. 7–268.

Horses — Reichsthalers — schillings

The castle-seated Glasenapp family

Johann Reinhold von Glasenapp at Lübgust, in respect of Friedrich Wilhelm Kleist, Frantz or Lorentz Glasenapp — ¼ horse; 16 Reichsthalers 24 schillings.

District of Belgard

Kleist

Required under the roll of the year 1672 to maintain: 16 horses.

Deducted ob errorem dupli, pursuant to the decision of the most highly esteemed Royal Government of 30 December 1706: 1 horse.

Remaining: 15 horses.

Dubschlaff of Dahmen, now Casper Ewald of Zebbelin together with the other interested parties — 63 Reichsthalers 3 schillings 12 ck.

Friederich⁷⁹⁹ Kleist of Kiekow, contributed in assistance — 3 Reichsthalers 20 schillings 12 ck.

Total: 1 horse; 66 Reichsthalers 24 schillings.

Richard Christian von Kleist — 1 horse; 66 Reichsthalers 24 schillings.

Daniel of Dahmen, now Baltzer Christian von Kleist — 1 horse; 66 Reichsthalers 24 schillings.

Christoph Friederich von Kleist — 1 horse; 66 Reichsthalers 24 schillings.

The heirs of Reimer Kleist — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

Lieutenant Jürgen Kleist — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

The von Kleists at Nerese — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

Lieutenant Jürgen Kleist — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

Werner Kleist — 1 horse; 66 Reichsthalers 24 schillings.

The widow of the late Anton von Bonin, now Werner von Kleist at Dubberow, from twelve hides — 22 Reichsthalers 30 schillings 20 ck.

Lorentz Heinrich Kleist at Zatkow, now Richard Christian Kleist, from eleven hides — 20 Reichsthalers 34 schillings 7 ck.

Valentin Kleist of Kiekow, from four hides — 7 Reichsthalers 22 schillings 7 ck.

The widowed District Councillor von Mönchow of Rarfien⁸⁰⁰, at Muttrin and Dubberow, from eight hides — 15 Reichsthalers 8 schillings 14 ck.

Total: 1 horse; 66 Reichsthalers 24 schillings.

Lieutenant Christian Wilhelm Kleist — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

Casper Casimir Kleist — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

Lieutenant Friedrich Wilhelm Kleist — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

Peter and Carsten Christoff of Tychow, now Captain Casper Henning von Kleist, for himself and his mother — $\frac{3}{4}$ horse; 50 Reichsthalers.

The widow of the late Casper Henning Kleist — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

District Councillor Kleist of Vietzow — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

District Councillor Kleist — 28 Reichsthalers 12 schillings.

Adam Heinrich Kleist, contributed in assistance in respect of Dreinow — 5 Reichsthalers; total $\frac{1}{2}$ horse, 33 Reichsthalers 12 schillings.

District Councillor von Zastrow — $\frac{1}{3}$ horse; 22 Reichsthalers 8 schillings.

Richard Christian von Kleist — $\frac{1}{3}$ horse; 22 Reichsthalers 8 schillings.

Adam Hinrich von Kleist — $\frac{1}{3}$ horse; 22 Reichsthalers 8 schillings.

Bernd Christian von Kleist — $\frac{1}{3}$ horse; 22 Reichsthalers 8 schillings.

Ensign von Kleist of Kieckow — $\frac{1}{3}$ horse; 22 Reichsthalers 8 schillings.

⁷⁹⁹ This should read "Ensign."

⁸⁰⁰ This should probably read "Merfin."

Martin Jochim von Kleist — $\frac{1}{3}$ horse; 22 Reichsthalers 8 schillings.

The heirs of Valentin Kleist and Adam Heinrich Kleist — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

The widowed District Councillor von Mönchow — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

Ensign Frantz Jürgen von Kleist at Zatkow — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

Peter von Kleist at Vietzow — 11 Reichsthalers 4 schillings.

Captain Caspar Henning von Kleist, contributed in assistance to him — 5 Reichsthalers 20 schillings; total $\frac{1}{4}$ horse, 16 Reichsthalers 24 schillings.

Captain Caspar Henning von Kleist — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

Hans Caspar von Kleist — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

NB. According to the certificate, this half horse has been suspended on account of inability to pay and entered among the deductions.

Total: 15 horses; 1,000 Reichsthalers.

Wolden

The widow of the late Lieutenant Peter Ernst von Kleist, in respect of Bolckow and Woldisch Tychow — $\frac{3}{8}$ horse; 25 Reichsthalers.

Versen

Lieutenant Jürgen Kleist — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

Lieutenant Jürgen Kleist — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

District of Neustettin

Kleist

Required under the roll of the year 1672 to maintain: 4 horses.

Alexander Kleist, in respect of Gißork — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

The same, in respect of Schneidemühl — $\frac{3}{8}$ horse; 25 Reichsthalers.

Jürgen Heinrich Kleist of Raddatz — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

Mrs von Versen at Zuchen⁸⁰¹ — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

The possessors of the late Peter Kleist's estates, namely Anton Jacob Kleist at Dallentin — $\frac{3}{16}$ horse; 12 Reichsthalers 18 schillings.

Jochim Daniel Kleist of Raddatz and Bramstedt — $\frac{1}{2}$ horse; 33 Reichsthalers 12 schillings.

The same, in respect of Panickow — $\frac{8}{16}$ horse; 12 Reichsthalers 18 schillings.

The heirs of Riemer Zastrow, now Zabel Zastrow, in respect of Schneidemühl — $\frac{5}{16}$ horse; 20 Reichsthalers 30 schillings.

Frantz Hans Kleist of Dallentin, Zimmentz, and Juchow — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

Captain Anton Kleist — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

Jochim Daniel Kleist — $\frac{1}{4}$ horse; 16 Reichsthalers 24 schillings.

The wife of Lieutenant Schnell — $\frac{3}{16}$ horse; 12 Reichsthalers 18 schillings.

⁸⁰¹ Juchow.

NB. According to the certificate, these 3/16 are deducted on account of inability to pay. One quarter belonging to Frantz Hans Kleist of Dallentin, etc., is likewise deducted, and both have been entered among the deductions.

Total: 4 horses; 266 Reichsthalers 24 schillings.

Hertzberge

The widow of the late Christoff Kleist of Barcken — 1/48 horse; 1 Reichsthaler 14 schillings.

Bailiwick of Stolp

Kleist of Rusch

Required under the roll of the year 1672 to maintain: 1 horse.

Ewald Kleist, now Colonel Georg Kleist of Ruschitz — 1 horse; 66 Reichsthalers 24 schillings.

Bailiwick of Schlawe

Kleist of Tychow and Quesdow

Required under the roll of the year 1672 to maintain: 2 horses.

Colonel von Podewils of Groß Quesdow — 1/3 horse; 22 Reichsthalers 8 schillings.

The share of the late Peter Kleist — horse; 11 Reichsthalers 4 schillings.

Colonel Georg von Kleist of Tychow — 17/24 horse; 47 Reichsthalers 8 schillings.

Von Puttkamer, in respect of the small farmstead at Schlackow — 1/8 horse; 8 Reichsthalers 12 schillings.

Philip Hartwig von Kleist of Tychow — 2/3 horse; 44 Reichsthalers 16 schillings.

Total: 2 horses; 133 Reichsthalers 12 schillings.

Brünnow

The heirs of the late General Field Marshal von der Goltz, in respect of Pöppeln, now Colonel von Kleist — 3/8 horse; 25 Reichsthalers.

Heydebreck

Lieutenant Kleist of Segenthin — 5/16 horse; 20 Reichsthalers 30 schillings.

District of Rügenwalde

Kleist at Crolow — 2 horses

Bogislaff Siegmund von Natzmer, in respect of one half of the village of Crolow — 5/12 horse; 27 Reichsthalers 28 schillings.

Jochim Magnus von Kleist, in respect of Egsow — 1/4 horse; 16 Reichsthalers 24 schillings.

Peter Ewald von Kleist of Frantzen — 1/3 horse; 22 Reichsthalers 8 schillings.

The widow of the late Captain of Horse Boderitz — 5/12 horse; 27 Reichsthalers 28 schillings.

Anthon Kleist, in respect of Egsow — 11 Reichsthalers 24 schillings.

The interested parties in respect of Schlakow, Crolow, Egsow, and Frantzen — 18 Reichsthalers 32 schillings; 11/24 horse, 30 Reichsthalers 20 schillings.

Jochim Magnus von Kleist, in respect of Frantzen — 1/8 horse; 8 Reichsthalers 12 schillings.

Total: 2 horses; 133 Reichsthalers 12 schillings.

Rahtnele at Wusterwitz and Cösternitz

Friedrich Wilhelm von Kleist of Ratteck — ¼ horse; 16 Reichsthalers 24 schillings.

Principality of Cammin

Bonin

Peter Kleist, Captain von Bonin, the heirs of Jürgen Heinrich von Kleist and Jürgen Ulrich von Kleist, and Voitke at Sydow, as well as von Mönchow of Naßow, in respect of Dargen, Schwellin, and Brügen Krug — 1 horse; 66 Reichsthalers 24 schillings.

Kleist at Zebelin

Required under the roll of the year 1672 to maintain: 1 horse.

Jochim Ewald von Kleist of Zebelin — 1 horse; 66 Reichsthalers 24 schillings.

678.

1711. Stargardt. 3 February.⁸⁰²

Letter of enfeoffment and joint investiture for the entire von Kleist family.

From the original in the State Archives: Tit. XIV, Sect. 2, No. 20, and the draft *ibid.*: Tit. IX, Sect. 88, No. XI, fol. 178.

We, Frederick, by the Grace of God King in Prussia, Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire, Sovereign Prince of Orange, Neufchatel and Vallengin, Duke of Magdeburg, Cleve, Jülich, Berg, Stettin, Pomerania, of the Cassubians and Wends, Mecklenburg, and also of Silesia and Crossen; Burgrave of Nuremberg; Prince of Halberstadt, Minden, Cammin, Wenden, Schwerin, Ratzeburg, and Moers; Count of Hohenzollern, Ruppın, the Mark, Ravensberg, Hohenstein, Tecklenburg, Lingen, Schwerin, Bühren, and Leherdam; Marquis of Veere and Vlissingen; Lord of Ravenstein and of the lands of Rostock, Stargardt, Lauenburg, Bütow, Arlay, and Breda, etc., etc.

We hereby declare and acknowledge, for Ourselves, Our heirs, Kings in Prussia, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and for everyone else, that at the general hereditary homage held by Us there obediently appeared before Us the worthy men, Our vassals and dear and faithful subjects, all members of the von Kleist family resident in Our Duchy of Pomerania and Our other territories.

Firstly, those belonging to the Muttrin, Dahmen, Vietzow, and Dargen ancestral line and descended from Prissebuhr Kleist, namely:

Richard Christian, son of Christian, together with Christian Lorentz, the minor son of Dubschlaff Jochim, who was reported;

⁸⁰² The roster at the homage of 11 October 1699 has been used as the basis; cf. No. 675. It was already mentioned under No. 662 that this last joint letter of enfeoffment was not redeemed by the family; it remains in the Feudal Archives to the present day. Because of the family's extensive expansion and the difficulties arising in determining the proportions in which the contributions were to be borne, collection of the feudal fee and the chancery charges was delayed for so long that it was ultimately entirely forgotten and never took place. For these reasons, it also appears that no further joint letters of enfeoffment were issued thereafter. This delay also explains why so many original letters of enfeoffment, which one would expect to find in the family's possession, are instead held in the P. P. A. and the L. A. Some of them, like this one—and probably also several of those prepared during the rapid succession of ruling dukes at the beginning of the seventeenth century—never came into the family's possession at all. Others were later submitted as proof of entitlement and as the basis for issuing new letters of enfeoffment; since the latter were not redeemed, the originals remained in the L. A. Supplement 2021: For the genealogical overview, see No. 675 above.

Christoff Friderich, son of Steffen, represented by his son Steffen;

Adam, son of Tessen;

the brothers Adam Hinrich, Cartz Ulrich, and Bogislaff Henning, sons of Pribschlaff, for themselves and for Jürgen Christoff, the minor son of their brother Hans Jacob;

Frantz Andreas, son of Valentin, for himself and his absent brothers Otto and Dubschlaff Berndt;

Peter, son of Valentin Daniel;

Ewald Jochim and Rüdiger, sons of Ewald Jürgen and grandsons of Achatz;

Peter at Vietzow, son of Hans and grandson of Jochim;

Peter Ernst, son of Jochim and grandson of Hans;

Tessen Christian, son of Ewald, for himself and under power of attorney for Tessen Erdtmann and for the latter's minor brother Friedrich Wilhelm, sons of Jacob Daniel and grandsons of Ewald;

Bastian Wilhelm, for himself and his absent brothers Melchior Ludwig at Detersdorff in the Mark and Lieutenant Colonel Christian Ewald at Pillow, sons of Jürgen Friedrich and grandsons of Peter;

Jürgen, son of Jürgen;

the brothers Martin Jochim and Berndt Christian, sons of Asmus;

Jürgen Heinrich, son of Reimar;

Hans Erdtman and Jürgen Ulrich, sons of Jochim Heinrich;

Wilhelm Christian at Pumlow, son of Peter and grandson of Wilhelm;

Rüdiger Claus and Jürgen Friedrich, sons of Peter Rüdiger and grandsons of Ewald, these three belonging to the Vietzow line;

Friedrich Wilhelm, son of Hans Friedrich, together with Jochim Ewald, son of Ewald and grandson of Jochim, who was reported as a minor and absent;

Jochim Henning at Nerese, belonging to the Dahmen line, together with his two minor brothers, whose names were not stated.

Secondly, those von Kleists belonging to the Dubberow, Crolow, and Tychow lines and descended from the old Georg Kleist, namely:

Master of the Horse Jochim Henning, son of Jacob and grandson of Carsten, together with his sons Captain Caspar Henning and Ensign Frantz Jürgen;

Colonel Jürgen, son of Peter and grandson of Jürgen, for himself and under power of attorney for his two brothers Jochim Rüdiger and Arnd Henrich;

Lorentz Wilhelm, son of Christian and grandson of Lorentz, of the Dubberow line;

Werner at Dubberow, son of Christian Heinrich and grandson of Christian, together with his brothers Peter, Jürgen Casper, and Anthon Jacob;

Philipp Hartwich at Tychow, son of Philipp and grandson of Henning;

Jürgen, Peter Ewald, and Anthon, sons of Rüdiger and grandsons of Jürgen;

Captain Bastian Henrich at Mandelatzke, represented by power of attorney, together with his likewise absent brothers Lieutenant Colonel Berndt Erdtman, Captain Christian Casimir, and Captain Adam Wilhelm, sons of Colonel Christian and grandsons of Berndt;

Hans Casper, together with his absent and respectively minor brothers Paul Daniel and Friedrich

Wilhelm, sons of Paul Daniel and grandsons of Dinnies Kleist;

Casper Henning, son of Jochim and grandson of Dinnies;

and, in addition, the absent Captain Andreas Jacob, son of Carsten Christoff and grandson of Jacob.

Thirdly, from the Raddatz line:

Alexander, son of Hans Jürgen and grandson of Daniel;

Jochim Daniel, represented by power of attorney, son of Philipp and grandson of Voltz Jochim;

Jürgen Heinrich, son of Christian Heinrich and grandson of Daniel Kleist;

Frantz Hans, son of Asmus and grandson of Alexander Jürgen;

all descended from the old Völtz Kleist.

After taking the feudal oath, they most submissively petitioned Us, for themselves and for their absent and in part minor brothers and cousins, graciously to grant and enfeoff them and the male feudal heirs of their bodies with their hereditary properties and fiefs and their feudal rights, which their forefathers had held in fief from the Princely House of Stettin-Pomerania and subsequently from the grace of Our late father of most Christian memory, which had descended and been inherited by them, and which they possess and use.

They likewise petitioned for the rights of joint investiture which, by special grace, had been confirmed to the von Kleist family in all the fiefs and estates which they now possess or might hereafter acquire and bring into the family, as all the same had originally been confirmed at Belgard in the year 1477 and thereafter at Rügenwalde in 1486 by the late Duke Bogislaus X of Stettin-Pomerania, of most Christian memory; by Duke Barnim X in 1547; at Belgard on 22 February 1575 by Duke Johann Friedrich; again at Belgard on 6 May 1608 by Duke Philipp II; at Alten Stettin on 26 September 1618 by Duke Franz; and finally at Alten Stettin on 28 September 1621 by Duke Bogislaus XIV.

After the succession to Our territories of Farther Pomerania and Cammin had passed to the grace of Our late father, the most illustrious Prince and Lord Frederick William, Arch-Chamberlain and Elector of the Holy Roman Empire, etc., he likewise graciously granted, renewed, extended, and confirmed the same at Colberg on 14 September 1686.

They therefore petitioned Us most graciously to grant, bestow, and enfeoff them and to renew, confirm, and ratify all their general and individual instruments.

Having considered and taken into account the many obedient, faithful, and beneficial services which the aforementioned ancient von Kleist family willingly and readily rendered in all submission to the late Dukes of Stettin-Pomerania, subsequently to the grace of Our late father, and to Us down to the present time, and which they and the male feudal heirs of their bodies can, shall, and may continue to render to Us and Our heirs, the Kings in Prussia, Margraves of Brandenburg, Dukes of Stettin-Pomerania, and Princes of Cammin, We have therefore, and by special grace, most graciously granted, bestowed, and enfeoffed them and the male feudal heirs of their bodies, upon the feudal duty rendered to Us, with all their estates situated within Our duchy, principality, and territories which they presently possess.

We have likewise granted them the rights of joint investiture in those estates which they now possess or which they may hereafter acquire, either jointly or individually, and bring into the family, without prejudice, however, to the claims of nearer kinship and relationship in accordance with the privileges of Our knighthood and the customary usage of the country. We have accordingly renewed, confirmed, and ratified the aforementioned general and individual letters of enfeoffment and joint investiture.

Thus We hereby grant, bestow, and enfeoff them with all their fiefs and estates and all their

appurtenances in fields, woodlands, meadows, pastures, moors, marshes, hunting rights, fisheries, coppices, lakes, standing and running waters, mill sites, church patronages, highest and lowest jurisdiction, including jurisdiction over life and limb, and all other beneficial rights, by whatever names they may be known, nothing thereof excepted.

We likewise grant the right of joint investiture to each in the estates of the others, not only in the properties which the von Kleists now possess, but also in those which they may hereafter, with Our consent as feudal lord, jointly or individually acquire for the family or for themselves. By virtue of this instrument, We renew, confirm, and ratify the aforementioned general letters of enfeoffment and joint investiture of the family.

This is done, however, upon the condition that those who are absent or minors, and those who have not yet rendered the feudal duty, shall, as soon as they respectively return home or attain the age of eighteen, appear before Us in equal submission and, as those present have done, bind themselves to Us by the feudal duty.

Thereafter all of them and the male feudal heirs of their bodies shall, whenever necessary, seek and receive their estates with their appurtenances and rights from Us and Our heirs in accordance with their sworn feudal duty and the formula of the feudal oath, and shall render, maintain, attend, serve, and perform from them whatever the nature, character, and custom of a male fief require and whatever is proper and becoming to faithful vassals, without prejudice to Our rights or those of any other person.

In witness thereof, We have caused this instrument to be confirmed with the Royal Prussian seal of Our Government of Farther Pomerania and Cammin and with the prescribed signatures, and to be issued at Stargardt upon the Ihna on 3 February 1711.

Matthias Döring von Somnitz — Chancellor.

Jacob Caspar von Wobeser — Administrator of the Court of Justice and Government Councillor.

Balth. von Schrödern — Government Councillor and Feudal Secretary.

The seal of the Government of Farther Pomerania hangs from a black-and-white silk cord.

679.

1714. 11 January.

“Most humble report of Jochim von Kleist concerning the fiefs of the von Kleist family in the District of Belgard.”

From copies in the State Archives: Tit. IX, Sect. 88, No. XV, fols. 20 and 21, and No. XVIII, fol. 35.

The von Kleist family in the District of Belgard is liable for eleven feudal-service horses.

Composite feudal-service horses

District Councillor Ewald Jochim Kleist of Vietzow: 1 feudal-service horse,

toward which Lorentz Ulrich Kleist, son of the late Pribschlaff Kleist, contributes 1/12.

District Councillor Ewald Jochim Kleist, in respect of the Lezentz farm: 1/4 horse.

Hans Jürgen Kleist of Zattkow: 1/2 horse.

Jochim Hennik Kleist at Zarnekow: 1/12 horse.

Hans Christian Kleist of Vietzow: 1/6 horse.

Total: 1 feudal-service horse.

District Councillor Ewald Jochim Kleist, in respect of Muttrin: 1/2 horse.

The sons of the late Valentin Kleist, in respect of Kieckow: 1/2 horse.

Total: 1 feudal-service horse.

Lorentz Hinrich Kleist of Dahmen: 1/4 horse.

Christian Lorentz of Dahmen: 1/2 horse.

Frantz Jürgen of Dahmen: 1/4 horse.

Total: 1 feudal-service horse.

Captain Sebastian Hinrich Kleist of Groß Tychow: 1/2 horse.

Captain Casper Hennick Kleist, in respect of Peter Kleist's share: 1/4 horse.

Casper and Werner Hinrich, sons of the late Casper Hennick: 1/4 horse.

Total: 1 feudal-service horse.

Captain Casper Hennick Kleist of Groß Tychow, in addition: 1/2 horse.

Lieutenant Christian Wilhelm of Groß Tychow: 1/2 horse.

Total: 1 feudal-service horse.

Lieutenant Friedrich Wilhelm Kleist of Groß Tychow: 1 feudal-service horse.

Christoffer Friedrich of Dahmen and Kieckow: 1 feudal-service horse.

Lieutenant Jürgen Kleist of Kowalck: 1/4 horse.

The sons of the late Reimar Kleist of Schmenzin: 1/4 horse.

Lieutenant Christian Kleist of Klein Voldeckow: 1/4 horse.

Likewise Hans Erdtmann.

NB. The fourth quarter must be paid from Nerese by District Councillor Eichmann.

Total: 1 feudal-service horse.

Martin Jochim Kleist of Kowalck: 1/3 horse.

Bernd Christian Kleist of Groß Voldeckow and Dimkuhlen: 1/3 horse.

The sons of the late Valentin Kleist: 1/3 horse.

Total: 1 feudal-service horse.

Adam Hinrich Kleist of Muttrin: 1/3 horse.

Lorentz Hinrich, in respect of Nemrin: 1/6 horse.

Hans Jürgen Kleist, in respect of the share which he purchased from Lorentz Hinrich at Zattkow: 1/4 horse.

NB. District Councillor von Zastrow must contribute toward this in respect of Bornentin: 1/3 horse.

Total: 1 feudal-service horse.

From the original in the State Archives: Tit. V, No. 32, fols. 48, 50 ff.

The knighthood of the Greiffenberg District. 26 April 1714.

The von Kleists at Poberow

1. Tessen Erdtmann at Poberow, son of Jacob Daniel and grandson of Captain of Horse Ewald; took the oath on 27 April; delivered.

List of the families from the District of Belgard

Entered on 27 April; invested on 28 April.

Kleist

Muttrin and Dahmen line

1. Ewald Joachim at Vietzow, son of Ewald Jürgen and grandson of Achatius.
 2. Jürgen at Kowalck, son of Jürgen. These two granted a power of attorney to:
 3. Commissariat Councillor Hans Joachim, son of the preceding Jürgen; he did not, however, render homage or receive investiture on his own behalf.
 4. Hans Erdtmann at Groß Voldeckow, son of Joachim Heinrich.
 5. Hans Jürgen at Zattkow, son of Alexander Lorentz. These two granted a power of attorney to No. 3.
 6. Adam Heinrich and his brothers, sons of Pribschlaff; of these, the third brother is
 7. Lieutenant Colonel Cartz Ulrich at Muttrin, Bogislaff Henning.
 8. Frantz Andreas granted a power of attorney to his brother.
 9. Dubschlaff Bernd at Döbel and Kalckberg, son of Valentin, holds powers of attorney from Nos. 6, 7, and 8.
 10. Lorentz Christian at Klein Voldeckow,
 11. Andreas Joachim at Schmenzin,
 12. Bernd; all three are brothers, sons of Reimar. Bernd holds a power of attorney for his brothers.
 18. Martin Joachim at Kowalck.
 14. Berndt Christian at Dimkuhr.
 15. Jürgen Heinrich at Dargow, the eldest brother of the three under Nos. 10, 11, and 12. Andreas Joachim holds powers of attorney from them and also from the following person.
 16. Joachim Ewald at Zeblin, son of Ewald and grandson of Joachim.
- Absent: Lieutenant Joachim Ewald at Woldisch Tychow and Ensign Rüdiger Wilhelm, two brothers, sons of Peter Ernst and grandsons of Joachim.
17. Hans Christian at Vietzow, son of Peter and grandson of Hans, present; holds a power of attorney from:
 18. Christian Lorentz at Dahmen, son of Dubschlaff Joachim and grandson of Christian; likewise from:
 19. Lorentz Heinrich at Dahmen, son of Richard Christian and grandson of Christian; and also from:
 20. Stephan Kleist at Dahmen and
 21. Georg Valentin at Nemitz, the two brothers, sons of Christoff Friedrich and grandsons of Steffen; furthermore from:
 22. Daniel Heinrich at Dahmen, son of Adam and grandson of Tessen.

Absent: Baltzer Christian at Dahmen and Philip Ernst; these two are brothers of the person named under No. 22.

23. Melchior Ludewig, jointly invested, son of Jürgen Friedrich and grandson of Peter Adam.

24. Friedrich Casimir, son of Christian Ewald and grandson of Peter Adam.

These two granted a power of attorney to Ensign Christian Ewald. Delivered.

Absent: Frantz Richard, jointly invested, son of Richard Wilken.

The family reserves the rights of the cousins residing in Poland who are presently absent.

Dubberow, Crolow, and Tychow line

25. Caspar Henning,

26. Frantz Jürgen, of Tychow and Dahmen, brothers, sons of Joachim Henning and grandsons of Jacob. Andreas Joachim holds a power of attorney from them.

27. Bastian Heinrich at Groß Tychow, son of Christian and grandson of Bernd.

The Commissariat Councillor holds powers of attorney from Nos. 25 and 27.

28. Christian Wilhelm at Groß Tychow, son of Bernd Erdmann and grandson of Carsten. No. 17 holds a power of attorney from him, and likewise from:

29. Joachim Henning at Zarnekow, son of Alexander and grandson of Jürgen. Delivered.

The following were entered on 18 May:

30. Anthon von Kleist, son of Rüdiger, grandson of Peter, and great-grandson of Jürgen.

31. Martin Rüdiger, son of Peter Eggerd, grandson of Rüdiger, and great-grandson of Peter.

Ensign von Kleist also held powers of attorney from these two and took the oath on their behalf on 19 May 1714. Delivered.

32. Werner,

33. Georg Caspar,

34. Anthon Jacob, brothers von Kleist at Dubberow, sons of Christian.

Delivered. Royal Government Councillor von Kleist took the oath on their behalf on 28 September 1714, and on the same day they were invested by the Lord Chancellor.

List of the families in the District of Neustettin

Kleist

7 May 1714.

1. Major Claus Christoff at Glienecke.

2. Major Anthon Christian, his brother.

3. Major Bogislaff Heinrich at Gesorcke, son of Alexander. Ensign Christian Ewald von Kleist produced a power of attorney from him on 9 May. Delivered.

Entered on 16 May:

4. Major Richard Christian at Raddatz, son of Joachim Daniel, granted a power of attorney to Ensign Christian Ewald von Kleist. Investiture took place on 17 May after the oath had been taken. Delivered.

District of Schlawe

18 May.

1. Christian Heinrich,
2. Joachim Magnus,
3. Peter George, sons of Lorentz Wilhelm, grandsons of Christian, and great-grandsons of Lorentz, at Egsow.

Ensign von Kleist held powers of attorney from them and took the oath on their behalf on 19 May. Delivered.

680a.

Blankensee classification of hides of 1717⁸⁰³

Page

District of Stolp, 1717

24a — 90. Ruschütz

Proprietor: Jochim Ewald von Kleist.⁸⁰⁴

28a — 127. Schwetzkow

Proprietor: Peter Georg von Kleist.

District of Schlawe, 1717

30a — 11. Dubberzin

Proprietors: Joachim Magnus von Kleist⁸⁰⁵ and Captain Casper von Crockow.

30b — 12. Schlönwitz

Proprietors: Captain Caspar von Crockow and Joachim Magnus von Kleist.

13. Kummerzin

Proprietors: Captain Caspar von Crockow and Jochim Magnus von Kleist.

14. Frantzen

Proprietors: Anthon von Kleist⁸⁰⁶ and Captain von Crockow.

15. Egsow

Proprietor: Jochim Magnus von Kleist.

31a — 18. Zignitz

Proprietors: Martin Rüdiger von Kleist;⁸⁰⁷ Captain von Bahn; Georg von Bahn.

19. Wendisch Tychow

Proprietors: the heirs of the late Colonel von Kleist and the widow of Philipp Hartwig Kleist.

⁸⁰³ A. von Livonius: *The Population of the Stolp, Schlawe, and Rummelsburg Districts Shortly After 1700*. From: **Ostpommersche Heimat** 1939, installments 1–15 (issues no. 10–25), based on a reprint.

⁸⁰⁴ III.300, II.149

⁸⁰⁵ II. 148

⁸⁰⁶ II. 146?

⁸⁰⁷ II. 138, 93, 141, 147

21. Notzkow

Proprietors: Christian Heinrich von Kleist and Jochim von Puttkamer.

33b — 49. Pletzke

Proprietors: Jürgen Friedrich von Kleist;⁸⁰⁸ Jürgen Christian von Lettow; Jürgen von Massow.

34a — 50. Püstow

Proprietors: Jürgen Friedrich von Kleist and Hennig Wedig von Schnell, the latter as pledge-holder.

53. Nemitz

Proprietor: Jürgen Valentin von Kleist.

34b — 54. Bartelin

Proprietors: Jürgen Valentin von Kleist; the widow of Adam Friedrich von Mönchow; the heirs of Baron von Balbitz.

55. Groß Soldeckow

Proprietors: Jürgen Valentin von Kleist and Ernst Dettlaff von Schleiffen.

35a — 60. Ratteyke

Proprietor: Friedrich Wilhelm von Kleist.⁸⁰⁹

70. Ristow

Proprietors: Captain Ernst von Natzmer; the widow of the late Colonel Georg von Kleist; Ernst von Steinkeller.

72. Segenthin

Proprietors: Dean von Podewils; the widow of Hans Caspar von Kleist; Peter von Puttkamer; Lieutenant Ernst Bogislaff von Zitzewitz.

District of Rummelsburg, 1717

38a — 103. Starckow

Cottagers: 1. Hans Mitzlaff; 2. Marten Mißke; von Kleist.⁸¹⁰

681.

1718. Berlin. 24 January.

Letter of enfeoffment for Lieutenant Colonel Andreas Jochim and Government Councillor Hans Jochim von Kleist concerning the estate of Sietkow acquired from the von Wolden and von Versen families.

From an authenticated copy in the State Archives: Tit. IX, Sect. 88, No. XIXa, fol. 4, and a simple copy in the Provincial Archives of Pomerania: Stettin Archives, P. I, Tit. 77, No. 371, fol. 12.

We, Frederick William, by the Grace of God King in Prussia, Margrave of Brandenburg, Arch-Chamberlain of the Holy Roman Empire, etc., etc. (as in No. 678), hereby declare and acknowledge, for Ourselves, Our heirs and successors, that We have most graciously confirmed and

⁸⁰⁸ III. 264, 393

⁸⁰⁹ III. 344, II. 93, 90

⁸¹⁰ Nobility?

renewed for Our dear and faithful subjects, Lieutenant Colonel and Councillor of the Government of Farther Pomerania Andreas Jochim and Hans Jochim von Kleist and their respective heirs, the fief in the estate of Sietkow.

This estate derives partly from the von Wolden family and partly from the von Versen family and was acquired by the said Government Councillor Hans Jochim von Kleist in a lawful and honest manner. The confirmation is granted by virtue of the concession issued on 27 April 1489 by the late Duke Bogislaus X of Pomerania to their cousins and forefathers Jürgen and Peter von Kleist, and of the joint letter of investiture subsequently issued to the von Kleist family by Duke Bogislaus XIV on 28 September 1621, in which the estate of Sietkow was included.

That letter of enfeoffment was confirmed by Our late grandfather, His Electoral Highness, and by Our father, His Royal Majesty. Confirmation thereof was also requested from Us at the most submissively rendered territorial homage.

In response to the most submissive petition and request addressed to Us, We have, by Our sovereign power and authority as Duke of Pomerania and by special grace, in consideration of the faithful services rendered to Us by the petitioners, most graciously confirmed and renewed the same.

We hereby do so and, by virtue of this instrument, grant and enfeoff the aforementioned two persons, Lieutenant Colonel Andreas Jochim and Government Councillor Hans Jochim von Kleist, and the lawful male feudal heirs of their bodies, with the aforementioned village of Sietkow, together with all appurtenances belonging thereto, rents, services, courts, cultivated and uncultivated fields, meadows, waters, and fisheries, as it is enclosed within its boundaries and has belonged thereto from ancient times, nothing thereof excepted, as a true male fief.

They and the male feudal heirs of their bodies shall henceforth possess, enjoy, and use it from Us, Our heirs and successors, as a true male fief; shall seek, take, and receive it whenever necessary; and shall render and perform for Us from it the same services as the previous possessors rendered and as the law and custom of such a fief require.

We grant them therein everything which We are legally entitled to grant them in fief, faithfully and without deceit, but without prejudice to Our rights or to the rights of any other person.

In witness thereof, under Our own signature and Our Royal seal of grace affixed hereto.

Given at Berlin on 24 January 1718.

F. Wilhelm.

M. L. von Printzen.

682.

1719. Stargardt. 28 August.

Letter of enfeoffment for Lieutenant Colonel Bogislaff Heinrich von Kleist⁸¹¹ of Gissolk and Schneidemühl concerning the estate of Groß Raddow, and establishment of an allodial sum of 7,000 thalers.

From the draft in the State Archives: Tit. IX, Sect. 88, No. XVI, fol. 13, and an authenticated copy *ibid.*, No. XXII, fol. 2.

⁸¹¹ IV. 44.

We, Frederick William, King in Prussia, etc., etc. (as in No. 678)⁸¹², declare and acknowledge hereby, for Ourselves, Our heirs, Kings in Prussia, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, and for everyone else, that Our worthy Lieutenant Colonel and dear and faithful subject Bogislaff Heinrich von Kleist of Giesork and Schneidemühl has most obediently approached and petitioned Us graciously to grant and enfeoff him and the male feudal heirs of his body, after they had rendered the feudal oath, with the fief estate of Groß Raddow, which We had most graciously conferred upon him in *casum caducitatis*.

The von Wenden heirs and their guardians had first been settled with, 3,000 Reichsthalers having been awarded to them as an allodium by judgment and law. He subsequently entered into an amicable settlement with them and, by virtue of an agreement dated Stargardt, 14 July of the present year, to which We consented and which We confirmed at Berlin on 27 July of the present year, agreed, in order to avoid all further protracted proceedings, to pay the von Wenden heirs 5,800 Reichsthalers instead of the 3,000 Reichsthalers awarded to them.

Having graciously considered the most submissive and faithful services which the said Lieutenant Colonel has willingly and readily rendered to Us, and which he and the male feudal heirs of his body can, shall, and may hereafter continue to render in all submission to Us and Our heirs, the Kings in Prussia, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, We have, on account of these services and by special grace, most graciously granted and enfeoffed him and the male feudal heirs of his body with the said estate of Groß Raddow.

The grant includes all boundaries and boundary marks, the church fief, the *jus patronatus et vocandi pastores*, the highest and lowest courts and jurisdiction over life and limb, road and pond rights, the village mayor's court, rents, leases and revenues, the demesne farm, the sheep farm and its rights, likewise mills and mill rents, the tavern site, cultivated and uncultivated fields, meadows and woodlands, waters, weirs, fisheries, hunting rights, mast, bushes, grazing and drives, all occupied and unoccupied peasant and cottager holdings at Groß Raddow, Wulckow and Salmow, likewise the peasant farmstead at Vogelsang, and all absent subjects belonging to these estates, together with every other appurtenance, use, favour, accessory, liberty, and right, nothing whatsoever excepted.

We grant the estate in the same manner as it was formerly possessed, enjoyed, and used, or could in any way have been enjoyed and used, by Ewald Kleist,⁸¹³ Privy Councillor, Chamberlain, and President of Our Duchy of Farther Pomerania and Principality of Cammin, thereafter by the late Government Councillor von Wenden and his late son Paul Niclaus von Wenden, and finally by the latter's minor heirs.

In particular, the grant is subject to the clause attached to Our Royal consent dated at Berlin on 27 July of the present year, as stated above, that he shall retain 7,000 Reichsthalers in the estate as an allodium and that this sum shall remain reserved to him in the fief as allodial property. These 7,000 Reichsthalers shall, before the estate is surrendered, be paid in one undivided sum to his relatives in the male or female line, or, should none exist, to those persons to whom he may assign the sum by a disposition of his last will.

We have accordingly most graciously granted and enfeoffed him with the estate as a true male fief, and hereby grant and enfeoff him with it by virtue of this instrument, upon the condition that Lieutenant Colonel von Kleist and his heirs shall, whenever necessary and whenever the fief falls due, seek and

⁸¹² Geldern is, however, inserted before Magdeburg; Schwerin and Lingen have been transposed.

⁸¹³ III. 170.

receive the said fief estate from Us and Our heirs, the Kings in Prussia, Margraves and Electors of Brandenburg, Dukes of Pomerania and Princes of Cammin, in accordance with the sworn formula of the feudal oath, and shall render and perform from it whatever the nature, character, and custom of a male fief and the feudal oath require.

All without injury or prejudice to Our rights, those of Our heirs, or those of any other person.

In witness thereof, this instrument has been confirmed with the Royal Prussian seal of Our Government of Farther Pomerania and Cammin and with the prescribed signatures.

Done at Stargardt on 27 August 1719.

Caspar Otto von Massow,

Royal Prussian Privy Councillor of State, President-in-Chief of the Pomeranian Colleges, and Castle Captain of the Duchy of Farther Pomerania and Principality of Cammin.

Matthias Döring von Somnitz,

Chancellor.

Balth. v. Schrödern,

Government Councillor and Feudal Secretary.

683.

1737. Berlin. 9 August.

Grant of joint investiture and expectancy in the fief estates of Baron Wilhelm Ludwig Müller von der Lühne to Lieutenant Colonel Frantz Ulrich von Kleist.⁸¹⁴

From the draft in the Privy State Archives at Berlin, R. 30 B, No. 5, ad 3.

Whereas His Royal Majesty in Prussia, etc., Our Most Gracious Lord, by reason of the particular Royal favour and grace which He bears toward Frantz Ulrich von Kleist, Lieutenant Colonel in the Botzheim Regiment, and in consideration of the faithful and beneficial military services which he has hitherto rendered to His Majesty's highest satisfaction, has granted to him the expectancy and joint investiture in the fiefs situated within His Majesty's territories which are at present held by Baron Müller von der Leyhne and are approaching the ultimate case of succession,⁸¹⁵ in such manner that, when those fiefs fall open, he shall enter into actual possession of them and shall thereafter enjoy them as his true property:

His aforementioned Royal Majesty has therefore graciously caused this present assurance to be issued to His Lieutenant Colonel Frantz Ulrich von Kleist. Everyone whom it is necessary for this to concern shall most submissively and precisely govern himself accordingly.

In witness thereof, etc. Berlin, 9 August 1737.

684.

⁸¹⁴ III. 389.

⁸¹⁵ These fiefs consisted of the estates of Mellentin, Dewichow, Dargen, Balden, Neuhof, Neukrug, Gothen, Ahlbeck, and Hufe on the island of Usedom. (Dreger manuscript in the Löper Library; Provincial Archives of Pomerania, Bagmihl Collection, von Kleist.) The grant itself had already been made by Cabinet Order dated Schwerinsburg, 22 July 1737 (Privy State Archives); the letter of enfeoffment was issued on 11 November 1739 (Dreger manuscript, loc. cit.).

1743–1785.

“Registers and Records of the Homage of the Knighthood of Farther Pomerania and Cammin, held in September 1743 by me, Friederich von Dreger, as Pomeranian Feudal Secretary.”

Continued until the year 1785. (Extract.)

From the original in the State Archives: Tit. V, No. 37.

I. Families among the castle-seated Flemmings

No. 1b. von Grumbkow at Hoff, allodial, now von Kleist.

1. Lieutenant Colonel Friedrich Casimir von Grumbkow, *ratione uxoris*. He had already rendered the oath of submission on 5 September 1741.
2. After Colonel Friedrich Casimir von Grumbkow sold the estate of Hoff to District Councillor Hans Joachim von Kleist, the latter rendered the oath of submission in respect thereof on 21 November 1764.

II. Families among the castle-seated Borcks

No. 2a. The von Kleists at Groß Radow, etc., new fief.

Entered at Greiffenberg on 2 September 1743; invested on the 3rd of the same month:

1. Bogislaff Hinrich von Kleist, represented by District Councillor Christoph Hinrich Borck, is the only son of the first acquirer, the late Lieutenant Colonel Bogislaff Hinrich von Kleist.

XIII. District of Greiffenberg

No. 30. The von Kleists at Poberow.

Present and entered at Greiffenberg on the 11th; invested on 12 September 1743:

1. Anton Georg von Kleist at Poberow, son of the late Tessen Erdmann. Died; see the exhibit of 21 June 1778.

Absent and without a representative; not invested:

- a. Lieutenant Daniel Friedrich, likewise a son of the late Tessen Erdmann and brother of the preceding person under No. 1. Died; see the preceding entry.

Further succession

2. Lieutenant Jacob Hinrich and
3. Otto Carl, brothers and sons of the late Friedrich Wilhelm von Kleist, were invested on 30 March 1753.
4. Ludwig Leopold Georg, son of the late Captain Jacob Hinrich under No. 2, at Poberow, applied through his mother, née von Koller, for a certificate of feudal entitlement following the death of his father and received it on 19 December 1764.

XIV. District of Belgard

No. 2. The von Kleists in respect of their old fiefs, Dubberow, etc.; compare, on account of the joint investiture, the von Kleists under Neustettin District No. 4.

Before the homage, namely on 10 July 1743:

1. Major Hans Caspar, son of the late Hans Caspar, through Major von Kamke as his representative, took the oath on account of the major and minor cases and the death of his father, and received investiture.

In addition, the following appeared and were invested at the homage in various sessions, either in person or through representatives:

2. Lieutenant Bogislaff Hinrich, son of the late Lieutenant Colonel Bogislaff Hinrich; see No. 2a under the castle-seated Borcks. He died on 20 December 1791 without male feudal heirs; compare the Raddatz files.

At Greiffenberg on 12 September 1743:

3. Anton Georg at Poberow and Wutzow, son of the late Tessen Erdmann; see No. 30 under the District of Greiffenberg.

Present and invested by proxy at Cöslin on 16 September 1743:

4. Government Councillor Hans Jochim at Groß Tychow, for himself—died 3 September 1752—and for his brother:

5. Major Jürgen Lorentz at Nemitz and Kowalk; both were sons of the late Jürgen. He died in 1751; his sons are listed under Nos. 42, 43, 44, and 45.

6. Dean Ewald Georg at Vietzow, son of the late District Councillor Jochim Ewald.

7. Captain Erdmann Gottlieb at Groß Tychow, son of the late Captain Caspar Henning.

No. 4 held powers of attorney for the persons under Nos. 5, 6, and 7.

8. Captain Bernd at Schmentzin, son of the late Rüdiger,⁸¹⁶ represented by the person under No. 4. Died in 1749.

9. Eccard Wilhelm, son of the late Henning Erdmann.

10. Captain of Horse Dubschlaff Bernd at Kiekow, son of the late Valentin, represented by his son Adam Hinrich.

11. Captain Jochim Ewald at Wardin, a new fief, son of the late Peter Ernst; see below, No. 3 in this district. Died in 1753.

12. Major Bernd Erdmann at Dahmen, son of the late Martin Jochim, represented by the person under No. 11.

13. Peter at Muttrin, son of the late Jacob⁸¹⁷ Henning. Invested again following the death of his father on 6 July 1757. Died without male feudal descendants.

14. Christoff Hinrich at Warnin, son of the late Andreas Jochim.

15. Captain Matthias Reimar at Zarnekow, son of the late Jochim Henning.

16. Hans Jürgen at Zattkow, son of the late Alexander Lorenz; see No. 38.

17. Court Councillor Jochim Magnus and

18. Captain Peter Georg, sons of the late Lorenz Wilhelm; the first held a power of attorney.

19. Ensign Georg Ernst at Dubberow, son of the late Werner, represented by the person under No. 17.

20. Lieutenant Colonel Ewald Georg at Wendisch Tychow in the District of Schlawe, son of the late Philipp Hartwig, represented by the person under No. 17.

21. Jochim Friderich, son of the late Andreas Jochim and brother of the person under No. 14, represented by Chamberlain Jochim Felix von Zart. Died in 1755 without male feudal heirs.

22. Lorenz Christian at Klein Voldeckow, son of the late Reimar. Died in 1756; see No. 46.

⁸¹⁶ Correctly: Reimar's.

⁸¹⁷ The text originally read, erroneously: Jochim.

23. Captain Henning Alexander at Juchow and

24. Jürgen Ernst, War Councillor, sons of the late Jürgen Hinrich. Both died without male feudal descendants.

25. Lieutenant General Henning Alexander at Raddatz, son of the late Jochim Daniel, represented by the person under No. 24; see below under Nos. 40 and 41.

26. Captain Christian Ewald at Dolgen, son of the late Sebastian Wilhelm.

Invested at Cöslin on 18 September 1743:

27. Hans Christian at Lestin, a new fief; see No. 8 in the Principality of Cammin; son of the late Peter. Joint-investiture right, h. l.

Invested at Stolp on 30 September 1743:

28. Lieutenant Colonel Conrad Friederich and

29. Lieutenant Colonel Carl Wilhelm, sons of the late Hans Caspar and brothers of Major Hans Caspar under No. 1 above.

30. Marten Rüdiger at Wendisch Tychow, son of the late Peter Ewald; see those under Nos. 26, 28, and 29.

Invested at Stolp on 26 September 1743:

31. Lieutenant Franz Casimir and

32. Lieutenant Ewald Christian, sons of the late Jochim Ewald at Ruschitz; see the District of Stolp.

Invested at Cöslin on 17 September 1743:

33. Christian Asmus at Panckow, son of the late Alexander; see No. 4 under the District of Neustettin.

Absent and without representatives; not invested:

a. Lieutenant Daniel Friedrich, likewise a son of the late Tessen Erdmann and brother of the person under No. 3 above; see No. 30 under the District of Greiffenberg.

b. Lieutenant Christoph Hinrich,

c. Colonel Franz Ulrich, and

d. Ensign Jacob Henrich,⁸¹⁸ likewise sons of the late Jürgen and brothers of those under Nos. 4 and 5.

e. Ernst Hinrich,⁸¹⁹

f. Adam Christian, and

g. Friderich Wilhelm, sons of the late Jacob Henning.

h. The ten sons of the late Colonel Andreas Jochim, whose first names are unknown.

i. Captain Franz Georg and

k. Lieutenant Alexander, sons of the late Jochim Henning and brothers of the person under No. 15.

l. Ensign Bernd Eccard,

m. Captain Caspar Jürgen, and

n. Hinrich Werner, sons of the late Caspar Henning. The person under m. was subsequently invested on

⁸¹⁸ The text originally read, erroneously: Henning.

⁸¹⁹ The name Ewald was subsequently added above the name Ernst Hinrich.

28 July 1745; the person under n. was subsequently invested on 15 September 1745.

o. Jacob Hinrich and

p. Friedrich Otto, sons of the late Friedrich Wilhelm. The person under o. was subsequently invested on 15 January 1748.

q. Captain Gustaph Anton and

r. District Councillor Christian Adrian, sons of the late Lieutenant Colonel Carl Ulrich.

s. Captain Carl Hinrich and

t. Lieutenant Primislaff Ulrich, likewise sons of the late Lieutenant Colonel Carl Ulrich and brothers of the two preceding persons. The person under s. died without male feudal heirs. The person under t., at Ballenberg, was invested on 5 May 1751.

u. Lieutenant Friederich Christian; see Belgard District No. 22. He died without male feudal heirs.

w. Ensign Friederich Wilhelm, son of the late Werner and brother of the person under No. 19 above.

x. Lieutenant Werner Heinrich and

y. Lieutenant Henning Alexander, sons of the late Anton Jacob; subsequently invested on 15 September 1745.

z. Friederich Casimir, son of the late Christian Ewald.

aa. Major Asmus Hinrich,

bb. Captain Zabel Jürgen, and

cc. Lieutenant Friedrich Hinrich Siegmund, sons of the late Hans Franz at Dallentin and Zamentz. The person under aa. was subsequently invested on 22 September 1745; the person under bb. on 30 June 1745; and the person under cc. on 22 September 1745.

dd. The sons of the late Christian Tessen of Ratteck, whose names are unknown.

ee. Lieutenant Christoph Caspar Hinrich and

ff. Jochim Ernst, sons of the late Philip Ernst. The person under ee. was subsequently invested on 12 February 1743, and the person under ff. on 12 February 1744.

Further succession

34. Adam Henrich von Kleist, son of Captain of Horse Dubschlaff Bernd at Kiekow, Muttrin, and Döbel, was invested on 18 March 1744.

35. Friderich Carl von Kleist at Dahmen, son of the late Major Bernd Erdmann under No. 12 above, took the oath following his father's death on 29 June 1746.

36. Jacob Henrich and Otto Carl, brothers and sons of the late Friedrich Wilhelm at Ratteck, Vietzow, Wutzow, and Poberow, had already been listed above among the absent persons under o. and p. They were invested on 15 January 1748.

37. Lieutenant Ewald Friedrich, son of the late Captain of Horse Dubschlaff Bernd at Kiekow, Muttrin, and Döbel, was invested following the death of his father under No. 10 on 6 December 1748.

38. Johann Joachim, son of the late Hans Jürgen at Zattkow, was invested following the death of his father, through Lieutenant Johann Friedrich von Schlieffen as his representative, on 23 April 1749; see No. 16.

39. Corporal Joachim Friedrich, Officer Cadet Alexander Georg, and the third son, Franz Henrich, aged fourteen, sons of the late Captain Bernd under No. 8, were represented following their father's death by

Captain Georg Lorenz von Kowalski. The first two were invested on 3 November 1749; Franz Henrich received a certificate of feudal entitlement on 29 October 1749.

40. Captain Leopold and

41. Corporal Wilhelm Christoph, sons of the late General Field Marshal Henning Alexander under No. 25, were invested following their father's death, through Lieutenant Colonel Nicolaus Lorenz von Puttkamer as their representative, on 8 June 1750. No. 41 died without male feudal descendants; compare the Raddatz files.

42. Captain Ewald Friedrich,

43. Lieutenant Martin Georg,

44. Lieutenant Hans Joachim Gneomar, and

45. Lieutenant Anton, brothers and sons of the late Major Georg Lorenz under No. 5, were invested on 13 March 1752. Nos. 42 and 43 died without heirs.

46. Captain Hans Bernd, son of Lorenz Christian under No. 22, was invested on 17 April 1752 in respect of the estates of Klein Voldeckow and Gissolk, which had been conveyed to him by his father while the latter was still alive. He died in 1755; see the exhibit of 1 February 1756.

Genealogical overview of the von Kleist family for the years 1743–1785.

(The persons listed in Document 684, traced back through six generations of their ancestors.)

Damen

III. 8 Curt - Voldekow, Schwellin

27 Andreas

59 Curt

120 Reimar

194 Jürgen

286 Joachim Heinrich	287 Reimar				288 Alexander Lorenz	
377 Hans Erdmann	379 Jürgen Heinrich	380 Lorenz Christian	381 Andreas Joachim	383 Bernd Christian	384 Joachim Henning	386 Johann Georg
		480 Hans Bernd	488-498 10 Söhne	499 Joachim Friedrich	502a Matthias Reimar	509 Hans Joachim
		483 Andreas Joachim		500 Alexander Georg Wilhelm	502b Franz Georg	
		484b Reimar		501 Franz Heinrich	503 Alexander Georg	
					504 Bernd Eccard	

Continuation: Descendants of 194 Jürgen

289 Jürgen				
387 Hans Joachim	388 Jürgen Lorenz	389 Franz Ulrich	391 Christoph Heinrich	
511 Franz Lorenz	512 Dionysius Wilhelm	515 Ewald Friedrich	522 Carl Caspar	
	513 Hans Joachim	516 Martin Georg		
	514 Rüdiger Christian	517 Hans Joachim Gneomar		
		518 Anton		
636 Otto Joachim				

Continuation: Descendants of 8 Curt

28 Georg
60 Lorenz
121 Christopher
196 Steffen
291 Christoph Friedrich
392 Steffen Nicolaus
526 Steffen 527 Nicolaus
Christoph Valentin
657 Johann
Gottlieb
Christoph
658 Franz
Leopold

The younger brothers of 8 Curt

III. 9 Bisprow - Damen, Zeblin			
35 Georg			
69 Richard		71 Carsten	
127 Christian		129 Joachim	
200 Richard	201 Dubislaß	205 Ewald	
Christian	Joachim		
294 Lorenz	295 Christian	300 Joachim Ewald	
Heinrich	Lorenz		
		397 Franz	398 Ewald
		Casimir	Christian

III. 10 Peter - Damen, Zadtkow, Kowalk				
36 Andreas		37 Pribislaß		
72 Valentin		76 Asmus	78 Adrian	
134 Otto		141 Daniel	145 Martin	
215 Valentin		220 Tessen	228 Asmus	
306 Dubislaß Bernd		307b Adam	314 Martin	315 Bernd
			Joachim	Christian
403 Adam	404 Ewald	408 Philipp	409 Bernd	410 Andreas
Heinrich	Friedrich	Ernst	Erdmann	Joachim
530 Bernhard		533	535 Friedrich	536
Wilhelm		Christoph	Carl	Christoph
531 Adam		Caspar		Heinrich
Heinrich		Heinrich		537 Joachim
		534 Joachim		Friedrich
		Ernst		

Muttrin

III. 4 Henning - Cöslin			
17 Joachim			
44 Anton		45 Jacob	
86 Moritz	87 Richard	88 Lorenz	89 Valentin
149 Anton	152 Hans	153 Jacob	154 Carsten
	Friedrich		
	235 Friedrich		240
	Wilhelm		Christoph

III. 5 Peter - Muttrin, Vietzow, Zadkow

20 Jacob

47 Peter			
95 Jacob		96 Joachim	
157 Peter Adam		161 Hans	
246 Georg Friedrich		247 Christian	249 Joachim
		Ewald	
331 Melchior	334 Christian	335 Sebastian	338 Friedrich
Ludwig	Ewald	Wilhelm	Casimir
	418 Georg	420 Christian	
	Friedrich	Ewald	
		545 Christian	
		Felix	
			558 Joachim
			Rüdiger
			561 Otto
			Friedrich

Continuation: Descendants of 20 Jacob

48 Ewald		49 Wilhelm	
103 Jacob		110 Achatz	111 Ewald
171 Ewald		176 Ewald	178 Peter
		Georg	Rüdiger
253 Jacob Daniel	254 Tessen	257 Ewald	264 Georg
	Christian	Joachim	Friedrich
343 Tessen	344 Friedrich	350 Ewald	
Erdmann	Wilhelm	Jürgen	
433 Daniel	436 Jacob	439 Friedrich	
Friedrich	Heinrich	Bernhard	
435 Anton	438 Otto Carl	Georg	
Georg		441 Johann	
		Ludwig	
		442 Samuel	
		Friedrich	
	566 Ludwig		
	Leopold		
	Georg		

III. 6 Hans - Krummensee					
22 Pribislaß					
54 Hans					
114 Pribislaß					
186 Hans Jürgen					
281 Pribislaß					
368 Adam	369 Cartz Ulrich				
Heinrich					
463 Jacob	465 Gustav	466 Christian	467 Carl	468 Primislaß	469 Friedrich
Henning	Anton	Adrian	Heinrich	Ulrich	Christian
595 Jacob		601 Christian			
Heinrich		Friedrich			
596 Peter					
598 Ernst					
Heinrich					
599 Adam					
Christian					
600 Friedrich					
Wilhelm					

Dubberow und Wendisch Tychow							
II. 5 Peter							
13 Georg			14 Christopher				
23 Peter		25 Henning	26 Carsten				
44 Georg		51 Peter	52 Lorenz				
66 Rüdiger		67 Henning	71 Christian				
98 Peter Ewald	101 Anton	104 Philipp	107 Christian Heinrich		108 Lorenz Wilhelm		110 Henning Erdmann
138 Martin Rüdiger		141 Philipp Hartwig	143 Werner	146 Anton Jacob	148 Joachim Magnus	149 Peter Georg	152 Eccard Wilhelm
		185 Ewald Georg	187 Alexander Christian	192 Werner Heinrich		197 Wilhelm Christian	
			189 Friedrich Wilhelm	193 Henning Alexander		199 Nicolaus Ludwig	
			191 Georg Ernst			200 Ewald Heinrich	
						201 Otto Bogislaff	

(Groß) Tychow						
II. 11 Andreas (Drews)						
21 Carsten			22 Jochim			
36 Jacob		39 Bernhard	43 Dinnies			
59 Jochim Henning	60 Christian		63 Jochim	64 Paul Daniel		
77 Caspar Henning	81 Bernd Erdmann	82 Christian Casimir	84 Sebastian Heinrich	89 Caspar Henning	90 Hans Caspar	92 Friedrich Wilhelm
112 Erdmann Gottlieb	116 Christian Wilhelm		119 Casimir Henning	124 Caspar Georg	127 Hans Caspar	
				125 Werner Heinrich	128 Conrad Friedrich	
					129 Carl Wilhelm	
	154 Ernst Ewald		163 Georg Heinrich			

Raddatz				
IV. 5 Schir				
11 Volz				
14 Alexander			15 Asmus	
16 Daniel			19 Volz	21 Alexander
			Joachim	Jürgen
22 Hans Jürgen			33 Philipp	34 Asmus
			25 Christian	
			Heinrich	
36 Alexander		37 Jürgen	39 Georg	41 Joachim
			Heinrich	Daniel
44 Bogislav	45 Christian		48 Henning	53 Henning
Heinrich	Asmus		Alexander	Alexander
			50 Georg	56 Asmus
			Ernst	Heinrich
				58 Zabel
				Georg
				60 Friedrich
				Henning
				Siegmund
64 Bogislav			70 Leopold	
Heinrich			71 Wilhelm	
			Christoph	

1744. Susten. 24 June.

Friedrich Casimir von Kleist⁸²⁰ of Creutzburg, Susten, Kercklingen, and Dobelsberg conveys the estates of Creutzburg and Susten in Courland to his son Ernst Nicolaus von Kleist as a family entail for 45,000 Albertus guilders.

From a copy in the Susten Estate Archives.

In the Name of God

Be it hereby known to all whom it may concern and who need to know it that, on the date written below, a hereditary conveyance of the estates of Creutzburg and Susten was agreed upon, approved, and concluded between the high and well-born Friedrich Casimir von Kleist, hereditary lord of Creutzburg, Susten, Kercklingen, and Dobelsberg, on the one part, and his son, the likewise high and well-born Ernst Nicolaus von Kleist, on the other part, in the following manner:

1. The high and well-born Friedrich Casimir von Kleist hereby, and by virtue of this instrument, cedes and transfers to his dearly beloved son, the high and well-born Ernst Nicolaus von Kleist, his purchased and thus lawfully acquired estates of Creutzburg and Susten, as they lie within their proper boundaries and have hitherto been peacefully possessed and enjoyed by him, or could have been possessed and enjoyed, together with the entire peasantry now residing there or perhaps living elsewhere and thus unlawfully removed, both male and female, none excepted apart from the cook Jacob, whom the father reserves for his own free disposition; likewise with all other appurtenances and dependencies, rights and privileges belonging to the estates, consequently also with the *jus compatronatus* in the church at Darben and all other noble liberties and rights, nothing whatsoever excepted.

He transfers them for the sum of 45,000 Albertus guilders and, by delivering this instrument of hereditary conveyance and the chest containing the documents relating to these estates, places his son in the true physical, hereditary, and absolute possession of these estates and their appurtenances and dependencies.

2. Of these 45,000 Albertus guilders, the high and well-born Friedrich Casimir von Kleist leaves and grants to his son the sum of 3,000 Albertus guilders, in such manner that he may retain and enjoy it from the present time as part of his future inheritance. For the remaining sum of 25,000 Albertus guilders, the son has issued an unconditional obligation and mortgage deed, with the *reservatio juris dominii* until payment of these 25,000 Albertus guilders.

3. Since the high and well-born Friedrich Casimir von Kleist intends to preserve his hereditary estates for all future time among his male and female descendants, he has for that reason conveyed his hereditary estates of Creutzburg and Susten to his eldest son at the moderate price of 45,000 Albertus guilders.

Accordingly, these estates shall permanently remain within the family of the high and well-born Friedrich Casimir von Kleist. So long as male or female descendants of the high and well-born Ernst Nicolaus von Kleist exist, the estates shall always be taken over by the person next entitled to inherit according to the degrees of kinship, for the sum of 45,000 Albertus guilders.

Should his descendants become entirely extinct, these estates shall never pass to a stranger outside the descendants of the high and well-born Friedrich Casimir von Kleist. Even if, by reason of proximity of degree, a collateral relative outside those descendants should inherit from the last deceased possessor of the estates, that relative shall receive from these estates only the fixed price of 45,000 Albertus guilders. The estates themselves shall immediately pass, for the same sum of 45,000 Albertus guilders and without any

⁸²⁰ III. 338, 421

additional charge or allowance for improvements, to whichever male or female person among the remaining descendants of the high and well-born Friedrich Casimir von Kleist is most closely related to the last deceased possessor.

No distinction shall be made between the male and female lines, except that, where male and female heirs who, under the order of succession and the *jus repraesentationis*, are related to the previous possessor of the estates in the same degree compete with one another, the male line shall, in accordance with the *Privilegium Nobilitatis* and thus with public law, take precedence over the female line in assuming the estates for 45,000 Albertus guilders.

Consequently, these estates may never, at any time, be burdened with debts exceeding the sum of 45,000 Albertus guilders, nor may they be alienated or inherited outside the family.

Should anyone be compelled by urgent necessity to alienate these estates, he shall offer them to those male and female members of the von Kleist family who, at the time of the intended alienation, would be next entitled after him to possess the estates. The nearest entitled person, or, should that person be unwilling, the next and so forth, shall take over the estates for no more than 45,000 Albertus guilders, so that they shall continue to be preserved within the family at that same price.

The high and well-born Friedrich Casimir von Kleist likewise reserves the right to bind in the same manner whichever of his other children he may wish to receive the hereditary estates which he now retains or may acquire in the future, so that these other hereditary estates shall also be preserved within his family.

4. The high and well-born Friedrich Casimir von Kleist also leaves to his eldest son all the livestock now present on the estates of Creutzburg and Susten. In return, the high and well-born Ernst Nicolaus von Kleist promises that, whenever any of his unmarried sisters should marry in the future, he will deliver to each of them twenty head of dairy cattle immediately after the wedding.

5. Both parties renounce in the strongest and most binding manner all and every objection which might be raised against this agreement, particularly the objections of injury, persuasion, reverential fear, or that the matter was understood and transacted otherwise than described herein; the beneficium of restoration to the former condition; the *protestatio per oblatum*; and all other exceptions and legal benefits, by whatever names they may be known, together with the rule of law that a general renunciation is invalid unless preceded by a particular renunciation.

All without fraud or deceit.

In witness thereof, two copies of identical wording of this instrument have been drawn up and signed and sealed in their own hands by both parties and by the gentlemen requested as witnesses. For its permanent confirmation, corroboration upon the acknowledgment hereby made has also been approved.

Given at Susten on 24 June 1744.

(L. S.) Ernst Nicolaus von Kleist

My own hand and seal.

(L. S.) Friedrich Casimir von Kleist

My own hand and seal.

(L. S.) Friedrich Gotthardt von Mirbach

as a witness requested for this purpose.

(L. S.) Anton Friedrich Korff

as a witness requested for this purpose.

On 12 January 1746, the foregoing instrument of hereditary conveyance was produced before the records of the Court of First Instance at Goldingen, duly incorporated therein, and, pursuant to the acknowledgment and consent stipulated in it, corroborated for permanent and inviolable observance with the seal of the Goldingen Court of First Instance and the customary signature.

Actum at Goldingen as above.

(L. S. Judic.) Friedrich Wilhelm Fabricius

Ducal Court Secretary at Goldingen.

686.

1750. Potsdam. 1 May.

King Frederick II grants to Captain Primislaus Ulrich von Kleist⁸²¹ the vacant von Wolden fiefs of Ballenberg, Bergen, and Zwirnitz as new fiefs.

From a copy in the State Archives: Tit. IX, Sect. 88, No. XXXI, fol. 2.

My dear Privy Minister of State Baron von Danckelmann,

Having learned from the further report submitted by you on the 28th of last month the circumstances of the three Pomeranian fiefs of Ballenberg, Bergen, and Zwirnitz, which recently became open and fell to my disposition through the death of a member of the von Wolden family, I have resolved:

To confer these fiefs once more upon Captain von Kleist of the 2nd Battalion of My Guards Regiment.

I also agree that the Advocatus Fisci may be instructed to determine the appurtenances properly belonging to these fiefs. This must, however, be done without chicanery and in an entirely lawful and equitable manner, as matters of this kind are otherwise customarily settled between two private parties.

You shall therefore make the necessary arrangements accordingly and provide the said Captain von Kleist with the appropriate information and instruction concerning all the circumstances of the fiefs conferred upon him.

I remain your well-affectioned King.

Potsdam, 1 May 1750.

Frederick.

To

Minister of State von Danckelmann.

687.

1751. Nemitz. 2 January.

Inheritance settlement among the four surviving sons of Lieutenant Colonel Georg Lorenz von Kleist⁸²² concerning the estates of Nemitz, Rattaick, Zarnekow, Kowalck, Dimkuhlen, and Reckow; conversion of the estates into allodial property within the family; and establishment of a perpetual feudal capital fund of 8,000 Reichsthalers.

⁸²¹ III. 468

⁸²² III. 388, sons 515-518

From copies in the Nemitz and Dimkuhlen Estate Archives.

We, the undersigned, hereby make known and certify to everyone that, following the death of the high and well-born Georg Lorentz von Kleist, Lieutenant Colonel and our dearly beloved father, the following feudal capital fund has been established among us, the surviving brothers von Kleist—Captain Ewald Friedrich, Lieutenant Martin George, Hans Joachim Gneomar, and Lieutenant Anthon von Kleist—by virtue of the partition of inheritance which has been drawn up,⁸²³ and has been irrevocably fixed in the following manner:

1. The aforementioned four brothers von Kleist and sons release their highly esteemed mother from all responsibility arising from the estate of their late father, who died on 3 April of the preceding year, from the preparation of an otherwise necessary detailed inventory, and from every other obligation to provide warranty or account.

They do so particularly because they all know that, in her care for them, she acted as a true mother and made every provision entirely in accordance with their wishes and desires.

In acknowledgment thereof and from the gratitude which they owe her, all four sons have agreed that:

2. Each of them shall pay their high and well-born mother 100 Reichsthalers annually for the duration of her life. These payments shall commence from the past Michaelmas of the present accounting period. One half, namely fifty Reichsthalers, shall be paid at Easter 1751 by each son from his own inheritance lot and in proportion to the share of the inheritance received by him, *sub pacto perpetui executorialis*.

She shall furthermore be free to select from all furniture and movable property whatever she requires for her comfort. Should she resolve to leave the estates, she may take with her whatever she desires, and no objection may or shall be made to her in this respect.

Thereafter:

3. The estate was examined, and both the landed properties and the outstanding capital claims were specified and divided into lots in accordance with the record dated at Nemitz on 21 December 1750, as follows:

Outstanding capital claims: 51,756 Reichsthalers 16 good groschen.

Less liabilities: 4,626 Reichsthalers 16 good groschen.

Remaining balance: 47,130 Reichsthalers.

The estate of Nemitz and Ratteck cum pertinentiis: 14,500 Reichsthalers.

The estates of Zarnekow, Kowalck, and Dimkuhlen: 14,500 Reichsthalers.

The estate of Reckow: 4,000 Reichsthalers.

Total: 80,130 Reichsthalers.

Dividing these 80,130 Reichsthalers into four parts, the inheritance portion of each son amounts to:

20,032 Reichsthalers 12 good groschen.

4. The first lot:

The estate of Nemitz together with Ratteck: 14,500 Reichsthalers.

Outstanding capital claims:

No. 2 of the specification: 1,333 Reichsthalers 8 good groschen.

No. 3 of the specification: 2,500 Reichsthalers.

⁸²³ Addition: probably among them

No. 14 of the specification: 40 Reichsthalers.

No. 22 of the specification: 666 Reichsthalers 16 good groschen.

No. 20 of the specification: 1,000 Reichsthalers.

Total: 20,040 Reichsthalers.

It shall pay to the second lot:

7 Reichsthalers 12 good groschen.

5. The second lot:

The estates of Zarnekow, Kowalck, and Dimkuhlen: 14,500 Reichsthalers.

No. 6 of the specification: 800 Reichsthalers.

No. 7 of the specification: 666 Reichsthalers 16 good groschen.

No. 11 of the specification: 600 Reichsthalers.

No. 12 of the specification: 733 Reichsthalers 8 good groschen.

No. 13 of the specification: 1,000 Reichsthalers.

No. 10 of the specification: 533 Reichsthalers 8 good groschen.

No. 17 of the specification: 1,000 Reichsthalers.

No. 30 of the specification: 66 Reichsthalers 16 good groschen.

Total: 19,900 Reichsthalers.

It shall additionally receive from the other three lots:

132 Reichsthalers 12 good groschen.

6. The third lot:

The estate of Reckow: 4,000 Reichsthalers.

No. 9 of the specification: 3,450 Reichsthalers.

No. 15 of the specification: 1,000 Reichsthalers.

No. 16 of the specification: 1,333 Reichsthalers 8 good groschen.

No. 19 of the specification: 1,333 Reichsthalers 8 good groschen.

No. 25 of the specification: 1,000 Reichsthalers.

No. 21 of the specification: 5,000 Reichsthalers.

No. 24 of the specification: 2,000 Reichsthalers.

No. 28 of the specification: 1,000 Reichsthalers.

Total: 20,116 Reichsthalers 16 good groschen.

It shall pay to the second lot:

84 Reichsthalers 4 good groschen.

7. The fourth lot, being a monetary lot:

No. 1 of the specification: 5,000 Reichsthalers.

No. 4 of the specification: 2,000 Reichsthalers.

No. 8 of the specification: 5,000 Reichsthalers.

No. 29 of the specification: 2,100 Reichsthalers.

No. 26 of the specification: 1,000 Reichsthalers.

No. 27 of the specification: 2,000 Reichsthalers.

No. 5 of the specification: 3,000 Reichsthalers.

No. 23 of the specification: 4,200 Reichsthalers.

No. 18 of the specification: 400 Reichsthalers.

Total: 24,700 Reichsthalers.

In return, this lot shall pay the specified liabilities amounting to 4,626 Reichsthalers 16 good groschen and shall pay 40 Reichsthalers 20 good groschen to the second lot, so that the latter receives its full amount.

8. All four brothers provide one another with the most binding legal warranty possible, both in respect of the estates named above and in respect of the principal and interest upon the assets represented by the thirty numbered obligations listed in Specification A.

Should proceedings arise in collecting the principal and interest, should the said estates be challenged and litigation arise on that account, or should any principal or interest prove irrecoverable, the resulting proceedings shall be conducted at their joint expense. They shall indemnify one another as brothers, so that none of them shall suffer any reduction or loss in the lot which has fallen to him.

9. Since each brother assumes the lot which has fallen to him from the past Michaelmas 1750, while most of the obligations bear earlier dates, they shall compensate one another not only for the interest in arrears but also for the interest which, pursuant to the obligations, had fallen due by Michaelmas 1750, as noted in the specification, and shall divide it into four shares.

Furthermore:

10. Since it is customary in inheritance matters of this kind to establish a feudal capital fund among the heirs, the four brothers von Kleist have considered it proper to establish among themselves an irrevocable feudal fund. For this purpose each has stipulated 2,000 Reichsthalers from his lot, amounting to a total principal sum of 8,000 Reichsthalers.

By this present partition of inheritance, they intend to bind themselves mutually in the most permanent legal form and in the most binding manner recognised by law, so that the aforesaid 8,000 Reichsthalers shall remain among them as a perpetual feudal capital fund and shall be perpetuated in accordance with feudal law.

It is, however, expressly excepted that the remainder of the property shall remain permanently allodial property in all four lots specified above.

11. The drawing of lots was then conducted. A ten-year-old boy delivered:

the third lot to Captain Ewald Friedrich von Kleist;

the second lot to Lieutenant Martin George von Kleist;

the first lot to Lieutenant Hans Joachim Gneomar von Kleist;

and the fourth lot to Lieutenant Anthon von Kleist.

They willingly accepted their respective lots, and their mother and all those present wished them much prosperity, happiness, and blessing in their possession.

All four brothers undertake at all times firmly and inviolably to observe this fraternal inheritance agreement, which was concluded after careful deliberation and mature consideration.

They knowingly renounce all and every objection, legal benefit, and privilege which might assist them against it, as though all of them had been written here word for word, together with the general rule that a general renunciation is invalid unless written here expressly.

They shall not make use of any such remedy against the foregoing inheritance agreement, but shall fulfil it without alteration in every point upon brotherly loyalty and honour and shall never, at any time, act contrary to it.

For this purpose, they have signed and sealed this inheritance agreement in their own hands.

Done at Nemitz on 2 January 1751.

(L. S.) Ewald Friedrich v. Kleist.

(L. S.) Martin George v. Kleist.

(L. S.) Hans Joachim Gneomar v. Kleist.

(L. S.) Anthon v. Kleist.

688.

1754. Friedrichshoff. 27 June.

Testament of Friedrich Casimir von Kleist,⁸²⁴ and establishment or confirmation of the family entails of Creutzburg-Susten and Kercklingen-Dobesberg in Courland.

From an authenticated copy in the mortgage records of the Goldingen Court of First Instance.

In the Name of God!

I, Friedrich Casimir von Kleist, hereditary lord of Kercklingen and Dobesberg, hereby declare and acknowledge that, in contemplation of the temporal death certain to all men, and being, God be praised, still in sound bodily and mental health, I have drawn up and established my last will as follows.

First and foremost, I praise the goodness of my holy God, who has guided me as a father throughout my life and has not allowed my diligence and labour in temporal matters to remain without blessing. I humbly pray that, for as long as I may still have to journey upon this earth, He will continue graciously to guide and protect me, and that at the end of my life He will conduct my soul to that place where His elect shall remain before Him in eternal joy and bliss.

After my blessed departure, my lifeless remains shall be committed to the earth in the burial place at Kercklingen according to Christian and noble custom, but without any pomp, and the expenses thereof shall be paid from my most readily available funds.

As regards my temporal property, it presently consists of the estates of Kercklingen and Dobesberg, Leegen and Apsen, certain outstanding monies, and the movable property belonging to me.

Since I have good reason at the outset to remember the steadfast love and fidelity of my most dearly beloved wife, the high and well-born Agnesa, née Korff, and must acknowledge with the greatest truth that, next to the divine hand of blessing from which all good things come, the increase and preservation of my temporal property are largely attributable to the faithful and indefatigable care and tireless attention which my most esteemed wife has devoted to the management of the estates, and since she has moreover actually brought me the sum of 125,000 Albertus guilders, I assign and appoint to her as her dower and widow's residence my estates of Kercklingen and Dobesberg, together with the livestock situated there and all other movable

⁸²⁴ III. 338.

property and livestock found there, so that, for as long as she lives and remains a widow, she may possess them undisturbed and receive and enjoy their revenues for her maintenance.

I further appoint as the true and undoubted heirs of my entire estate all my most dearly beloved children, sons and daughters, namely Ernst Nicolaus,⁸²⁵ Christian Ewald, Johann Casimir, Christopher George, Carl Friedrich, Catharina Elisabeth, married to Captain Szoegé, Agnesa Charlotte, and Anna Sophia von Kleist, in such manner that, as further provided below, each son shall receive a double share of the inheritance and each daughter a single share.

During my lifetime I have already entirely conveyed the estates of Creutzburg and Susten to my dearly beloved eldest son and have left to him in those estates the sum of 20,000 Albertus guilders on account of his inheritance. This arrangement shall remain permanently in force.

To my second son, Christian Ewald, I assign my hereditary estates of Kercklingen and Dobesberg for the sum of 33,000 Albertus guilders. He may not, however, enter into possession of them until after the death of my most dearly beloved wife and shall therefore in no way disturb or trouble her in her widow's residence for as long as she lives as a widow. During my lifetime I have already given and assigned to him 20,000 Albertus guilders for his use as an advance upon his inheritance.

Just as these two sons of mine have already each received 20,000 Albertus guilders, and my eldest daughter, the wife of Captain Szoegé, has already received 10,000 Albertus guilders, so, from the time of my death, I assign from my outstanding funds to each of my remaining sons the sum of 20,000 Albertus guilders and to each of my daughters the sum of 10,000 Albertus guilders.

Each child, upon attaining majority, and each daughter, upon marrying, shall be entitled personally to receive and dispose of his or her capital. Until then, my most esteemed wife, as their natural guardian, shall continue to administer these capital sums with good advice and, as a loving mother, apply the interest to their maintenance and education. She shall not, however, be burdened with the obligation of rendering any account thereof to the children when they come of age.

Whatever additional outstanding monies I may leave after deduction of the portions assigned to each of my sons and daughters shall remain entirely at the disposal of my wife, without her being obliged to issue or disclose any inventory thereof or of anything else. Just as she has done during my lifetime, she will continue in her administration to consider what is best for our dear children.

My particular intention is that she shall have such entirely free disposal over those monies and the interest arising from them that, either during her lifetime or upon her death, she may give and bequeath them to whichever of my children shall conduct themselves toward her with the greatest filial love and respect.

Since my son Christian Ewald has already received 20,000 Albertus guilders, of the 33,000 Albertus guilders for which he must take over these estates after the death of my wife—which may God long defer—27,000 Albertus guilders shall be brought into the common division. My two eldest sons shall each bring into account the 20,000 Albertus guilders which they previously received during my lifetime, and the wife of Captain Szoegé shall bring into account 10,000 Albertus guilders, after which they shall share equally with their other brothers and sisters, but in such manner that from these 27,000 Albertus guilders, as from all the remainder, the sons shall receive a double share and the daughters a single share.

As regards the 6,000 Albertus guilders exceeding the stipulated value of the estates of Kercklingen and Dobesberg, I dedicate them to the perpetual maintenance of the church at Kercklingen and of the divine worship to be held there in accordance with the pure Augsburg Confession. Divine service shall accordingly be held there at least every third or fourth week, on a Sunday or another day of the week, by either a pastor

⁸²⁵ The sons: III. 421–425.

specifically called solely to that church or by a neighbouring Lutheran pastor.

These 6,000 Albertus guilders shall remain permanently charged upon the estates of Kercklingen and Dobesberg as a perpetual endowment. The possessor of the estates shall always retain these 6,000 Albertus guilders upon the estates from the value of 32,000 Albertus guilders, since the estates shall remain perpetually mortgaged for that sum and may not be released from it by any device, contract, disposition, prescription, or in any other manner whatsoever.

Should any present or future possessor of the estates disregard this inalterable endowment established under the laws of this country and fail to ensure that divine service is conducted in the church at Kercklingen in accordance with our direction, then, as soon as this failure has continued for a year and a day, each of my descendants shall be entitled, and is hereby earnestly exhorted by me as a father, to compel the possessor of the estates, by invoking the territorial authorities and by the most summary procedure possible, to restore divine service in the prescribed manner.

The descendant who first undertakes this and succeeds in doing so shall receive 1,000 Albertus thalers in cash from the possessor of Kercklingen and Dobesberg. Should the same or any subsequent possessor of Kercklingen and Dobesberg later again contravene our direction, each of our descendants shall on every occasion be entitled and exhorted to proceed in the same manner and shall again receive 1,000 thalers from those estates. Nevertheless, the principal sum of 6,000 guilders and the obligation to maintain divine service and the church in the prescribed manner shall remain charged upon the estates for all time.

The estates of Leegen and Apsen were preserved for 40,000 Albertus guilders through the exercise of the preferential right belonging to my most esteemed wife. I therefore wish her to have complete freedom, in accordance with whatever future circumstances may arise, both to determine who shall possess the estates and the price at which they shall be taken over, and, should she consider it more advantageous, to sell them again entirely.

Whatever disposition my dearly beloved wife may make concerning my remaining outstanding funds, whether during her lifetime or by a last will, shall remain permanently valid. Should she, however, depart this temporal life without leaving a last will, then, in all remaining property which may still exist after her blessed death, the sons shall in every case receive a double share and the daughters a single share, without distinction between paternal and maternal property.

My wife shall also gradually give to her dearly beloved children such portions of the furniture and movable property as they may require. I grant her complete authority over this and add only that, should she die without leaving a disposition, all movable property and livestock, except the livestock belonging to the estates, shall be divided in equal shares among all the children. Before such division, my eldest sons and daughters, should they still wish to participate in the movable property, shall bring into account whatever each of them has already received in movable property.

Should it please the divine goodness to prolong my life until my beloved daughters marry, they shall not be required to bring into account anything received for wedding jewellery and their trousseaux, unless they have already received from me personally their shares of the outstanding monies and movable property.

For those who remain unmarried, my most esteemed wife shall, insofar as the interest from the daughters' own capital is insufficient, provide from my remaining property a free wedding and trousseau, or shall make a definite provision for this purpose upon her death. She shall likewise give each of my youngest sons who travels and studies 1,000 Albertus thalers in advance.

I do not anticipate that my most esteemed wife will remarry after my death. Should this nevertheless occur, so that a separation between her and my beloved children in respect of my estate becomes necessary, she shall request the appointment of faithful guardians for them. In that event, she shall be entitled to enjoy

those advantages belonging to a noble widow under the laws and customs of Courland, insofar as they are founded therein. In all other respects, the provisions which I have made for the event that she should leave no disposition shall remain in force.

Since I have always intended to preserve my hereditary estates for all future time among my male and female descendants, I have for that reason conveyed my hereditary estates of Creutzburg and Susten to my eldest son for the moderate price of 45,000 Albertus guilders and assigned Kercklingen and Dobesberg to the younger son for 33,000 Albertus guilders.

Accordingly, and as I have already reserved in the instrument conveying the inheritance to my eldest son, the estates assigned to my sons shall remain permanently within my family. So long as the male and female descendants of my two eldest sons exist, these estates shall always be taken over by the person next entitled to inherit according to the degrees of kinship for the respective sums of 45,000 and 33,000 Albertus guilders: Creutzburg and Susten for 45,000 Albertus guilders, and Kercklingen and Dobesberg for 33,000 Albertus guilders.

Should the descendants of either son become entirely extinct, the estates shall never pass to a stranger outside my descendants. Even if, by reason of proximity of degree, a collateral relative outside my descendants should inherit from the deceased possessor of the estates, that relative shall receive from these estates only the price or sum fixed upon them. The estates themselves shall immediately pass, for the same respective sums of 45,000 and 33,000 Albertus guilders, and without any additional allowance or accounting for improvements, to whichever of my remaining descendants is most closely related to the last deceased possessor.

No distinction shall be made between the male and female lines except that, where male and female heirs who, under the order of succession and the *jus repraesentationis*, are related to the previous possessor of the estates in the same degree compete with one another, the male line shall, in accordance with the *Privilegium Nobilitatis* and thus with public law, take precedence over the female line in taking over the estates for 45,000 or 32,000 Albertus guilders.

Consequently, these estates may never, at any time, be burdened with debts exceeding the respective sums of 45,000 and 33,000 guilders, nor may they be alienated outside the family.

Should anyone be compelled by urgent necessity to alienate these estates, he shall offer them to those of my male and female descendants who, at the time of the intended alienation, would be next entitled after him to possess them. The nearest entitled person, or, should that person be unwilling, the next and so forth, shall take over the estates for no more than 45,000 and 33,000 Albertus guilders respectively, so that they shall continue to be preserved among my descendants at those same prices.

Finally, I exhort all my beloved children, after my death, to treat my surviving widow, as their faithful and loving mother, with constant love and respect, so that it may go well with them upon earth. I pray that the great and bountiful God may bless what my dear surviving family inherits from me, so that it may increase many thousandfold.

I most submissively request the high and supreme territorial authorities permanently to uphold this my last will, which shall be valid as a disposition made by a father among his children, as a codicil, or as a *fideicommissum*. I also direct that, after my death, authentic copies of this last will shall be deposited in the Courts of First Instance.

In witness thereof, I have signed this testament in my own hand on every page and sealed it at the end, together with the gentlemen requested as witnesses.

Done at Friedrichshoff on 27 June 1754.

(L. S.) Friedrich Casimir von Kleist

my own hand and seal.

(L. S.) Johann Ernst von Sacken

as witness requested for this purpose by the testator.

(L. S.) Christopher Heinrich Stromberg

as witness requested for this purpose by the testator.

(L. S.) Friedrich Wilhelm Renner

as witness requested for this purpose by the testator.

On 21 August 1784, this testament was produced before the records of the Ducal Court of First Instance at Goldingen and, pursuant to the express consent contained therein and the wishes of the late well-born testator, was duly entered in full. For its greater security and inviolable preservation, it was confirmed with the seal of the High Princely Court of First Instance and with my own signature.

Actum ut supra.

(L. S. Ducal.) Joh. Bertram Friedrich Recke

Ducal Court of First Instance at Goldingen,

Secretary, mpp.

689.

1756. Friedrichhof. 22 April.

Friedrich Casimir von Kleist⁸²⁶ of Leegen and Apsen conveys the estates of Leegen and Apsen in Courland to his son George Christopher von Kleist as a family entail for 25,000 Albertus guilders.

From a copy in the Leegen Estate Archives.

In the Name of God

Be it hereby known to all whom it concerns and who need to know it that, on the date written below, the following hereditary conveyance and agreement concerning the estates of Leegen and Apsen was negotiated, approved, and concluded between the high and well-born Friedrich Casimir von Kleist, hereditary lord of Leegen and Apsen, on the one part, and his son, the likewise high and well-born George Christopher von Kleist, on the other part.

1. The high and well-born Friedrich Casimir von Kleist hereby, and by virtue of this instrument, cedes and transfers to his dearly beloved son, the high and well-born George Christopher von Kleist, his hereditary estates of Leegen and Apsen, as they lie within their proper boundaries and have hitherto been peacefully possessed and enjoyed by him, or could have been possessed and enjoyed.

The transfer includes the entire peasantry now residing there or perhaps living elsewhere and thus unlawfully removed, both male and female, none excepted; likewise all livestock now present there and all movable property and livestock situated there, of which the local administrator holds the inventory. The revenues in store from the estates which the people of Leegen and Apsen remain obliged to transport are, however, not included.

It further includes all appurtenances and dependencies, rights and privileges belonging to the estates,

⁸²⁶ III. 338, 424.

consequently also the *jus compatronatus* in the church at Derben and all other noble liberties and rights, nothing whatsoever excepted.

He conveys all the same to his dearly beloved son as hereditary and absolute property for the sum of 25,000 Albertus guilders, in such manner that he will deliver the estates to him in actual beneficial possession on St John's Day of the present year 1756. In the meantime, by delivering this instrument of hereditary conveyance, he hereby places and constitutes him now as then, and then as now, in the lawful hereditary and absolute possession of the estates and all their appurtenances and dependencies.

2. Of these 25,000 Albertus guilders, the high and well-born Friedrich Casimir von Kleist leaves and grants to his son the sum of 20,000 Albertus guilders, in such manner that he may retain and enjoy it from St John's Day of the present year as part of his future inheritance.

For the remaining sum of 5,000 Albertus guilders, the son shall issue on St John's Day of the present year an unconditional obligation and mortgage deed, with the *reservatio juris dominii* until payment of these 8,000 Albertus guilders.

3. Since the high and well-born Friedrich Casimir von Kleist, in accordance with his own will and that of his late wife, has long intended to preserve his hereditary estates for all future time among his male and female descendants, he has for that reason conveyed to his fourth son, at the moderate price of 25,000 Albertus guilders, these hereditary estates of Leegen and Apsen, which were purchased in the names of his late wife, the high and well-born Agnesa von Kleist, née von Korff, and himself, but solely with his own funds.

Accordingly, these estates shall remain permanently within the family of the high and well-born Friedrich Casimir von Kleist. So long as male or female descendants of the high and well-born George Christopher von Kleist exist, the estates shall always be taken over by the person next entitled to inherit according to the degrees of kinship for the sum of 25,000 Albertus guilders.

Should his descendants become entirely extinct, the estates shall never pass to a stranger outside the descendants of the high and well-born Friedrich Casimir von Kleist. Even if, by reason of proximity of degree, a collateral relative outside those descendants should inherit from the last deceased possessor of the estates, that relative shall receive from these estates only the fixed price of 25,000 Albertus guilders.

The estates themselves shall immediately pass, for the same sum of 25,000 Albertus guilders and without any additional allowance or accounting for improvements, to whichever male or female person among the remaining descendants of the high and well-born Friedrich Casimir von Kleist is most closely related to the last deceased possessor.

No distinction shall be made between the male and female lines except that, where male and female heirs who, under the order of succession and the *jus repraesentationis*, are related to the previous possessor of the estates in the same degree compete with one another, the male line shall, in accordance with the *Privilegium Nobilitatis* and thus with public law, take precedence over the female line in taking over the estates for 25,000 Albertus guilders.

Consequently, these estates may never, at any time, be burdened with debts exceeding the sum of 25,000 Albertus guilders, nor may they be alienated or inherited outside the family.

Should anyone be compelled by urgent necessity to alienate the estates, he shall offer them to those male and female members of the von Kleist family who, at the time of the intended alienation, would be next entitled after him to possess them. The nearest entitled person, or, should that person be unwilling, the next and so forth, shall take over the estates for no more than 25,000 Albertus guilders, so that they shall continue to be preserved within the family at that same price.

The high and well-born Friedrich Casimir von Kleist has accordingly not only bound his eldest son, the high and well-born Ernst Nicolaus von Kleist,⁸²⁷ upon the conveyance of the estates of Creutzburg and Susten for 45,000 Albertus guilders, and likewise his second son, the high and well-born Christian Ewald von Kleist, upon the conveyance of the estates of Kercklingen and Dobesberg for 33,000 Albertus guilders, to preserve those estates within the family in the same manner, but also reserves the right, should he acquire any further hereditary estates in the future, similarly to bind whichever of his children he may wish to receive them.

4. Should any documents be found in the deed chest of Leegen and Apsen which might assist the possessors of the other estates, namely Creutzburg, Susten, Kercklingen, and Dobesberg, in any matter, the possessor of Leegen and Apsen shall at all times remain obliged to assist them with such documents. The high and well-born Ernst Nicolaus von Kleist has likewise undertaken this obligation according to the instrument of 26 July 1748, and the high and well-born Christian Ewald von Kleist according to the instrument of hereditary conveyance of 24 June 1755.

5. Although those children of the high and well-born Friedrich Casimir von Kleist who may one day wish to become his heirs are, under the law, the circumstances of this matter, and the declared intention of their late mother, in any event not entitled in any manner to challenge the hereditary conveyance of these estates to the high and well-born George Christopher von Kleist for 25,000 Albertus guilders, even though they had been purchased in their late mother's name for 40,000 guilders, the high and well-born Friedrich Casimir von Kleist nevertheless additionally binds all his children who wish to become his heirs to warrant this present hereditary conveyance to his fourth son.

6. Both parties renounce in the strongest and most legally binding manner all and every objection which might be raised against this agreement, particularly the objections of injury, persuasion, reverential fear, or that the matter was understood or transacted otherwise than described herein; the beneficium of restoration to the former condition; the protestatio per oblatum; and all other exceptions and legal benefits, by whatever names they may be known, together with the rule of law that a general renunciation is invalid unless preceded by a particular renunciation.

All without fraud or deceit.

In witness thereof, two copies of identical wording of this instrument have been drawn up and signed and sealed in their own hands by both parties and the gentlemen requested as witnesses. For its permanent observance, corroboration upon the acknowledgment hereby made has also been approved.

Done at Friedrichshof on 27 April 1756.

(L. S.) Friedrich Casimir von Kleist

my own hand and seal.

(L. S.) George Christopher von Kleist

my own hand and seal.

(L. S.) Dietrich Keyserlingk

as a witness requested for this purpose.

(L. S.) Christopher Alexander Taube

as a witness requested for this purpose.

(L. S.) Johann Ernst von Sacken

as a witness requested for this purpose.

⁸²⁷ III. 421, 422.

On 26 June 1756, the foregoing instrument was produced before the records of the High Princely Court of First Instance at Goldingen and, pursuant to the acknowledgment and consent stipulated therein, was duly incorporated into those records. For its permanent and inviolable observance, it was confirmed and corroborated with the seal of the Court of First Instance and with my signature as secretary.

Actum ut supra.

(L. S.) Christopher Gottlieb Fabricius

Ducal Court of Goldingen,

Assistant Secretary.

689a.

Vassal Table of 1756.

Source: Registers and Lists of the Pomeranian Knighthood from the Fourteenth to the Nineteenth Century, edited by Robert Klempin and Gustav Kratz, Berlin 1863, pp. 344 ff.⁸²⁸

Abbreviations: B. = brother; S. = son; LH. = land hides; Lpf. = feudal horses.

II. Combined Belgard and Polzin District.

8. Gotthilf Christian, retired lieutenant colonel, at Redel. — (Wuhrow, 2 109/160 LH.; Redel.)

S. a. Gotthilf Christian Ernst, aged 9.

b. Bogislaf Christlieb, aged 7.

9. Franz Lorenz, aged 43, retired captain, formerly with the Bayreuth Dragoons. — (Gr. Tychow, 7 1/2 LH.)

B. a. Dionys. Wilhelm, aged 38, captain with the artillery in Breslau.

b. Rüdiger Christian, aged 32, lieutenant with Canitz in Schippenbeil.

S. a. Otto Friedrich, aged 7.

b. Hans Jochem, aged 4.

10. Son of the late Captain Casimir,⁸²⁹ aged 47. — (Mandelatz, 2 LH.)

S. Casimir, aged 2, in Gr. Glogau.

11. Heirs of the late Bernd. — (Schmenzin, 4 1/4 LH.)

S. a. Friedrich Jochem, aged 26, ensign with Alt-Schwerin in Frankfurt.

b. Alexander Jürgen, aged 24, ensign with Truchsess in Cüstrin.

c. Franz Heinrich, aged 21, non-commissioned officer with Margrave Heinrich in Frankenstein.

12. Christoph,⁸³⁰ aged 34. — (Warnin, 3 LH.; Gr. Voldekow, 4 LH.)

S. Felix, aged 3.

13. Ulrich, aged 45, major in the Guard and aide-de-camp to the King. — (Drenow, 2 LH.; Ballenberg, 3 1/8 LH.; Zwirnitz, 6 9/160 LH.)

⁸²⁸ For the genealogical overview, see above, 684a. The young children are for the most part not yet listed there.

⁸²⁹ II. 119 Casimir Henning, † 1755; son: 163 Georg Heinrich, * 1753.

⁸³⁰ III. 536, born 1719; the son born 1746. (2014)

- B. a. Christian, aged 49, Danish chamberlain and chapter bailiff in Rendsburg.
- b. Carl, aged 48, major with Derschau in Burg.
- c. Friedrich, aged 44, Danish captain in Copenhagen.
14. Adam Heinrich, aged 41, retired non-commissioned officer, formerly with Treskow. — (Kiekow, 3 1/2 LH.)
- S. Bernd Wilhelm, aged 6.
15. Ewald Friedrich, aged 38, captain in the garrison regiment in Silesia. — (Muttrin, 2 LH.; Döbel, 4 LH.)
16. Heirs of the late Lorenz Christian. — (Kr. Voldekow, 1 1/4 LH.; Schwelin, Kr. Fürstenth.)
- S. a. Andreas Jochim, aged 50, retired lieutenant, formerly with Platen; lives in Poland.
- b. Reimar, aged 47, retired cavalry captain, formerly with the Carabiniers.
17. Peter, aged 34. — (Muttrin, 2 LH.; Döbel, 1 LH.)
- B. a. Jacob Henning, aged 36, lieutenant in Prussia.
- b. Adam, aged 27, ensign with Alt-Württemberg in Berlin.
- c. Friedrich, aged 24, non-commissioned officer there.
18. Hans Jochem, aged 35, retired lieutenant, formerly with Rochow. — (Zatkow, 4 LH.)
- S. Ernst Friedrich Leopold, aged 4.
19. Nicolaus Valentin, aged 34,⁸³¹ captain with Schultz in Breslau. — (Damen, 4 1/2 LH.)
- B. Christoph, aged 44, lieutenant with Manteuffel in Prussia.
20. Lorenz Heinrich,⁸³² aged 67, lieutenant in the garrison regiment in Stettin. — (Without an estate.)
21. Friedrich Wilhelm, aged 41, lieutenant with Meyerinck in Berlin. — (Kl. Dubberow, 5 LH.; Gr. Dubberow, 1 1/2 LH.; Boissin, 1 1/4 LH.)
- B. Jochem Heinrich, aged 42, lieutenant with Bredow in Halberstadt.
22. Eckard Wilhelm, aged 64. — (Ristow, 5 1/4 LH.)
23. Friedrich Carl, aged 30, lieutenant in a garrison regiment in Silesia. — (Damen, 4 LH.)
24. Heirs of the late Jochem Ewald. — (Woldisch-Tychow, 7 1/2 LH.)
- S. a. Jochem Rüdiger, aged 34, lieutenant with Alt-Schwerin in Frankfurt.
- b. Friedrich Valentin, aged 31, lieutenant with Schultz in Breslau.
- c. Otto Friedrich, aged 22, cadet in Berlin.
25. Christian Wilhelm, aged 72, retired Danish lieutenant. — (Dimkuhlen.)
- S. a. Ernst Ewald, aged 40, captain with Franz Braunschweig in Soldin.
- b. Hans Sigismund, aged 38, captain with Winterfeld in Berlin.
- c. Jochem Wilhelm, aged 37, captain with Württemberg in Berlin.
- VI. Principality of Cammin.

⁸³¹ The stated age is incorrect. III. 527, born 1713. Elder brother of Johann Gottlieb Christoph. (2014)

⁸³² Judging from the date of birth and the given names, this is III. 294, born 1688, who in 1737 became bankrupt with his estates Damen a and Nemmerin. Date of death unknown. (2014)

47. Lorenz,⁸³³ aged 46, captain with the Prince of Brunswick. — (Schwellin, 6 11/80 LH., 1/4 Lpf.)

48. Math. Reimar, aged 53, captain in Prussia. — (Zeblin, 25/40 LH., 1 Lpf.)

S. a. Otto Rudolf, aged 16, officer cadet with the Prince of Brunswick.

b. Emanuel, aged 14.

49. Martin Jürgen, aged 37, lieutenant. — (Reckow, 4 39/40 LH., 1/2 Lpf.)

VII. Combined Greifenberg District.

30. Jacob Heinrich, aged 40, retired lieutenant, formerly with the Möllendorf Dragoons, having served for 15 years. — (Poherow, 8000.)

S. Ludwig Leopold Georg, aged 3.

X. Neu-Stettin and Gramentz von Glasenapp Combined District.

28. Friedrich Wilhelm,⁸³⁴ aged 38, at Kiekow, Belgard district; has two sons, aged 2 and 6. — (Plietnitz, Grünhof, Barkenbrügge, repurchased from the von Bonin family for 8000.)

29. Bugslaf,⁸³⁵ aged 33, lieutenant with Brandeis; has one son, aged 1 1/4. — (Raddatz, Pankow, Schneidemühl, Klingbeck, 35000.)

30. Heinrich Alexander,⁸³⁶ aged 44, major with Kalckstein; has one son, aged 6. — (Zamenz, Juchow, 8000.)

31. Ernst Georg, aged 37, War Councillor. — (Dallentin.)

32. Widow of Captain Christoph Ewald. — (Dolgen, 8000.)

S. Christoph Felix, aged 12.

XIV. Regenwalde and Labes Borcken District.

33. Bogislaus,⁸³⁷ aged 37, lieutenant at Liegnitz, 18 years in service. — (Gr. Radow, Vogelsang 1/4, Wolkow 1/2, 13000.)

S. Sigmund Bogislaus Friedrich, aged 2.

XVII. Combined Schlawe and Pollnow District.

18. Carl Friedrich,⁸³⁸ aged 55, retired colonel of the Guard; lives in Saxony. — (Segentin; also estates in Saxony.)

19. Martin Rüdiger, aged 74, at Symbow. — (Without estates.)

S. a. Martin Heinrich, aged 39, lieutenant with Manteuffel.

b. Christian Ludwig, aged 36, lieutenant with Manteuffel.

c. Adolf, aged 27, ensign.

d. Felix, aged 25, ensign.

⁸³³ Schwellin from 1746: III. 486 Hans Bernd, † 1755.

⁸³⁴ The estates listed in parentheses were brought into the marriage by the wife of III. 403 Adam Heinrich.

⁸³⁵ IV. 64.

⁸³⁶ IV. 48 Henning Alexander.

⁸³⁷ IV. 64.

⁸³⁸ II. 129 Carl Wilhelm, * 1707.

20. Ewald Georg, aged 56, major general and commandant of Fort Preussen near Neisse. — (Wend. Tychow.)

21. Ewald Friedrich, aged 37, captain with Prince Friedrich. — (Nemitz, Rattaick.)

B., lieutenants in Silesia:

a. Martin Georg.

b. Hans Jochim.

XVIII. Stolp District.

30. Peter Georg, aged 72, retired Imperial captain. — (Wendisch-Carstnitz and Rambow, 7500.)

S. a. Wilhelm Christian, aged 21, non-commissioned officer with Kleist.

b. Franz Georg, aged 17, cadet in Berlin.

c. Claus Ludwig, aged 16, cadet in Berlin.

d. Ewald Heinrich, aged 14, cadet in Berlin.

e. Otto Bogislaf, aged 13, cadet in Berlin.

31. Georg, aged 39, captain with Prince Heinrich. — (Ruschitz, 12000.)

690.

1758. Dresden. 15 June.

Establishment of the Count von Loß entail—now the Count von Kleist vom Loß⁸³⁹ entail—of Hirschstein, Naundorf, and Naunhof in Saxony.

From a copy of the original.

In the Name of the Most Holy Trinity. Amen!

Whereas I, Johann Adolph Count von Loß, and I, Erdmuth Sophia Countess von Loß, née von Dießkau, executed a reciprocal testament on 4 July 1732, in which we appointed one another universal heirs to all the property which we might leave behind, which testament shall remain entirely unaltered; and whereas we now also consider it necessary to determine to whom our property shall pass after the death of the last surviving spouse; and whereas we have fixed our attention upon Johann Adolph Count von Loß, Royal Polish and Electoral Saxon Chamberlain and Councillor of the Court and Judiciary, the only son of Christian Count von Loß, Royal Polish and Electoral Saxon Conference Minister and Privy Councillor, who is the dearly beloved brother of me, Johann Adolph Count von Loß:

We hereby appoint him, *titulo institutionis honorabili*, true and sole heir to all the property of both of us, whether immovable or movable, consisting of ready money, outstanding claims, or anything else whatsoever, present or future, nothing excepted, so that after the death of the last surviving spouse he may and shall take possession of it as his own property.

Since, however, our purpose in this matter is the preservation of the comital von Loß family, we designate from our property a sum of 150,000 thalers as a true fideicommiss and entail. To secure these 150,000 thalers, or *quoad summam concurrentem*, we designate the estates of Hirschstein, Naundorf, and Naunhof, together with the house situated here in Kreuzgasse, or any estates and landed properties which we may acquire either in place of the present ones or in addition to them.

⁸³⁹ First Count Kleist vom Loß, II. 205.

After the death of our heir and nephew, Chamberlain Count von Loß, his eldest legitimate son shall alone succeed to the entail, to the exclusion of all his other children of either sex. After that son's death, his eldest son shall again succeed alone, and so on in infinitum for as long as legitimate sons are born of the male line. No compulsory share or supplementation thereof may be demanded from the entailed property, and still less may the Quarta Trebellianica be deducted from it.

The person succeeding to the entail must, however, adhere to the Augsburg Confession. Should the person who succeeds leave several children, he shall be at liberty, by a disposition charged upon the revenues of the estates assigned to the fideicommiss, to provide a fixed allowance for the others. If there are one or two children in addition to the heir to the fideicommiss, they may jointly receive 1,500 thalers annually for their education until they attain majority; should there be more children, they may jointly receive 2,000 thalers annually until they attain majority.

The possessor shall also be permitted, should necessary circumstances arise, such as securing his wife's marriage portion, reciprocal settlement, and other obligations under a marriage contract, or in the event of misfortunes such as damage by fire, loss of livestock, and the like, to raise upon the aforementioned fideicommissary sum of 150,000 thalers and the estates and landed properties assigned to it an amount proportionate to the misfortune incurred, up to a maximum of 12,000 thalers. Should circumstances require it, he may raise a further 8,000 thalers for the same purposes, although these latter 8,000 thalers may be raised only after the Royal Polish and Electoral Saxon Territorial Government has first examined whether it is necessary to do so.

Once this total sum of 20,000 thalers has been secured upon the fideicommissary capital of 150,000 thalers, subsequent possessors shall not be at liberty to raise either the same or any additional amount upon it. So long as these 20,000 thalers have not been repaid, nothing further may be secured upon the property.

With particular regard to the house here in Kreuzgasse: since it might be more convenient for our heir and nephew or his descendants not to continue in possession of it, its sale shall be permitted, but only upon the condition that the purchase money is reinvested in another house here. That house shall then be included in the fideicommiss and entail in the same manner as the present house and shall be known as the Loß House.

Should a possessor of these fideicommissary and entailed estates and landed properties die without sons, the succession shall pass, subject to the same restrictions stated above, to the male comital von Loß agnate most closely related to the last deceased possessor. Should two or more be related to him in the same degree, the eldest among them shall succeed. Thereafter the succession shall continue in the same manner as prescribed above.

Should God, however, ordain that the male line of the Counts von Loß should become entirely extinct, the fideicommissary and entailed estates and landed properties shall pass to the eldest daughter of the last possessor and thereafter to her eldest son, and so forth. Should there be no daughters, they shall pass to the female cognate most closely related to the last deceased possessor; and should several be living in the same degree of relationship, to the eldest among them.

It is, however, our express will that the husband of the daughter or female cognate who succeeds to the estates and landed properties, whether she is already married when the succession opens or marries thereafter, shall also assume the name von Loß and bear the von Loß coat of arms. Otherwise she shall be excluded from the succession.

Should her male line subsequently become extinct, the same arrangement shall continue through her female descendants, and everything prescribed above concerning succession in the male line shall be deemed repeated here.

Should, by the will of God, the female line and family of von Loß adhering to the Augsburg Confession also

become extinct, succession to this fideicommiss shall pass to the descendants of Ernst Ludwig von Wilcke, Royal Polish and Electoral Saxon Chamberlain, in precisely the same manner and subject to all the conditions, clauses, provisions, and contents prescribed for the comital von Loß family and lineage.

Since this fideicommiss is restricted solely to the sum of 150,000 thalers, our heir and nephew shall be free to dispose of the remainder of the property. We nevertheless direct him to pay his sister, Christiane Wilhelmine Countess von Loß, 10,000 thalers, which we hereby bequeath to her as a legacy, six months after the death of the last surviving spouse.

We furthermore reserve the right, either jointly or for whichever of us survives the other, to make additional legacies by codicil or another disposition, which our heir shall likewise be obliged to perform.

We repeat that our beloved nephew and heir, Chamberlain Count von Loß, shall have no right to take possession of anything until after the death of both of us. After the death of one of us, he shall not be entitled to demand an inventory or specification, still less any security, from the surviving spouse. He shall instead be satisfied with the estate in immovable and movable property, outstanding claims, and so forth as it exists after the death of the last surviving spouse.

We shall at all times remain free to make alterations to our estates, to alienate or mortgage them, and generally to manage and dispose of our entire property as we see fit, since we do not wish our hands to be bound in the least by this present disposition.

It is likewise our will that, after both of us have died, this testament shall be confirmed with respect to the fideicommiss and entail contained therein. The Royal Territorial Government is hereby requested to arrange such confirmation ex officio should, contrary to expectation, our nephew and heir fail to apply for it, and to order that the same be done by the competent authority with respect to the house included therein.

Either of us shall also remain free, after the death of the other, to have the confirmation obtained by the surviving spouse.

Although we trust one another that, following the death of one of us, the surviving spouse will leave this testament unaltered and make no further disposition mortis causa except insofar as a right to do so has been reserved herein, we nevertheless expressly bind ourselves accordingly; and I, Erdmuth Sophia Countess von Loß, do so with my duly confirmed curator, in vim pacti.

Finally, should this our last will, the contents and clauses of which have been clearly explained to me, Erdmuth Sophia Countess von Loß, not be valid as a formally executed testament, it shall nevertheless have the force of a fideicommiss, codicil, or another legally valid form of disposition.

In witness thereof, we have signed it in our own hands and affixed our hereditary seals.

Done at Dresden on 15 June 1758.

(L. S.) Johann Adolph Count von Loß.

(L. S.) Erdmutha Sophia Countess von Loß, née von Dießkau.

(L. S.) Dr Johann Daniel Kettner, as curator of Her Excellency the Cabinet Minister Countess von Loß.

Should any descendants of Rudolph von Loß, the deceased eldest brother of me, Johann Adolph Count von Loß, still exist, it is our earnest will and intention that they shall never succeed to this fideicommiss but shall be entirely excluded from it.

Datum ut supra.

(L. S.) (L. S.) (L. S.) (the same signatures).

1772. Metelow. 30 January.

Establishment of the von Retzow entail—now the von Kleist-Retzow entail—of Möthlow in the Havelland.

From copies in the Groß Tychow and Kiekow Archives.

In the Name of the Triune God.

Having, by the grace of the Most High, reached an advanced age, accompanied by bodily weakness which increases daily, I am fully mindful of my mortality. Since I do not know when or at what hour the Lord over life and death will command me and transfer me from mortality into blessed eternity, I have wished, while there is still time and while I remain of sound mind, to set my house in order and record my last will in writing.

First, when my soul leaves its mortal covering, I commend it into the gracious hand of God, my heavenly Father. As the greatest of all sinners, I lay myself in the wounds of Jesus Christ, my Redeemer, who became the atonement for me upon the Cross, and humbly pray that He will graciously receive my soul and allow it to enter into the inheritance of the saints in light.

Relying upon my Saviour's precious promise that whoever believes in the Son shall not perish, I hope for mercy and grace and humbly pray that God will strengthen me in this confidence until the end of my life and grant me courage to approach my death with a trusting heart, for the sake of Jesus Christ.

I commend my lifeless body to the earth, which is the mother of all, and direct that it be laid to rest in the family burial place here without any unnecessary display.

As regards my temporal property, my disposition is as follows:

Since I know well, and have been instructed by the law, that the foundation of a valid testament consists in a proper *haeredis institutio*, or appointment of heirs, I hereby institute and nominate all my three dear children, namely:

1. Friedrich August von Retzow, hereditary lord of Bellin;
2. Wilhelm Leopold von Retzow;
3. Maria Charlotte, married von Kleist;⁸⁴⁰
4. Friederica Albertina, married von Möllendorff;

and, should they not survive me, their legitimate bodily heirs, my dear grandsons and granddaughters, *titulo institutionis honorabili*, as the true and sole heirs of all my present and future property, subject, however, to the following restrictions and provisions:

1. My children, and particularly my sons, will still be well aware and remember that it was always the will and intention of their late father and my husband that the estate of Metelow should remain within his family and should not pass into foreign hands. With that intention, I purchased the estate for myself in the insolvency proceedings concerning my younger son's property and therefore possess full power to dispose of it.

After mature deliberation, I have resolved to fulfil and uphold my late husband's intention by directing that, in order to preserve this estate within the family, a sum of 20,000 thalers shall remain permanently invested in it as a principal fund and shall pass with the estate to its possessor as an entail. The eldest son who assumes the estate of Metelow shall alone have the benefit of this sum, and the estate shall always pass

⁸⁴⁰ III. 431.

as an entail to the eldest of the sons, to the exclusion of the others.

2. In order to establish this more clearly and to prevent differing interpretations in the future, it is my will, and I hereby direct, that since my entire property, including the estate of Metelow and my outstanding capital claims, presently amounts to 69,877 thalers, while my debts amount to 33,000 thalers, leaving net property of only 36,877 thalers, the sum of 20,000 thalers shall remain undivided in the estate for the purposes of the entail.

The remaining 16,877 thalers, after deduction of the legacies specified below, shall be divided into four equal portions among all four of my children and paid to them after my death.

I nevertheless will and hereby direct that my younger son, Wilhelm Leopold von Retzow, shall never receive the capital falling to him under this disposition or have any power to dispose of it. During his lifetime he shall receive and enjoy only the interest upon it, together with the interest from the feudal principal fund. The capital itself shall remain in the estate for as long as he lives and his children are minors. The highly esteemed Guardianship Board shall then appoint a capable guardian for them, and the capital may be paid out when they attain their majority.

3. My eldest son shall therefore take over, possess, and retain the estate of Metelow, together with the existing livestock and agricultural inventory and all improvements incorporated therein, at a value of 50,000 thalers.

From this sum he shall first deduct the entailed amount of 20,000 thalers, then his own inheritance portion, and the 3,000 thalers concerning Zabackuk which have been left at his free disposal. Whatever remains payable after deducting the capital which is to remain in the estate for my son, partly as the feudal principal fund and partly as his inheritance portion, shall be applied to the discharge of the liabilities.

My daughters may receive their portions from the outstanding claims, and whatever then remains may likewise be applied to the discharge of the debts and the payment of the legacies.

4. Should my eldest son leave sons, the eldest of them, who shall bear the name Wolf Friedrich, shall likewise possess the estate of Metelow alone upon the terms stated above. He shall pay to his remaining brothers only as much as remains from the 30,000 thalers after deduction of the entailed amount of 20,000 thalers, any debts then existing, and his own share of the inheritance.

5. Should my eldest son die without leaving sons, the eldest existing son of my younger son Wilhelm Leopold, who must likewise bear the baptismal names Wolf Friedrich, shall possess the estate of Metelow as an entail. He shall alone receive the capital of 20,000 thalers as the principal fund of the entail, to the exclusion of all his other brothers, who shall participate only in whatever portion of the remaining 30,000 thalers falls to them.

6. Should both of my sons die without male heirs, it is my will that this entail shall pass to the second son of my daughter married von Möllendorff. Without prejudice in any manner to his own family rights and name by this assumption, he shall additionally adopt the name Retzow. He shall pay to the heirs of his deceased uncles no more than what remains of the 30,000 thalers after deduction of the liabilities.

Should this son of my daughter die before this eventuality arises and leave no sons of his own, his third brother shall take his place and, upon assuming the family name von Retzow, succeed to this entail in the manner described above.

Should that brother likewise no longer be living and have no sons, the son of my eldest daughter, married von Kleist, who follows her eldest son, and, should he have died without sons, her third son, shall possess and take over the estate of Metelow in the manner described above.

7. Should none of these sons of my daughters or their sons be living when the succession opens, or should

none of them be willing to assume the name von Retzow, the entail shall pass to the sons of the feudal cousins of the House of Retzow. The eldest shall always succeed, provided that he marries a daughter of the House of Metelow.

8. I am convinced that by establishing the foregoing I prejudice my children in no respect, since it is done solely to preserve the worthy memory of their late father and is intended to uphold the prosperity of the family.

I therefore cannot imagine that any of them will be displeased by it or even attempt to overturn this disposition, thereby forfeiting the blessing of God and my maternal blessing. Should any of them nevertheless attempt or undertake to do so, that person shall be restricted solely to his or her compulsory share and shall be entirely excluded from the emoluments of the entail.

9. Should I die before the end of the agricultural year, everything remaining in the barns, granaries, or elsewhere shall first be converted into money for the benefit of my eldest son, since every beginning is difficult and a few hundred thalers more or less will not be of great consequence to any of the others. Out of brotherly and sisterly affection, they will therefore attach no importance to it.

10. My eldest son would also be well advised then to sell his estate of Bellin and apply the proceeds to the payment of the debts upon the estate of Metelow.

11. All my children may peacefully divide among themselves the remainder of my movable estate, of whatever it may consist, with the exception of the items concerning which I make a disposition below.

12. I entirely exclude my house in Brandenburg from my estate and reserve the right to dispose of it for the benefit of the poor, concerning which the memorandum that I shall leave under my own hand will contain further particulars.

Should the gracious God prolong my years, I reserve the right to alter and improve this testament as I see fit. I expressly direct that all memoranda which may be found among my papers under my hand and seal, or merely bearing my signature, or which I may deposit with another person, shall have the same force and binding effect as though they had actually been incorporated into this testament.

13. My legacies, apart from the house, are as follows:

Miss Charlotta von Möllendorff shall receive the five panels of tapestry sewn by my own hand, upon the condition that she completes the furnishing.

Carl von Möllendorff shall receive the gold snuffbox which his father gave me.

My foster daughter Charlotte Louise Lindenberg shall receive 500 thalers for her trousseau and needs. This sum shall be invested at interest, and the interest shall be accumulated and added to the principal until she attains majority.

She shall further receive my large black gros de Tours dress and the cotton dress; a fully furnished bed together with the bedstead and the brown printed-cotton curtains; likewise the oak chest which runs upon rollers, with everything contained in it and everything which I or others have given her during my lifetime.

My cook of many years, Pilger, shall receive 200 thalers, and Miss Lüdicke 100 thalers. The latter shall also receive my small black gros de Tours dress, the complete bed in which she sleeps, together with my everyday clothing and linen.

I further commend my foster daughter to my eldest son, asking him to retain her in his household and, as his foster sister, continue to provide her with proper maintenance at his table and in his house until she either marries in a suitable manner or, upon attaining majority, is able to take a position.

I am so fully convinced of the faithfulness and honesty of my chambermaid and housekeeper, Miss

Lüdicke, that I would vouch for her honesty and fidelity even from the grave. Since she also possesses a complete knowledge of the household here, I would be pleased, and consider it advantageous for my son, if he retained her as housekeeper for a reasonable salary for as long as it suits her to remain.

My lackey and coachman shall retain their two sets of livery, and the former shall also receive a full year's wages after my death, although without board.

As I hereby conclude my last will, nothing further remains for me than maternally to commend to all my dear children filial obedience toward it, once more earnestly to exhort them to love and harmony, and from the depths of my soul to bestow my maternal blessing upon each and every one of them.

I also sincerely wish that God may bless them and their descendants in body and soul with every beneficial happiness and well-being, and that I may see them again in the glory to come.

Should this testament not be capable of being regarded as a formally executed testament, it is my will that it be regarded as a codicil, fideicommiss, other last will, or maternal disposition, in whatever manner it may most properly be valid and upheld under the law.

For this purpose, I implore the high territorial colleges, after my—God grant it—blessed death, to uphold it firmly, securely, and inviolably and to permit no alterations therein.

In witness and true confirmation thereof, I have caused it to be recorded in the present instrument. After carefully reading everything beforehand and finding it entirely in accordance with my true intention and meaning, I signed and sealed every page in my own hand and delivered it, sealed, to the local court as a Testamentum Judici oblatum in the presence of two witnesses requested for that purpose, so that it might be preserved among the court records until my death and duly published after my blessed departure from this world.

Done at Metelow on 30 January 1772.

This is my last will.

(L. S.) Charlotte Louise, Widow von Retzow, née Roeseler.

691a.

List of Vassals of the Polish Nobility in West Prussia Who Swore Allegiance to Prussia in 1772.

From the homage records held in the Royal Privy State Archives in Berlin⁸⁴¹

The nobility swearing allegiance from the Voivodeship of Pomerelia.

A. The Catholic secular nobility.

119. The nobility of the District of Schlochau

von Kleist, Franz,⁸⁴² captain, and von Kleist, Friedrich, captain.

The nobility swearing allegiance from the Netze District,

I. From the part formerly belonging to the Voivodeship of Posen.

C. The Protestant secular nobility.

von Kleist,⁸⁴³ wife of a captain, in Brzozek.

⁸⁴¹ History of the Polish Nobility, E. v. Zernicki-Szeliga, Hamburg 1905.

⁸⁴² III. 591, 590.

⁸⁴³ III. 458, third wife, née v. Oesterling.

691b.

List of Vassals of Konitz County from the Year 1774⁸⁴⁴

compiled by District Administrator von Weiher

v. Kleist, Franz (60), retired captain (deceased). Estate: Krummensee (Wg). Sons: Wilh. Franz (9) and Karl Friedr.⁸⁴⁵ (2), with their grandfather and guardian, Baron v. Rotenhof sen., in Peterkau. —

v. Kleist, Franz⁸⁴⁶ (32), retired lieutenant. Estate: Schönwerder (Wg).

691c.

Extracts from Land Registers in Polish Prussia⁸⁴⁷

Extracts from the land and mortgage registers of Konitz County.

1259. Crummensee, Schlochau County.

A. Partly Georg Ludwig v. Wranke-Deminski, partly v. Kleist; then by inheritance, or from 1742, Egidius Ewald v. Kleist;⁸⁴⁸ from 1767 Dionisius v. Dorpowski. — Mortgage creditors: Anna Maria née v. Blankenburg, wife of Egidius Ew. v. K.; Elisabeth, married v. Wieckowska, their daughter; Anna Rosina née v. Jagwitz, wife of Dionisius v. Dorpowski, and their seven named children.

B. v. Kleist;⁸⁴⁹ then his son Christian Henning v. Kl.; from 1764 the latter's son Friedr. Wilh. v. Kl., after partition with his brother Franz Christian Bernhard v. Kl. and settlement with Gottfried v. W., the son of his sister Sophia Julianna, married v. Wedelstaedt; from 1772, Friedr. Wilh. v. Kl.'s sons Wilh. Franz and Karl Friedr. v. Kl., after settlement with their sister Margarete Karoline v. Kl.

1357. Schönwerder, Schlochau County.

Henning Christian v. Kleist;⁸⁵⁰ from 1764 his son Franz Christian Bernhard v. K., after partition with his brother Friedrich Wilhelm and settlement with his sister Ester Amalia, married v. Zakrzewska. — Mortgage creditors: Barbara Elisabeth Nast née v. Gockowska, daughter of Juliana née v. Lipinska; the brothers Wilhelm Franz and Karl Friedrich v. Kleist.

Extracts from the land and mortgage registers of Hirschau County.

1431. Klein-Katz; Wiczlin D, now Vitzlin, Neustadt County; Sulitz, Putzig County; and Heiligenbrunn, now belonging to Danzig. The Pustkowien of Bukwin—a locality that has disappeared and has now been replaced by Brauchitschhof—and Krückwald belong to Klein-Katz.

Ernst Bogislaw v. Krockow acquired Klein-Katz in 1730 from Andreas v. Borkmann; Wiczlin D in 1730, partly from Christian Ernst v. Ketrzynski and his wife Theresia née v. Tokarska, partly from Albr. v. Tokarski, and partly from Barbara v. Miszewska née v. Sluszevska and her son Albr. v. M.; Heiligenbrunn in 1770 from the brothers Andreas, Thomas and Karl Tympf and their mother Justina Elisabeth née

⁸⁴⁴ The Nobility and Noble Landed Property in Polish Prussia at the Time of the Prussian Takeover, Max Baer, Leipzig 1911, pp. 15, 17 (2017).

⁸⁴⁵ III. 590; correctly: Friedrich Wilhelm, sons 719 and 720.

⁸⁴⁶ III. 591

⁸⁴⁷ The Nobility and Noble Landed Property in Polish Prussia at the Time of the Prussian Takeover, Max Baer, Leipzig 1911. Members of the Kleist family who were mortgage creditors are not listed. (2017)

⁸⁴⁸ III. 458 and his second wife and a daughter.

⁸⁴⁹ III. 359, 456, 590, 591, 719, 720.

⁸⁵⁰ The same persons as under Crummensee B, beginning with III. 456

Eschbach; Sulitz in 1727 from Michael Ernst Kasimir v. Kleist;⁸⁵¹ ...

1473. Parskau, now Parschkau, Putzig County.

Mich. v. Kleist;⁸⁵² then his sister's children Katharina Constantia née v. Wolska, married v. Powalska; Theophila Dorothea née and married v. Kurnatowska; Constantia née v. Kurnatowska, married v. Boinska; Cordula married and née v. Kurnatowska; from 1755 Ludw. v. Donimirski; from 1773 Jak. v. Lysniewski; then his son Matthaeus v. L., after settlement with his siblings Melchior, Stanisl. and Barbara.

1478. Reddischau, Putzig County.

A. ...

B. Mich. v. Kleist⁸⁵³; then his sister's daughters Katharina Konstantia, married v. Powalska, née v. Wolska; Theophila Dorothea née and married v. Kurnatowska; Konstantia, married v. Boinska, née v. Kurnatowska; Kordula née and married v. Kurnatowska; from 1755 Ludwig v. Donimirski; from 1773 Jakob v. Lysniewski; then his son Matthaeus, after settlement with his siblings Melchior, Stanislaus and Barbara.

C. ...

1479. Reinfeld, now Rheinfeld, and Krissau, later Adlig-Krissau, now united with Königl.-Krissau under the name Krissau, Karthaus County. Belonging to Rheinfeld were the outlying farms Hasenberg, which no longer exists, and Lichtenfeld, and the inn Kienkrug, which no longer exists; the land is now called Ellerfeld.

Heinr., Baron v. d. Goltz; then his son Heinr.; from 1779 Joh. Maximilian v. Mitchel; from 1793 his son Joh. Joseph Alex. v. Mitzel; from 1820 Georg v. Kleist.⁸⁵⁴ — Mortgage creditors: Amalia née Wasielewska, wife of Joh. Jos. Al. v. M.; Josepha née Princess Lubomirska, married Princess Poninska.

Extracts from the land and mortgage registers of Kulm County.

1615. Skludziewo, now Hohenhausen, Thorn County, with the outlying farm Gniasdowo.

Albr. v. Dorposki; from 1736 Chrysost. v. Browinski and his wife Ursula née v. Dorposka, first married to Martin v. Czapski; then their daughter Katharina née v. B., married to Jak. v. Chrzastowski; from 1782 Jos. v. Kalkstein; from 1792 Heinr. Wilh. Friedr. v. Kleist⁸⁵⁵ and his wife Christine Dorothea née v. Wierzbicka; from 1802 Samuel Friedr. Wolff. — Mortgage creditors: Theresia v. Dorposka and her son Albert.

1682. Komorowo and Sobierszysno, Strasburg County, with the Pustkowien belonging to Komorowo: Zabigalewo, a former inn, Skrobacia and Smolnik, a former tar-burning establishment.

Stanisl. v. Gotartowski received these grant estates with noble rights in 1795. — Mortgage creditor: Karoline Wilhelmine née v. Kleist,⁸⁵⁶ wife of Stanislaus v. G.

692.

1777. Stettin. 30 June.

⁸⁵¹ III. 361.

⁸⁵² III. 361.

⁸⁵³ III. 361.

⁸⁵⁴ II. 214.

⁸⁵⁵ III. 607

⁸⁵⁶ She is listed at the end of the Damen volume among the daughters not yet assigned. She married in 1785. (2021)

Investiture of Captain Carl Caspar von Kleist⁸⁵⁷ with the new fief of Pöppeln.

From a copy in the State Archives: Tit. IX, Sect. 88, No. XXXIVa, fol. 335.

Whereas Lieutenant Moritz August Wilhelm von Billerbeck of the Ducal Bevern Regiment, having produced a power of attorney from Captain Carl Casper von Kleist, has today, in the latter's name and upon his soul, duly taken before the Royal Prussian Pomeranian and Cammin Government and Feudal Chancery the oath of hereditary homage and fealty in accordance with the attached formula, on account of the estate of Pöppeln in the District of Schlawe, which was purchased and accepted as a new fief; and whereas, in the name of His Royal Majesty of Prussia, Our Most Gracious Lord, Captain Carl Casper von Kleist was thereupon duly invested with this new fief by Johann Arnold von Wyckersloot, First President of the Government, the customary certificate thereof is hereby issued to Captain Carl Caspar von Kleist.

In witness thereof, this document has been executed under the seal of the Royal Prussian Pomeranian and Cammin Government and the prescribed signatures.

Given at Stettin on 30 June 1777.

Johann Arnold von Wyckersloot (L. S.)

First President of the Government.

Friedrich Ludwig Carl Count von Finckenstein

Second President of the Government.

Johann Joachim Löper

Privy Councillor of Justice and Director.

Andreas Kretzschmer

Government Councillor.

Johann Benjamin Caps

Government Councillor.

693.

1779. Potsdam. 24 August.

Grant of the portions of the fiefs at Reblin and Vilgelow which had reverted to the Crown following the death without heirs of Chamber President von Below of Gatz, to Lieutenant Otto Bogislav von Kleist⁸⁵⁸ and retired Captain M. E. von Below of Pennekow.

From a copy in the Royal Privy State Archives at Berlin, R. 30, No. 44, B. 5a.⁸⁵⁹

Trusty and dear faithful subject,

Of the portions of the fiefs which reverted to Me upon the death of the former Chamber President von Below and which have been requested from Me both by you and by Lieutenant von Kleist of My First Battalion of Guards, there remains, after deduction of the feudal debts, a net value of approximately 1,000

⁸⁵⁷ III. 522.

⁸⁵⁸ II. 201.

⁸⁵⁹ Ibid., the draft of the notification to the Pomeranian Government, dated Berlin, 25 August 1779.

Reichsthalers at Reblin⁸⁶⁰ and one of 800 Reichsthalers at Vilgelow. From these amounts, however, the claims of the widow, which have hitherto been unknown, must also be paid.

I therefore intend to divide equally between you the remaining value, which must still be more precisely determined, and leave it to you to agree between yourselves which of you shall take possession of these portions of the fiefs and pay the residuum to the other.

My Minister of State von Münchhausen, as Director of Fiefs, will arrange whatever is then required, and you may apply to him in this matter.

I am your gracious King.

Potsdam, 24 August 1779.

Frederick.

To the retired Captain von Below
at Pennekow.

694.

1782. Cöslin. 29 April and 7 August.

Judgments of the appellate and revision courts in the proceedings brought by Lieutenant Otto Joachim Berndt Heinrich von Kleist⁸⁶¹ against the widowed Captain von Kleist⁸⁶² of Altenwalde concerning the revocation of the estate of Lantzen.

From a copy in the State Archives: Tit. IX, Sect. 88, No. XXXIVa, fols. 335 and 369v.⁸⁶³

In the matter of the widowed Captain von Kleist, defendant and appellant, against Lieutenant Otto Joachim von Kleist, plaintiff and respondent, concerning the revocation of the estate of Lantzen:

We, Frederick, by the Grace of God King of Prussia, etc., adjudge in accordance with the records of the proceedings:

That the sententia a qua of the Cöslin Court of Justice of 29 August 1781 be amended as follows:

That the plaintiff be dismissed for the present and until Captain Franz von Kleist and his descendants capable of succeeding to the fief have died out; but that thereafter his right to revoke the estate of Lantzen, at the valuation then to be made, shall be reserved. *Compensatis expensis*.

In the Pergan insolvency proceedings, the late Ewald Egidius von Kleist possessed two different rights. He could either, by virtue of the purchase concluded with the creditors, continue to possess the estate *jure allodiali* under the rights of the von List family, who had acquired it *ex familia* in the preceding century; or, since he also possessed a right of revocation as an agnate, he could allow his allodial right to be extinguished and possess the estate *jure feudali* as a redeemed fief.

Since he was both the possessor and the person entitled to revoke, the decision depended upon him alone,

⁸⁶⁰ The former von Schachmann share of Reblin, which was subsequently granted as a new fief to Chamber President von Below, comprised approximately five eighths of the village. The remaining three eighths, old von Below fiefs, were inherited by Captain von Below as the nearest agnate of the deceased.

⁸⁶¹ III. 636.

⁸⁶² III. 456 (Egidius Ewald, died 1776).

⁸⁶³ State Archives at Stettin: [1697], 1769–1777; 1780–1783, file reference 65/8/0/5/162. (2021)

and his declarations, protests, or other acts had to determine the matter. According to the manner in which he conducted himself, either his allodial or his feudal heirs would succeed him.

The related records do indeed show that Ewald Egidius von Kleist initially intended to continue under the *titulus allodialis*, since he stipulated that the agnates should be summoned and barred. When, however, agnates actually appeared in response to the summons, he also invoked his second right, namely the feudal right, in the record of 5 February 1770 contained in the special proceedings **Ewald Egidius von Kleist contra Otto Jochem von Kleist and Captain Bogislav Heinrich von Kleist**,⁸⁶⁴ concerning proximity of kinship to Lantzen, No. 11. By this means he sought to exclude the other feudal successors, and succeeded to the extent that they renounced the proceedings concerning proximity and accordingly acknowledged him *pro proximiori*.

By this declaration, Ewald Egidius clearly selected the *titulus feudalis*, and the *jura allodii* were consolidated *cum feudo*. It was therefore improper for him subsequently to attempt, by testament, to dispose of the estate as allodial property.

Since, however, the heir was at the same time the feudal successor, the various rights were also consolidated in his person. Since that heir then conveyed the estate back as hereditary and absolute property to the widow of the testator Ewald Egidius von Kleist, in return for 666 thalers 16 groschen and other reservations, this can only be regarded as a new alienation *ex familia*. Consequently, the other agnates had to retain their feudal rights against the defendant as purchaser, namely the *jus protimiseos* within a year and a day, or the *jus revocandi* after the succession had devolved.

The plaintiff himself, however, allowed the first of these rights to expire. The contract of 3 July 1776 had already been produced to him on 18 April 1777, fol. 11 of the proceedings against the widow von Kleist, in *puncto editionis*, No. 8 of 1777, but the plaintiff allowed several years to pass without applying to exercise his right of pre-emption.

This does not, however, prevent him, *devoluta successione*, or more properly *exstincta linea alienante*, from exercising the right of revocation. Such revocation takes place upon repayment of the *pretium* for which the estate passed out of the family, *salvis meliorationibus et deteriorationibus*.

This would also eventually have had to occur here, and the complicated *pretium alienationis* would have had to be more precisely ascertained and proven, had the plaintiff not submitted to the condition imposed in the *sententia a qua* that he accept the estate *pro taxa*.

Although the plaintiff must therefore now be dismissed with respect to the *jus protimiseos*, that condition must remain in force for the future. In that event, any determination of the *pretium* ceases of itself, since the person redeeming the estate can under no circumstances be required to pay more than the amount of the valuation.

The plaintiff seeks to argue from the decree of preclusion that the feudal succession was thereby placed upon a different footing and that he is now the next feudal successor. This contention cannot, however, be maintained.

An essential element in the nature and character of proceedings for summons and preclusion is, first of all, the legal standing of the plaintiff; that is, he must possess a right to have the defendant summoned to perform some act *sub poena praeclusi* and thereafter to request the defendant's preclusion.

A further requirement for the effects of a *judicatum* is that it must not be a *res inter alios acta*. A person who now seeks to derive a right from a judgment must stand in such a relationship to the party who obtained that judgment that he succeeds to the latter's rights.

When the objection is considered according to these principles, it is indeed established that the Pergan creditors and Ewald Egidius von Kleist, as hereditary purchasers, possessed the right to have the agnates summoned *ad revocandum sub poena praeclusi*. They likewise possessed the right, if no one appeared or if those who appeared subsequently renounced their claims, to insist upon the preclusion of the entire family.

They did not, however, retain the right to have the remaining members of the family barred once one or more agnates had appeared and had been acknowledged by them as entitled to revocation.

Their interest in the preclusion of the others then ceased, since, by recognising the person who had appeared as entitled to revoke, they themselves relinquished any further possession under the purchase; and only the purchaser in possession, and no other person, possesses the right to insist upon preclusion.

Accordingly, the preclusion granted against the other agnates could have taken effect only if the agnates who appeared had subsequently again renounced their feudal rights entirely.

Ewald Egidius von Kleist in particular was all the less entitled thereafter to obtain a preclusion *contra agnatos*, since he had already presented himself as an agnate, had thus abandoned his previous *titulus emti venditi*, and one feudal possessor may never summon another in such proceedings.

The preclusion therefore no more prevents Captain Frantz von Kleist, as the brother's son, from succeeding to the fief than it prevents any other person. It consequently follows of itself that the plaintiff must await the extinction of Captain Frantz von Kleist's descendants as the alienating family.

The plaintiff's reliance upon the *judicatum* is also plainly an *exceptio de jure tertii*, since he stands in no such connection either with the Pergan creditors or with Ewald Egidius von Kleist as would entitle him to appropriate their rights, especially against the heirs of Ewald Egidius von Kleist himself and against those who possess title prior to him.

Judgment therefore had to be given as stated above.

Royal Prussian Pomeranian Government

(L. S.) von Wyckersloot.

Published at Cöslin on 29 April 1782.

Royal Prussian Pomeranian Court of Justice

(L. S.) von Pirch.

The judgment upon revision of the Supreme Tribunal, published at Cöslin on 3 August 1782, reads:

That the formalities are correct and, as to the merits, the *sententia a qua* of 29 April 1782 is to be affirmed, but subject to the qualification that the plaintiff cannot be required, upon the occurrence of the reserved future case of revocation, to accept the estate of Lantzen unconditionally *pro taxa*; rather, the rights to which he will then be entitled in this respect are to be reserved to him. *Compensatis expensis*.

695.

1786. Cöslin. 27 February and 13 September.

1787. Cöslin. 27 June.

Judgments of three courts in the proceedings brought by Captain of Horse Otto Joachim Berndt Heinrich von Kleist⁸⁶⁵ against the brothers von Glasenapp of Balfanz concerning the revocation of the estates of Grünenwalde and Steinburg.

⁸⁶⁵ III. 636.

From a copy in the State Archives: Tit. IX, Sect. 88, No. XIXb, fols. 230, 236v, and 237v.

In the matter of Otto Joachim Berend Heinrich von Kleist, Captain of Horse in Prince Ludwig of Württemberg's Cuirassier Regiment, plaintiff on the one part, against von Zastrow of Arnhausen, as guardian of the minors Georg Wedig and Heinrich Friedrich, brothers von Glasenapp of Balfanz, defendants on the other part:

We, Frederick, by the Grace of God King of Prussia, etc., adjudge in accordance with the records of the proceedings:

That the plaintiff be, as he hereby is, entirely dismissed with his claim to the estates of Grünenwalde and Steinburg, together with the woodland properties belonging thereto, as von Kleist fiefs; that the defendant be discharged from the action brought on that account; and that the plaintiff be obliged to reimburse the defendant for the costs of these proceedings after prior specification and assessment.

The plaintiff's instruction and assistance fees are fixed at 20 thalers 2 groschen, those of the defendant at 10 thalers 14 groschen, and the fees of the defendant's authorised representative at 21 thalers 3 groschen 6 pfennigs.

V. R. W.

Although the plaintiff bases his claim to the estates in question upon an old letter of enfeoffment issued by Duke Johann Friedrich on 23 April 1583 and upon the repeated subsequent investitures referring to it, and although it has not been ascertained *quo jure* the von Glasenapp family possessed the field territories of Grünenwalde and Steinburg in the year 1573, the following considerations nevertheless stand against the plaintiff's claim:

1. It cannot be determined with certainty from the aforementioned old letter of enfeoffment what precisely constituted the right which had opened to the Duke upon the death of Tridemer in the field territories of Grünenwalde and Steinburg and with which he had invested Tessen von Kleist⁸⁶⁶ and his heirs, subject to the restriction that Tessen should obtain it from the von Glasenapp family by amicable agreement or by legal proceedings.

The plaintiff is likewise unable to state definitely whether the right thus granted extended only to particular shares or to the entire estates of Grünenwalde and Steinburg, or whether the field territories referred to were already at that time of the same extent as the two estates now comprise.

Such an indefinite claim to a right which has remained unascertained can all the less validly be taken into consideration because, only after the action had already been brought, the plaintiff himself was obliged to acknowledge in *termino instructionis* that Steinburg also contains a von Lohden feudal share to which he makes no claim.

2. The mere entry in the land register stating that Grünenwalde was a von Kleist fief can neither confer a right upon the plaintiff nor deprive the defendant of his right.

The subsequent repeated investitures did indeed preserve the *nexus feudal* between the *dominus directus* and the von Kleist family, but without prejudice to the rights of a third-party possessor, who cannot be harmed by such an investiture.

3. Tessen von Kleist, as the plaintiff himself admits, died without heirs and without having prosecuted against the von Glasenapp family the right which had been granted to him and his heirs or actually brought the estates in question into the von Kleist family.

The other cousins of the von Kleist family cannot, by virtue of their otherwise undisputed right of joint

⁸⁶⁶ III. 75.

investiture, appropriate these rights, which had indeed been granted to Tessen and his heirs but were subject to the claims of the von Glasenapp family. The right of joint investiture applies only to fiefs which have actually been acquired, and not to a merely granted authority first to establish a right against a third-party possessor, where it moreover remains uncertain whether a fief could thereby be ascertained and actually recovered by legal proceedings.

Since a mere investiture neither acquires the *ipsum jus feudi* nor diminishes the rights of a third-party possessor, the joint investiture is likewise not yet established by it. The provisions of the Feudal Constitution concerning the recovery of fiefs which have actually been alienated do not apply to a merely granted fief.

In addition:

4. Neither Tessen von Kleist nor any other member of the von Kleist family has exercised the right granted to him for more than two hundred years. According to the letter of enfeoffment cited, the von Glasenapp family was already in possession of the field territories of Grünenwalde and Steinburg in 1573 and has remained undisturbed in that possession ever since. The plaintiff himself is unable to assert the contrary.

The defendant has demonstrated, by an old letter of enfeoffment of 1537, fol. 56, that the von Lohden family had already at that time been invested with one fifth of the estate of Steinburg. Through various inventories and uncontested documents he has further shown, on the one hand, how both estates in question passed over time from one possessor to another within the von Glasenapp family, and, on the other hand, that they were regarded and possessed as von Glasenapp fiefs, and that, whenever changes occurred, the consent of the feudal lord was requested and obtained.

Field Marshal Caspar Otto von Glasenapp had already in 1742, and thus more than forty years ago, relinquished these estates, which had fallen to him as feudal successor to the Amt Captain von Glasenapp, and conveyed them to his feudal cousins.

This uninterrupted possession lasting more than two hundred years not only relieves the defendants from proving their title of possession, but also carries with it the presumption of good faith and confirms the prescription asserted against the plaintiff, both with respect to the right granted to Tessen von Kleist to prosecute his claim against the von Glasenapp family and with respect to the possession of the estates in question by the von Glasenapp family itself.

Under recognised law, a thirty-year prescription is established in the case of granted rights and powers if no use has been made of them during that period, *per non usum*; and possession for thirty years, when qualified in this manner, is likewise sufficient for the acquisition of a fief.

The repeated letters of enfeoffment obtained by the plaintiff cannot avail him against this, nor can his assertion that the von Kleist family was unaware of the right granted to Tessen.

Per renovationem investiturae, only the feudal nexus between the feudal lord and the vassal is preserved; the rights of a third-party possessor are not impaired, nor is he deprived of the right to acquire the fief by prescription.

On the one hand, it is highly improbable that Tessen von Kleist was unaware of the right granted to him. On the other hand, it is scarcely conceivable that such inexcusable *supina negligentia* could have occurred that the von Kleist family should for two hundred years have taken no interest in its old letters of enfeoffment and rights, particularly since its more recent letters of enfeoffment would have drawn attention to them.

For these reasons, judgment had to be given as stated above both in the principal matter and with respect to the costs.

Published at Cöslin on 27 February 1786.

Royal Prussian Pomeranian Court of Justice

(L. S.) Pirch.

The appellate judgment of the Royal Prussian Pomeranian and Cammin Government, dated at Stettin on 28 August 1786 and published at Cöslin on 13 September 1786, reads:

That, even though the formalities are correct, the judgment of the Cöslin Court of Justice of 27 February of the present year is nevertheless, as to the merits, solely to be affirmed for the reasons stated therein and because the appellant himself cannot assert that the estates of Grünenwalde and Steinburg were ever possessed by a member of the von Kleist family.

Rather, it appears from his own exhibit, the letter of enfeoffment of 1573, that these estates were already at that time in the possession of the von Glasenapp family. That same letter of enfeoffment also clearly states that the Duke then invested Tessen von Kleist only in such manner that he should be entitled to assert against the von Glasenapp family a claim which the Duke believed himself to possess.

Since this was done neither by Tessen nor by his heirs, it remains entirely unascertained whether the Duke possessed any right at all to grant to a third party these estates which were held by the von Glasenapp family.

The appellant is obliged to reimburse the respondent for the costs of this instance after their assessment.

The judgment upon revision of the Royal Supreme Tribunal, published at Cöslin on 27 June 1787, reads:

That the formalities of the revision are correct, and that, as to the merits, the judgments of 27 February and 13 September 1786 are to be affirmed; that the petitioner for revision shall reimburse the costs, *prævia liquidatione et moderatione*, and shall pay twenty thalers in fees for the unsuccessful revision.

696.

1787. Mitau. 25 June.

Georg Christoph von Kleist⁸⁶⁷ conveys the estates of Mescheneeken and Carlshoff in Courland to his son Ernst Johann von Kleist as a family entail for 30,000 Albertus guilders.

From the transumpt contained in an authenticated copy of the document dated Zerxten, 31 May 1801—No. 701—from the engrossment records of the Tuckum Court.

Be it known and manifest hereby to all who need to know it that, on the date written below, the following hereditary conveyance concerning the aforementioned estates of Mescheneeken and Carlshoff was concluded and executed between the high and well-born George Christoph von Kleist, hereditary lord of the estates of Mescheneeken and Carlshoff, on the one part, and his youngest son, the high and well-born Ernst Johann von Kleist, on the other part.

1. The high and well-born George Christoph von Kleist hereby, and by virtue of this instrument, cedes and conveys to his beloved youngest son, Ernst Johann von Kleist, as true and undoubted beneficial property, his purchased and lawfully acquired hereditary estates of Mescheneeken and Carlshoff, as those estates lie within their proper boundaries and have hitherto been peacefully possessed and enjoyed by him, or could have been possessed and enjoyed.

The conveyance includes the entire peasantry residing upon and belonging to them; also all persons purchased from Essern or other outsiders who are present on these estates as farmers and servants; the deed chest; the complete stock of livestock; all appurtenances and dependencies; and also all the brandy-distilling

⁸⁶⁷III. 424; son: III. 555.

vessels and equipment situated on his leased estate of Kursiten which he is to receive after his father's death; likewise all rights, privileges, and noble liberties attached to these estates, nothing whatsoever excepted, for the sum of 30,000 Albertus guilders, subject, however, to the following unalterable conditions and provisions.

2. Since George Christopher von Kleist has the praiseworthy intention of disposing of these estates of Mescheneeken and Carlshoff, purchased and lawfully acquired by himself, for the benefit of all his posterity for all time, just as his late father did with the estates of Leegen and Apsen, he has for that very reason placed upon them the low value of 30,000 Albertus guilders.

He hereby directs—and reserves the right to repeat the whole of the following provision in the testament which he intends to execute—that these lawfully acquired estates of Mescheneeken and Carlshoff, apart from the single case specified below, shall and must always be preserved within his family.

Accordingly, for as long as male or female descendants of his youngest son, Ernst Johann von Kleist, exist, these estates shall always be taken over for 30,000 Albertus guilders by the person next entitled to inherit according to the degrees of kinship.

Should Ernst Johann have no descendants, and should his descendants of both sexes become entirely extinct, the estates of Mescheneeken and Carlshoff shall never pass to a stranger outside the descendants of George Christopher von Kleist.

Even if, by reason of proximity of degree, a collateral relative outside the descendants of his son Ernst Johann von Kleist should inherit from the last deceased possessor of the estates, that collateral relative shall receive from these estates only the price of 30,000 Albertus guilders fixed upon them and unalterable for all time.

The estates themselves shall immediately pass for the same sum of 30,000 Albertus guilders, without any additional allowance or accounting for improvements, to whichever male or female person among the remaining descendants of George Christopher von Kleist is most closely related to the last deceased possessor.

Should male and female heirs who, under the order of succession and the *jus repraesentationis*, are related to the last possessor of the estates in the same degree compete with one another, no distinction shall be made other than that, in accordance with the *Privilegium Nobilitatis*, the male line shall take precedence over the female line in taking over the estates for 30,000 Albertus guilders.

Consequently, on pain of nullity, these estates shall never, under any circumstances, be burdened with debts exceeding the sum of 30,000 Albertus guilders and, apart from the case specified below, shall at no time be alienated or inherited outside the family.

Should it nevertheless occur that a possessor of the estates of Mescheneeken and Carlshoff is compelled by urgent necessity to alienate them, he shall offer them to those male and female descendants of George Christopher von Kleist who, at the time of the intended alienation, would be next entitled after him to possess the estates.

The person next entitled, or, should that person be unwilling, the next and so forth, shall take over these estates for no more than the unalterably fixed price of 30,000 Albertus guilders, so that they may continue to be preserved within the family for that same price and subject to the conditions established herein.

3. Since George Christopher von Kleist has already established, for the preservation of the prosperity of the peasantry of Mescheneeken and Carlshoff, and thus for the present and future benefit of their hereditary lord, a granary containing 300 Lof of rye and 300 Lof of barley, he further directs that this granary containing 300 Lof of rye and 300 Lof of barley shall always and permanently be maintained there.

Whenever the peasants suffer a shortage, bread grain and seed shall be supplied to them from it, but the quantity advanced shall be collected again each autumn, so that the fund of the granary shall be permanently preserved.

He establishes this granary as a charitable foundation and as a perpetual appurtenance of these estates which may in no event be abolished by any possessor, with the same effect as the provisions which he has already made concerning the value of the estates and the succession to them, and which he will also make in his testament.

It is therefore his earnest will that, in every case of inheritance or alienation of the estates of Mescheneeken and Carlshoff as determined herein, the perpetual maintenance of this granary shall always be accepted and regarded as a condition of the sale and succession.

4. The sole case in which the whole of the foregoing provision made by George Christopher von Kleist concerning the perpetual preservation of the estates of Mescheneeken and Carlshoff within his family and the succession to them may be regarded as having no effect is the following:

Should his youngest son, Ernst Johann von Kleist, through the advantageous marriage which he has contracted, find himself in a position and have the desire to purchase a larger and more important hereditary estate than the estates of Mescheneeken and Carlshoff conveyed to him by his father, then he—and he alone—shall be permitted, for the advancement and improvement of his circumstances, to sell or exchange Mescheneeken and Carlshoff without restriction, subject to the following unalterable conditions:

First, he shall then be obliged immediately to purchase for himself a larger and more important hereditary estate.

Second, with regard to preserving that estate among his own and his father's male and female descendants, the succession to it, and the provision made for the peasantry through a granary, he must establish precisely the same arrangements, and immediately confirm them by a formal instrument, as his father has established in perpetuity for the estates of Mescheneeken and Carlshoff. His father's provisions shall serve him word for word as the rule to be followed.

Third, the quantity to be maintained in the granary must be fixed by him proportionately, using as his standard the amount fixed by his father for Mescheneeken and Carlshoff.

Fourth, the price at which the larger estate purchased by him is to be taken over must in every case be fixed and established by him at 25,000 Albertus guilders less than the higher purchase price paid by him for it. For this same reason his father conveyed to him the estates of Mescheneeken and Carlshoff, which according to the deed of sale had cost his father 25,000 Albertus guilders and had been very considerably improved by him, for the low price of only 30,000 Albertus guilders.

Should Ernst Johann von Kleist, to whom alone and personally the conditional sale of Mescheneeken and Carlshoff is permitted, be willing to accept these well-intentioned conditions, which are necessary under the provision made by George Christopher von Kleist, then, as stated above, he shall be permitted and free to sell the estates without restriction.

In order, however, that all these conditions may then be fulfilled immediately and in full, George Christopher von Kleist binds all his heirs, and particularly his eldest son Friedrich Christopher von Kleist, to insist unwaveringly upon their observance and to remain answerable for them.

5. Ernst Johann von Kleist not only acknowledges, with the most heartfelt filial gratitude, the generous care shown by his honoured father in the foregoing hereditary conveyance to him of the estates of Mescheneeken and Carlshoff for 30,000 Albertus guilders, but also binds himself in the most solemn and inviolable manner to observe and fulfil without objection everything which his father has established herein concerning the

perpetual preservation of the estates of Mescheneeken and Carlshoff among his male and female descendants; the succession to those estates; the preservation of the reserve maintained for the peasantry upon them; and any sale or exchange of those estates permitted solely to Ernst Johann von Kleist himself.

6. His father leaves and grants to Ernst Johann von Kleist the capital of 30,000 Albertus guilders, for which he now takes over the estates of Mescheneeken and Carlshoff, in such manner that he may immediately retain, use, and enjoy it on account of his future inheritance portion. After his father's death, however, he shall bring this same capital of 30,000 Albertus guilders into the common division without any further accounting.

7. Should any deeds or documents be found in the deed chest of Mescheneeken and Carlshoff which the present or future possessor of Leegen and Apsen could and wished to use to his advantage, the respective possessor of Mescheneeken and Carlshoff shall be obliged to communicate them to him, just as the same obligation rests upon the possessor of Leegen and Apsen should the reverse situation arise.

8. Finally, both parties to this agreement renounce conscientiously and in the most legally binding manner all and every right, remedy, and objection which might ever, under any title or pretext, assist them against this instrument, by whatever names they may be known now or in the future; particularly the objections of persuasion, filial reverence, miscalculation, injury, that the matter was transacted or understood otherwise than written herein, restoration to the former condition, the beneficium protestationis per oblatam, and the rule of law that a general renunciation is not valid unless preceded by a particular specification.

All without deceit.

In witness thereof, this instrument has been executed in two copies of identical wording and signed and sealed in their own hands by both parties and by the gentlemen requested as witnesses. Judicial confirmation thereof has been approved without any recognition other than that already made herein.

Done at Mitau on 24 June 1787.

(L. S.) George Christoph von Kleist
my own hand and seal.

(L. S.) Ernst Johann Kleist
my own hand and seal.

(L. S.) Friedrich Johann v. Oelsen
as a witness requested for this purpose, my own hand and seal.

(L. S.) Peter George Pfeilitzer, called Franck,
as a witness requested for this purpose, my own hand and seal.

696a.

Raddatz. 8 April 1788.

Since I, Captain Bogislav Heinrich von Kleist,⁸⁶⁸ in the testament written in my own hand at Raddatz on 28 June 1787 and deposited by me on 5 September of the same year with the Royal Court of Justice at Cöslin after its solemn confirmation, expressly reserved the right to establish certain legacies from my future estate in a codicil in such manner that my provisions in that codicil should be as effective as though contained in the aforementioned testament; and since I have now determined the persons to whom and the conditions

⁸⁶⁸ IV. 64.

under which I intend to leave legacies, I hereby establish in this codicil, in the following manner, the legacies which my wife Henriette Juliane, née von Versen, appointed universal heir in my testament, shall be obliged to pay and respectively to leave.

After mature consideration, I therefore bequeath and leave:

I. To my estate inspector Heinrich Bogislav Roloff the 300 thalers—say, “three hundred thalers”—which, according to the obligation dated Raddatz, 26 March 1781, he still owes me as part of the purchase price of the field estate of Ellerkamp. It is my will that, after my death, his debt obligation shall immediately be returned to him and regarded as discharged.

I further bequeath to Inspector Roloff, from my livestock, one pair of good oxen, two farm horses, two good cows, four pigs, and twenty sheep, together with my covered wagon and one plough. I leave it to my heiress to decide whether and what additional small livestock and farming equipment she wishes to give to Inspector Roloff.

This livestock and farming equipment shall be delivered to Inspector Roloff immediately after my death. Should he die before me, his heirs shall receive not only the aforementioned livestock and farming equipment, but the first-mentioned debt of 300 thalers shall also be remitted to them, and they shall thus take the place of their deceased predecessor.

As a condition of this legacy, however, I hereby bind Inspector Roloff to remain in his present service with my wife for as long as she retains her residence at Raddatz, the estate, and the management thereof, and to serve her with all diligence and fidelity.

Should Inspector Roloff leave her service against my wife’s wishes, she shall not be obliged to deliver this legacy. Should he leave her service without her consent after already receiving the livestock and farming equipment and the return of his obligation for 300 thalers, she shall be entitled to reclaim the whole legacy.

II. I direct and require that, immediately after my death, my wife and universal heir shall pay or respectively deliver to those servants who have faithfully served me for many years and whom I shall name immediately below the following legacies, but only if they are still in my service at that time:

1) To my personal servant Friedrich Marotzky: 150 thalers—say, “one hundred and fifty” Reichsthalers—together with such clothing, linen, and boots as my wife considers appropriate, and also the barber’s and bloodletting instruments with all their accessories.

2) To my huntsman Friedrich August Thilo: 100 thalers—say, “one hundred” Reichsthalers—together with the hunting bag and some of my green clothing.

3) To my gardener Karl Roloff: 80 thalers—say, “eighty” Reichsthalers—and also the orangery, by which I mean all the flowers and foreign plants which he has raised himself, subject, however, to the restriction that he may sell none of them until my wife permits their disposal.

4) To my coachman David Marotzky: 50 thalers—say, “fifty” thalers.

5) To my administrator Hans Reter: 40 thalers—say, “forty” Reichsthalers.

All shall be paid in the present Prussian current money.

My wife shall not be obliged to pay the legacies previously assigned to any of these five servants who is no longer in my service at the time of my death. Should they leave my service during my lifetime with my consent, I shall reward their fidelity according to merit.

I further bequeath:

6) To the old gardener Friedrich Roloff: 50 thalers—say, “fifty” Reichsthalers.

7) To old August Weber: 40 thalers—say, “forty” Reichsthalers.

Both sums shall be paid in Prussian current money. I require my wife and heiress to pay these legacies immediately after my death. Should either of these two old men fail to survive me, the respective legacy shall lapse entirely.

8) I direct that my cook, Bogislav Priebe, whom I had trained and who previously served me as cook for several years both on campaign and in peacetime, but who, because of ill health, was appointed forest keeper and then returned to my service as cook at Michaelmas 1787, shall, immediately after my death, receive as a legacy 10 thalers—say, “ten” Reichsthalers—for every year during which he serves me from Michaelmas 1787 until my death, provided that he remains in my service as cook until then and perseveres in fidelity and diligence.

9) I require my heiress and wife to pay to every member of my domestic and estate household who is in my service at the time of my death double the customary annual cash wage for the year of my death. This shall not, however, apply to those servants to whom I have already assigned a legacy in this codicil.

III. I bequeath to my godchild, Alexander Heinrich Franz Listich, eldest son of my legal adviser, Judicial Commissioner Listich, for university studies or for another useful and respectable profession, 100 guilders—say, “one hundred” guilders—for each of three consecutive years, thus a total of 200 thalers—say, “two hundred” Reichsthalers—in the present Prussian silver currency.

I direct that, as soon as the legatee Alexander Heinrich Franz Listich enters the university, my universal heir shall pay 66 marks 16 groschen to his father, or, if his father is no longer living at that time, to the guardians of this future student, and shall pay the same amount again at the beginning of the second and third academic years.

I further bequeath to my godchild Anton Roloff, eldest son of my Inspector Roloff, for university study or the learning of a useful craft, 50 thalers—say, “fifty” thalers—annually for three consecutive years, thus a total of 150 thalers in the present Prussian silver currency.

My universal heir shall make the first payment to the father or guardian of the child as soon as Anton Roloff enters the university or is apprenticed to a craftsman, and shall continue the payments at the beginning of the second and third years.

Should either of these two godchildren die before me, or thereafter before the time arrives when the legacies are to become payable to them, my heiress shall be released from paying the respective legacy.

Should my beloved wife die before the two children have reached the age at which, according to my wishes, they are to make use of the legacies, I hereby will and direct that, immediately after my wife’s death, her heirs shall be obliged to secure 200 Reichsthalers for Alexander Heinrich Franz Listich and 150 thalers for Anton Roloff and to deliver the obligations issued therefor to their fathers or guardians. They shall arrange payment without objection as soon as both children have reached the stage at which they can use the legacies in accordance with my previous provisions.

I nevertheless leave it to my wife to decide whether she wishes subsequently to direct her heirs to pay these two legacies immediately after her death and to waive the condition upon which I have established them.

IV. During her lifetime my universal heir shall pay from my estate no more in legacies than I have established in the first three sections of this codicil and in my testament for the wife of Lieutenant von Kleist, née von Versen, at Carvin⁸⁶⁹, unless I should later consider it proper to give someone something further from my property and record the same in a memorandum written in my own hand. In that event, my universal heir shall be obliged to comply with that memorandum written and signed by me in the same

⁸⁶⁹ III. 542.

manner as with my testament and this codicil.

For the rest, I direct:

V. The following legacies shall be paid in the present Prussian silver currency from the property left by me eight weeks after the death of my wife and universal heir. I hereby bequeath:

1) To the two sons of Heinrich Adrian von Borcke of Grünhoff:

- a. Lieutenant Anton von Borcke of the Posadowsky Dragoon Regiment;
- b. Ensign Philipp von Borcke of the Platen Dragoon Regiment;

1,000 thalers—say, “one thousand” Reichsthalers—to each, in such manner that, should either of them die before me, the surviving brother shall also receive the 1,000 thalers intended for the deceased brother, and thus in that event receive 2,000 thalers.

2) To the four sons and the daughter born to the late Bogislaf Wedig von Glasenapp of Bärwalde and his wife, née von Platow, who is still living and residing at Bärwalde, namely:

- a. Heinrich Caspar Otto;
- b. Christoph Franz Philipp Julius;
- c. Karl Ludewig;
- d. Johann Joachim Christian Gottlieb;
- e. Clara Louise;

1,000 guilders—say, “one thousand” guilders—to each. I also direct with respect to this legacy that, should one or more of the von Glasenapp children die before me, the surviving children shall divide the legacy of their deceased siblings equally among themselves.

3) To Juliana von Ploetz, née von Kamcke, at Staartz: 500 thalers—say, “five hundred” Reichsthalers—subject, however, to the restriction that, when payment is made after my wife’s death, this capital shall be securely invested for her children and that she shall receive only the interest for her lifetime.

She shall therefore not be entitled to dispose of the capital, which shall instead remain undiminished for her children, whom I likewise appoint as legatees for this purpose, and to whom this legacy shall pass after the death of their mother, Mrs von Ploetz.

4) To the wife of Lieutenant von Kleist, née von Versen, at Carvin: 500 thalers—say, “five hundred” thalers. Should she die before me, her children shall receive this legacy.

I further note that I have already bequeathed 500 thalers to Mrs von Kleist in my testament and that this provision shall likewise remain unaltered, since it is my will that, in addition to the 500 thalers payable to her immediately after my death, she shall also receive 500 thalers after my wife’s death.

VI. It is my will that, from my estate, but only eight weeks after my wife’s death, 200 thalers—say, “two hundred” thalers—shall be securely invested and the interest upon this capital used for the maintenance of my vault at the church of Raddatz, which I have had constructed as the burial place of my wife and myself.

I also bequeath:

2) To the church at Raddatz: 200 thalers—say, “two hundred” Reichsthalers. This legacy shall likewise pass to the church only after my wife’s death.

Both legacies shall be paid in the present Prussian silver currency, subject to the condition that the pastor of Persanzig-Raddatz shall retain for the following years, for the designated purpose, any interest upon the 200 thalers assigned for the repair and preservation of the vault which is not required in any particular year.

The respective pastor of Persanzig-Raddatz shall receive two Reichsthalers annually for his work in collecting the interest upon these two legacies and upon the charitable foundation established in the following section, and for paying and applying that interest. This sum shall be taken from the interest produced by the capital bequeathed to the church of Raddatz.

VII. I assign from my estate to a charitable foundation a capital sum of 1,000 thalers—say, “one thousand” Reichsthalers—in the present Prussian silver currency. This capital shall for all time be securely invested upon the estates of Raddatz or elsewhere, and its interest shall be applied as follows:

- 1) The respective schoolmaster at Raddatz shall receive annually the interest upon a capital of 250 thalers.
- 2) The respective schoolmaster at Klingbeck shall receive annually the interest upon a capital of 125 thalers.
- 3) The respective schoolmaster at Kucherow shall receive annually the interest upon a capital of 125 thalers.

The three schoolmasters shall receive the interest upon this capital at the highest rate at which it can safely be invested. In return, the schoolmasters shall be obliged to instruct without charge poor children whose parents are no longer capable of working or are unable for other reasons to raise the customary school fees, and especially poor orphaned children.

4) Poor persons who are incapable of working and earning their livelihood upon the estates now possessed by me—Raddatz, Klingbeck, Schneidemühl, Kucherow, Neuendorf, Panekow, and their appurtenances—shall receive annually the interest upon a capital of 500 thalers.

This interest shall be divided equally among the aforementioned poor, not according to favour, but only insofar as they qualify for this benefit under the provision stated above.

Just as the capital of 200 thalers bequeathed to the church of Raddatz and the 200 thalers assigned for the repair of the vault shall be under the direction of the Royal Consistory at Cöslin, I likewise entrust to that Royal Consistory the supreme supervision of my charitable foundation, which shall be called the von Kleist-Raddatz Foundation, in the following manner and subject to the following provisions:

The respective pastor of Persanzig-Raddatz shall collect the interest upon the 1,000 thalers, pay the remuneration intended for the three schoolmasters, and, under the direction of the respective owner of the estate of Raddatz, distribute among the poor the interest intended for them.

He shall, however, render an annual account to the patron of the church of Raddatz and owner of the estate, in the same manner as for church funds, and the Consistory shall exercise supreme supervision both over the secure investment of the capital and over the proper application of the interest.

I nevertheless direct that the 1,000 thalers assigned to the charitable foundation shall be paid from my estate only after my wife’s death, and that its interest shall thereafter be applied according to the foregoing provisions.

I hereby establish that payment to the schoolmasters and distribution among the poor shall take place each year fourteen days after St John’s Day and Christmas.

The schoolmasters and the poor shall receive the first interest fourteen days after the first Christmas or St John’s Day following my wife’s death. My wife’s heirs shall be obliged to pay interest at four per cent from the date of her death; and on the first following Christmas or St John’s Day, as much of that interest as has then accrued shall be paid to the schoolmasters and the poor in the proportions fixed by me.

VIII. For the benefit of the von Kleist family, I establish an entail of 4,000 thalers—say, “four thousand” thalers—which shall be called the von Kleist-Raddatz Entail, subject to the following restrictions and provisions:

My wife and heiress shall cause a capital sum of 4,000 thalers to be deducted from the purchase price for

the estates of Raddatz which the feudal successors succeeding me are obliged to pay to her.

Immediately after settlement has been made with the feudal successor, she shall, at the expense of the future possessor of the estates of Raddatz, arrange for the registration of the 4,000 Reichsthalers upon the estates of Raddatz as an entail belonging to the von Kleist family, with reference to this codicil.

My wife Henriette Juliane, née von Versen, shall receive the interest upon the capital of 4,000 thalers for the duration of her life, and the possessor of the estates of Raddatz shall be obliged to pay her interest upon it annually at four per cent.

The von Kleist family shall therefore enter into enjoyment of this entail of 4,000 thalers only after my wife's death, and it is my will that the following arrangements shall then apply:

The capital of 4,000 thalers shall remain undiminished, always and for all time, as an entail for the von Kleist family. I therefore direct that, should the capital ever be reduced in the future for any reason, it shall be restored from the interest, and my family cousins shall not enter into enjoyment of the interest until the capital has again been restored in full.

I appoint Captain and present Director of the Provincial Credit Association von Kleist of Segenthin⁸⁷⁰ as curator of the entail. The authenticated copy of this codicil, upon which the registration is recorded, shall also be deposited with him, and I charge him with ensuring the security of the entailed capital.

With respect to the interest which the family shall enjoy after my wife's death, my principal intention is to place the future possessors of the Raddatz fiefs in a position to preserve the fiefs falling to them for themselves and the family, and, through the entail, to ensure that my fiefs remain permanently within the von Kleist feudal succession.

For this reason, I hereby establish with respect to the enjoyment of the interest upon the entailed capital that the respective owner of the Raddatz fiefs shall enjoy the entire interest from the entail. Upon future openings of the feudal succession, this interest shall not be divided among cousins equally near in succession.

Rather, I will and direct that, should more than one cousin succeed me in the Raddatz fiefs, the person to whom the Raddatz fiefs fall by lot or other agreement shall, after my wife's death and for as long as he possesses the estates, enjoy the whole interest upon the entailed capital of 4,000 thalers.

The succeeding feudal possessor shall likewise receive the entire interest, even if the feudal succession opens to several cousins equally near and entitled to the fief.

It is my will that cousins succeeding in equal degree shall content themselves with the feudal portions respectively due to them and shall leave the interest from the entail, without compensation, to the person to whom the lot comprising the estates falls by lot or other amicable agreement and who obtains possession of the Raddatz fief.

Should my feudal successors, their future feudal heirs, or, at a later time, the von Kleist who has obtained possession of the fief of Raddatz alienate that fief to a person who does not belong to the von Kleist family and does not bear the name and coat of arms of that family, my provision concerning enjoyment of the interest from the entail shall naturally cease to apply.

Even in that event, however, the von Kleist family shall enjoy the interest upon the entailed capital in such manner that, after the alienation of the Raddatz fief to an outsider, the eldest von Kleist residing within the Royal Prussian states, or at least serving His Majesty the King, shall receive the interest for life.

In order to avoid all disputes concerning enjoyment of the interest should the Raddatz fief leave the

⁸⁷⁰ III. 522.

possession of the von Kleist family, the curator of the entail, Director of the Provincial Credit Association von Kleist of Segenthin, or the person appointed curator by the family by majority vote after his death, shall summon his family cousins before the Royal Court of Justice at Cöslin to provide credible proof of their ages.

The person who, among those who respond, establishes himself as the eldest shall enjoy the interest for life. He shall not be deprived of that enjoyment should another member of the family, after the expiration of the appointed period, prove that he is older.

For this summons, I require that the von Kleists known to the Feudal Chancery be summoned by a personal notice, subject to the warning that the person who credibly proves the greatest age at the appointed hearing shall be admitted to the enjoyment of the von Kleist-Raddatz Entail and protected therein for his lifetime, even if another person should prove a greater age after the expiration of the appointed period.

An edictal citation, including of those who are entered in the feudal register but whose whereabouts are unknown, shall not be required.

The costs caused by summoning the known von Kleists shall be taken from the interest, and the first recipient shall be obliged to allow their deduction.

For proof of his entitlement, a certificate from the Royal Court of Justice stating that he is the eldest member of the family shall suffice, and upon its presentation the debtor of the capital shall pay the interest to him.

Neither the first recipient nor those succeeding him shall be entitled to collect the capital itself.

Should the debtor wish, or by reason of circumstances be obliged, to repay it, I require that the capital shall immediately be reinvested against legally sufficient security or in Pomeranian mortgage bonds and, until this is done, deposited with the Royal Court of Justice.

Until then, cancellation of the capital from the estate upon which it is secured shall be suspended. Cancellation may be ordered only when the curator of the entail proves that the capital has been securely reinvested elsewhere or deposited with the court.

The curator of the entail shall keep the obligation issued by the debtor or the mortgage bonds. In the latter case, it shall be noted upon the mortgage bonds that they have been taken out of circulation, while the eldest member of the family shall receive the interest coupons.

Since I also fear that disputes concerning age may frequently arise following deaths, it is my will that the curator of the entail shall maintain a genealogical register.

He shall first enter, according to their ages, those who have responded to the summons issued before the Royal Court of Justice, and shall continue the register in the future.

Whenever the eldest member of the family who has received the interest dies, the curator shall announce the death in the Berlin and Stettin intelligence gazettes and call upon the person who believes himself to be the eldest member of the von Kleist family, and thus entitled to enjoy the entail, to send credible certificates concerning his age to the curator within a period of eight weeks.

At the appointed time, the curator, together with two members of the von Kleist family resident in Pomerania, shall determine the person who is to enjoy the entail.

I trust that the respective curators will undertake their work without remuneration.

All cash expenses, however, shall in every case be paid from the interest.

Finally, I expressly declared at the outset that the entailed capital is to be taken from the purchase price which my feudal successors are obliged to pay to my wife and universal heir for the estates of Raddatz.

I therefore once more deliberately repeat that I have established the family entail solely and exclusively upon the assumption that my feudal successors pay the purchase price for the estates of Raddatz to my heiress.

Should, however, contrary to expectation, my feudal successor be released by judgment and law from paying the purchase price of Raddatz, my wife and universal heir shall not be obliged to provide any capital for an entail, and this well-intentioned foundation shall lapse entirely.

It is my express will that the entail shall be taken from no other part of my estate than from the purchase price of Raddatz due to my universal heir.

In order, however, that the entire family should not lose the benefit intended for it through a possible objection by my feudal successors, while my heiress is also protected from the vexation and costs of litigation, I direct that, should my feudal successors refuse to reimburse my heiress for the purchase price of Raddatz and bring proceedings against her on that account, but—as I confidently expect—be dismissed with their unfounded objections, the entail shall remain in existence and the von Kleist family shall, after my wife's death, receive the interest in the manner established herein.

The feudal successors who litigated against my wife shall, however, be excluded from enjoyment of the interest. The person or persons succeeding them after their deaths and entering into their place in the estates of Raddatz shall enjoy the interest from the entail, provided that they take possession of the fiefs when the succession opens. Even then, only the person to whom the lot comprising the estates falls shall receive the interest.

Should the Raddatz fiefs pass to outsiders immediately after my death, the previous provision shall likewise remain in force in the event that my feudal successors unsuccessfully contest the purchase price of Raddatz against my wife, subject, however, to the qualification that, even should one of my feudal successors be the eldest member of the family, he shall not enjoy the interest from the entail; rather, the next eldest person shall enter into enjoyment.

IX. I have already provided above that the legacies established in Sections V and VI of this codicil shall be paid only after my wife's death. I further will that she shall not be burdened with providing security for these legacies, and I hereby expressly release her from doing so.

Since I have already declared in my testament that everything which I direct in my codicil shall have the same force as though contained in the testament, I hereby once more require the strictest observance of this codicil, which I have written in my own hand and signed upon every page without any intervening act.

Done at Raddatz on 9 April 1788.

(L. S.) Bogislaff Heinrich von Kleist.

It is hereby duly certified that Captain Bogislaff Heinrich von Kleist of this place wrote the foregoing instrument in his own hand and signed and sealed it in our presence, and that he is personally well known to us.

Raddatz, 9 April 1788.

(L. S.) Carl Günther Philipp Listich,

Royal Judicial Commissioner admitted to practise before the Royal Court of Justice at Cöslin.

Johann Gottlieb Wruck,

as witness.

Heinrich Bogislaf Roloff,

as witness.

Published at Cöslin on 20 February 1792, together with the testament deposited with the court, in the presence of Judicial Commission Councillor Thym in the name of the widow, née von Versen, and Judicial Commissioner Hasselbach as the representative appointed ex officio for the absent intestate heirs.

Zermoll, Protonotary of the Court of Justice.

The conformity of the foregoing copy with the original is hereby certified.

Neustettin, 9 October 1875.

(L. S.) Royal Land Registry Office.

(Name.)

Gr. S. 30.

Checked: Chentz.

697.

1789–1845.

Register of the Pomeranian fief estates and of the agnates of the von Kleist family registered in respect of them.

(Compiled pursuant to the circular of 23 December 1789 and continued until the Act of 11 July 1845.)

From the Feudal Archives: Tit. IX, Sect. 88, No. XXXIVc.

I. Register of the fief estates

The estates marked `` were deleted before the Act of 11 July 1845; those marked `\*` were deleted after that Act.

1. Zarnekow (District of Belgard). Old fief; cf. the family letters of enfeoffment of 27 March 1601, 27 September 1618, 28 September 1621, 14 September 1686, and 3 February 1711.

2. Kowalck, together with the Hansfelde field district and the share in the Hassel Mill (District of Belgard). The same.

3. Drenow (District of Belgard). The same.

4. Dumkuhlen or Dumkühr, together with the outlying farm of Sandhoff (District of Belgard). The same. Major Ernst Ewald von Kleist sold Dimkuhlen to Anton von Kleist in 1756. At that time the agnates were summoned to exercise their preferential right of purchase and were barred from doing so thereafter.

5. `` Groß Tychow A and C (District of Belgard). The same. Frantz Lorenz von Kleist sold these shares, together with Klein Crössin A, as hereditary property to Captain Anton von Kleist. Colonel Peter Christian von Kleist, however, declared himself to be the nearest agnate. After they had been surrendered to him in 1768, the agnates were barred by the judgment of 28 April 1769 from exercising the right of sale and preferential purchase. Groß Tychow B is allodial property. By the final judgment of the Royal Higher Regional Court at Cöslin, published on 21 September 1819, all known and unknown agnates of the von Kleist family were barred from asserting any feudal claims to the estate of Groß Tychow. Entered pursuant to the decree of 10 June 1822.

6. Klein Crössin A (District of Belgard). The same.

7. `` Kieckow (District of Belgard). The same. Deleted; see No. 13.

8. Warnin (District of Belgard). The same.

9. Zatckow (District of Belgard). The same.

10. Schmentzin, together with Groß and Klein Freienstein, Friedrichshoff, Lindenhoff, and the other woodland estates and outlying farms belonging thereto (District of Belgard). The same. A small share of this estate is also a von Versen fief.

11. Sietckow (District of Belgard). The same; cf. the letters of enfeoffment of 28 September 1621 and 24 January 1718. This estate is actually partly a von Wolden and partly a von Versen fief. The von Kleist family, however, had already received a feudal right and expectancy to it in 1489. This was also inserted into the family letter of enfeoffment of 28 September 1621. After the von Kleist family acquired the estate by purchase, a special letter of enfeoffment was issued on 23 January 1718. Cf. the record of 17 December 1806.

12. Ruschitz (District of Stolp). The same; cf. the above-cited letters of enfeoffment of 1601, 1618, 1621, 1686, and 1711.

13. `` One part of Seegenthin (District of Schlawe). The same. One part of this estate is a von Heydebreck fief.

Ad Nos. 13, 24, 33, 36, 34, 37, 38, 17, 24, 7, 20, and 19: According to the letter of the Royal Higher Regional Court at Cöslin dated 20 August 1835 and its enclosure B, Tit. 13, No. 27, the estates of Seegenthin, Latzig, Juchow, Schneidemühl, Zemmenz, Kucherow, and Gissolk had already been converted into allodial property, and the von Kleist family had been barred from asserting its feudal rights to Borntin, Söllnitz, Kieckow, Zatkow A, and Muttrin B. All these estates were therefore deleted here pursuant to the decree of 7 December 1835.

14. Nassen Gliencke (District of Neustettin). The same. Following the public summons obtained by Director of the Provincial Credit Association Carl Caspar von Kleist, the judgment of 27 June 1764 barred the unknown agnates from asserting claims to this estate. The rights of the known agnates were, however, reserved because they had not been personally summoned ad domum.

15. Pöppeln (District of Rummelsburg). New fief. Director of the Provincial Credit Association von Kleist, who purchased it in 1776, was invested with it as a new fief on 30 June 1777.

16. Nehmitz, together with a share in Groß Soldeckow (District of Schlawe). New fief. It was formerly a von Rahmel fief. Jürgen Valentin von Kleist, who purchased it from District Councillor von Below, received it as a new fief on 15 November 1715. His feudal successor Christoph von Kleist sold it in 1737 to Major Jürgen Lorenz von Kleist, who and whose sons were also invested with it. Cf. Feudal Records No. 28, District of Schlawe, of 1741.

17. `` Two shares of Borntin (District of Neustettin). Old fief; cf. the above-cited letters of enfeoffment of 1601, 1618, 1621, 1686, and 1711. The remaining share is a von Glasenapp fief. Deleted; see No. 13.

18. `` Dargen (Principality of Cammin). The same. By the final judgments of the Royal Higher Regional Court of Pomerania at Cöslin dated 8 October 1810 and 23 February 1818, all known and unknown agnates of the von Kleist family were judicially barred from asserting any feudal rights to the estate of Dargen. Entered pursuant to the decree of 29 November 1821.

19. `` Muttrin B, together with three peasant farmsteads in Döbeln (District of Belgard). The same. According to the letter of the Royal Higher Regional Court at Cöslin dated 20 August 1835 and its enclosure A, the von Kleist agnates were barred from asserting their feudal rights to Döbel. The feudal character of the three peasant farmsteads in Döbel listed opposite was therefore deleted pursuant to the decree of 19 September 1835.

20. `` Zatkow A (District of Belgard). The same. Deleted; see No. 13.

21. Poberow (District of Greiffenberg, now Cammin). The same.

22. `` Groß Voldeckow, together with the appurtenant estate of Gethberg (District of Belgard). The same. By the final judgments of the Royal Higher Regional Court at Cöslin, published on 10 July and 21 October 1818 and 12 November 1819, all unknown and several known claimants to rights in rem and agnates of the von Kleist family were barred from asserting their real and feudal claims to the estate of Groß Voldeckow. Entered pursuant to the decree of 13 June 1822.
23. `` Dolgen (District of Neustettin). The same. By the final judgments of the Royal Higher Regional Court at Cöslin dated 9 July 1818, 30 January 1819, and 18 March 1819, all known and unknown agnates of the von Kleist family were barred from asserting any feudal claims to the estate of Dolgen. Entered pursuant to the decree of 13 June 1822.
24. `` Shares in Latzig and Sellnitz (District of Schlawe). The same. These von Kleist shares were possessed by the brothers George Caspar Werner von Kleist and sold in 1712. It cannot at present be established with complete certainty whether they were von Kleist fief holdings. Deleted; see No. 13.
25. Groß Nemrin (District of Belgard). The same.
26. Klein Nemrin (District of Belgard). The same.
- 27a. One share of Pumlow (District of Belgard). The same.
- 27b. Lantzen (District of Neustettin). The same.
28. Raddatz (District of Neustettin). The same.
29. Neuendorff (District of Neustettin). The same.
30. Bramstädt (District of Neustettin). The same.
31. Nieder Paneckow (District of Neustettin). The same.
32. ``*` Klingbeck, together with Ober Paneckow (District of Neustettin). The same.
33. `` Juchow (District of Neustettin). The same. Deleted; see No. 13.
34. `` Zemmentz (District of Neustettin). The same. Deleted; see No. 13.
35. ``*` Falckenhagen (District of Neustettin). The same.
36. `` Schneidemühl (District of Neustettin). The same. Deleted; see No. 13.
37. `` Kucherow (District of Neustettin). The same. Deleted; see No. 13.
38. `` One share of Gissolck (District of Neustettin). The same. One share of Gissolck is a von Glasenapp fief. Deleted; see No. 13.
39. Klein Dubberow, together with the share in Groß Dubberow belonging thereto and the noble share in Boissin (District of Belgard). The same.
40. Groß Dubberow A (District of Belgard). The same.
41. ``*` Dahmen A, together with the field estates of Curow and Sand (District of Belgard). The same.
42. ``*` Dahmen B, together with the outlying farm of Nemrin, the field estate of Sand, and the share in Katschenhagen (District of Belgard). The same.
43. ``*` Dahmen C, together with the field estates of Ruden and Hohenhausen and the arable farm at Katschenhagen (District of Belgard). The same.
44. Wendisch Tychow (District of Schlawe). The same.
45. Klein Zemmin or Ellerkamp (District of Neustettin). The same. It is a field estate which was alienated subject to a right of redemption and whose superior ownership belongs to Raddatz.

46. Egsow (District of Schlawe). The same.
47. Cummerzin (District of Schlawe). The same.
48. Groß Quesdow (District of Schlawe). The same.
49. Mandelatzcke, together with the field estate of Kieffheide (District of Belgard). The same.
50. Rattekg B (District of Schlawe). Following the barring of the von Rahmel family, it was received as a new fief by Jürgen Lorenz von Kleist in 1749.
51. Von Kleist feudal capital fund of 14,000 thalers. It arose from the sale of the former von Kleist fief estates of Kieckow, Zatekow, Muttrin, and Döbel, situated in the District of Belgard. Cf. fol. 252, vol. I, Records of Alt Storkow; Feudal and Succession Register II, No. 13.

II. Register of the agnates who declared their claims

(The von Kleist fief estates are marked here with `\*`.)

1. Carl Caspar von Kleist,⁸⁷¹ son of Lieutenant General Franz Ulrich, Director of the Provincial Credit Association, proprietor of a share of Seegenthin, `\*` Nassen Gliencke, and `\*` Pöppeln. Registered in respect of fief estates Nos. 1–48 pursuant to the decree and acknowledgment of 31 December 1806.

He possesses a share of Seegenthin by purchase, having bought it in 1763 from Colonel Carl Wilhelm von Kleist.⁸⁷² He likewise possesses Nassen Gliencke by purchase, it having been conveyed to him in this manner by his stepmother, the widow of Lieutenant Colonel Anton von Kleist.⁸⁷³ Following the public summons obtained by him, the judgment of 27 June 1764 barred the unknown agnates from asserting their claims, but expressly reserved the rights of the known agnates because they had not been personally summoned ad domum.

He purchased Pöppeln in 1776 and was invested with it as a new fief on 30 June 1777. According to the declaration of Director von Kleist, his brother Friedrich Otto von Kleist of Protzen died without male descendants; cf. the exhibit of 3 February 1808.

No. 1 is deceased; his sons are listed under Nos. 16, 17, and 18.

2. Frantz Casimir von Kleist,⁸⁷⁴ son of the same, General of Infantry and Governor of Magdeburg. Registered in respect of Nos. 1–48 pursuant to the decree of 31 December 1806.

3. Otto Joachim Berndt Heinrich von Kleist,⁸⁷⁵ son of Captain Frantz Lorentz, retired Captain of Horse, proprietor of `\*` Ruschitz and `\*` Sietckow. Registered in respect of Nos. 1–20 and 22–48 pursuant to the decree of 31 December 1806.

He himself sold the estate of Poberow as hereditary property to the proprietor Rieckmann in 1803. According to his declaration, his second brother, Rüdiger Anton, died without children at Cüstrin while serving as a lieutenant in the Prince of Brunswick Regiment. Cf. the declaration of 20 February 1808.

4. Otto Bogislav von Kleist,⁸⁷⁶ son of Peter Jürgen, District Councillor of the District of Belgard, proprietor of `\*` Klein Dubberow together with the share of `\*` Groß Dubberow belonging thereto, the noble share of

⁸⁷¹ (Descendant of III. 8) 522, father 389, brother Friedrich Otto 524, sons 16 = 648, 17 = 647, 18 = 651

⁸⁷² II. 129

⁸⁷³ III. 323

⁸⁷⁴ (III. 8) 523, father 389

⁸⁷⁵ (III. 8) 636, father 511, brother 639

⁸⁷⁶ (II. 5) 201, father 149, brother 33 =, 34 =

`\*` Boissin, `\*` Groß Dubberow A, `\*` Dahmen A together with its appurtenances, `\*` Dahmen B together with its appurtenances, and `\*` Dahmen C together with its appurtenances. Registered in respect of Nos. 1–46 and 48 pursuant to the decree of 31 December 1806.

He purchased Groß Dubberow A from George Anton Wilhelm von Kleist⁸⁷⁷ in 1800. He obtained Dahmen A and its appurtenances by judicial award in the compulsory sale instituted at the request of the Piske heirs. He purchased Dahmen B and its appurtenances as hereditary property in 1797 from Captain Johann Gottlieb Christoph von Kleist.⁸⁷⁸ He purchased Dahmen C and its appurtenances as hereditary property in 1798 from Major Friedrich Berndt Christian Heinrich von Kleist.⁸⁷⁹

By the instrument of renunciation dated 15 September 1783, he entirely renounced the right of redemption in Groß Quesdow. He died on 28 September 1818 and was therefore deleted pursuant to the decree of 25 January 1844. See his sons under Nos. 33 and 34.

5. Carl Friedrich Baron von Kleist,⁸⁸⁰ son of Friedrich Casimir, at Niesky in Oberlausitz. Registered in respect of Nos. 1–48 pursuant to the decree of 9 January 1807.

6. Hans Joachim Gneomar von Kleist,⁸⁸¹ son of Major Jürgen Lorentz, retired Major, proprietor of `\*` Nehmitz together with a share in `\*` Groß Soldeckow. Registered in respect of Nos. 1–48 pursuant to the decree of 9 January 1807. He is deceased; his sons are registered under Nos. 14 and 15.

7. Eduard Heinrich Erdmann von Kleist,⁸⁸² son of Captain Ewald Heinrich von Kleist, proprietor of `\*` Wendisch Tychow, born on 6 April 1789, is a minor; von Zastrow of Pobantz is his appointed guardian. Registered in respect of Nos. 1–46 and 48 pursuant to the decree of 16 January 1807.

In respect of Groß Quesdow, his father, Captain Ewald Heinrich, renounced his feudal right by an instrument of renunciation dated 15 September 1783.

8. George Friedrich von Kleist,⁸⁸³ son of Lieutenant Colonel Georg Heinrich, Captain in the von Natzmer Infantry Regiment at Graudenz. Registered in respect of Nos. 1–48 pursuant to the decree of 19 January 1807.

9. Heinrich Wilhelm Friedrich von Kleist,⁸⁸⁴ son of General Reimar, President of the Court of Justice at Bromberg. Registered in respect of Nos. 1–48 pursuant to the decree of 6 February 1807.

10. Hans George Wedig von Kleist,⁸⁸⁵ son of George Wedig, Major in the von Owstien Regiment. Registered in respect of Nos. 1–48 pursuant to the decree of 13 February 1807. He died as Postmaster at Schlawe on 31 July 1816; his two sons are registered under Nos. 31 and 32.

11. Johann George von Kleist,⁸⁸⁶ son of Colonel Peter Christian, retired Lieutenant, proprietor of Groß Tychow A and C, `\*` Klein Crössin A, and Kieckow. Registered in respect of Nos. 1–48 pursuant to the

⁸⁷⁷ III. 672, father 536

⁸⁷⁸ III. 657

⁸⁷⁹ III. 664

⁸⁸⁰ (III. 5) 525, father 338

⁸⁸¹ (III. 8) 517, father 388

⁸⁸² (II. 5) 219, father 200

⁸⁸³ (III. 8) 656, father 525

⁸⁸⁴ (III. 8) 607, father 484b

⁸⁸⁵ (III. 8) 603, father 477, Söhn

⁸⁸⁶ (III. 5) 565, father 431

decree of 13 February 1807.

He possesses Kieckow not by feudal title but by purchase, having bought it as hereditary property in 1800 from Lieutenant von Petersdorff, to whom Adam Heinrich von Kleist⁸⁸⁷ had alienated it in 1799.

After Dolgen, following the death without heirs of Christian Felix von Kleist, was sold as hereditary property intra familiam by his five sisters to District Councillor George Ernst von Kleist, the latter's father, Colonel Peter Christian, consented to the sale and renounced the preferential right of purchase.

12. Friedrich Wilhelm von Kleist,⁸⁸⁸ son of the same, Major in His Majesty the King's Regiment. Registered in respect of Nos. 1–48 pursuant to the decree of 13 February 1807. He died at Potsdam on 29 January 1820, and his only surviving son is registered under No. 30.

13. Adam Heinrich von Kleist,⁸⁸⁹ son of Adam Heinrich, retired Captain at Stargard. Registered in respect of Nos. 1–6, 8–18, and 21–48 pursuant to the decree of 23 February 1807. In 1799 he sold the estates of Kieckow, Muttrin B together with the share in Döbeln, and Zatkow A as hereditary property to Lieutenant von Petersdorff.

14. George Christian August Carl von Kleist, son of No. 6, Captain in the von der Osten Dragoon Regiment, proprietor of `` Nehmitz together with a share in `` Groß Soldeckow and `` Rattegk B. Registered in respect of Nos. 1–48 pursuant to the decree of 21 September 1807.

15. Christoph Friedrich Anton Joachim von Kleist, son of No. 6, retired Captain of Horse, proprietor of Bulgrin. Registered in respect of Nos. 1–48 pursuant to the decree of 21 September 1807.

16. Carl Ludwig von Kleist, son of No. 1, retired Captain, proprietor of Crolow, `` Nassen Gliencke, and `` Pöppeln. Registered in respect of Nos. 1–48 pursuant to the decree of 16 March 1810.

He also reserved his right of succession to a feudal capital fund of 6,000 Reichsthalers which his brother, Major Jacob Friedrich von Kleist called von Rüchel, was to establish and have registered upon Hoffelde.

17. Frantz Otto von Kleist-Bornstedt, son of No. 1, retired Major, proprietor of Segenthin. Registered in respect of Nos. 1–48 pursuant to the decree of 2 April 1810. The same reservation concerning the feudal capital fund to be registered upon Hoffelde as under No. 16.

18. Jacob Friedrich von Rüchel, otherwise von Kleist, son of No. 1, retired Major, proprietor of Hoffelde. Registered in respect of Nos. 1–48 pursuant to the decree of 2 April 1810.

19. Friedrich Heinrich Christian von Kleist,⁸⁹⁰ son of Christoph Heinrich, retired Captain of Horse, proprietor of Reichenau near Osterode in East Prussia. Registered in respect of Nos. 1–21, 23–41, and 43–48 pursuant to the decree of 7 May 1810.

He alienated Groß Voldeckow as hereditary property. On 15 March 1798 he renounced the feudal right in respect of Dahmen.

20. Friedrich Heinrich Wilhelm Ferdinand von Kleist,⁸⁹¹ son of Friedrich Felix, Deputy of the Provincial Credit Association, proprietor of `` Warnin and `` Zatkow B. Registered in respect of Nos. 1–48 pursuant to the decree of 11 May 1810.

⁸⁸⁷ III. 531, 545, IV. 50

⁸⁸⁸ (III. 5) 562, father 431, Sohn 706

⁸⁸⁹ (III. 10) 531, father 403

⁸⁹⁰ (III. 10) 671, 536

⁸⁹¹ (III. 10) 788, father 666

21. Christoph Philipp Anton von Kleist,⁸⁹² son of the same, Lieutenant in the Invalid Company at Rügenwalde. Registered in respect of Nos. 1–48 pursuant to the decree of 11 May 1810.
22. George Lorentz August Philipp von Kleist,⁸⁹³ son of Captain Anton, retired Lieutenant, proprietor of Camissow. Registered in respect of Nos. 1–48 pursuant to the decree of 11 May 1810.
23. Wilhelm Johann Ludwig von Kleist,⁸⁹⁴ son of the same, proprietor of `\*` Zarnekow, `\*` Kowalck, `\*` Drenow, and `\*` Dumkuhlen. Registered in respect of Nos. 1–48 pursuant to the decree of 11 May 1810.
24. Wilhelm Bogislav von Kleist,⁸⁹⁵ son of Chamberlain August Wilhelm von Kleist, proprietor of Juchow, Zemmentz, `\*` Falkenhagen, Schneidemühl, Kucherow, and a share in Gissolck. He is a minor and is under the supreme guardianship of the Guardianship Board at Cöslin; his guardian is Provincial Credit Association Councillor von Zastrow of Cölpin. Registered in respect of Nos. 1–48 pursuant to the decree of 28 May 1810.
25. George Wilhelm Anton von Kleist,⁸⁹⁶ son of Christoph Heinrich, at Dargen. Registered in respect of Nos. 1–48 pursuant to the decree of 8 August 1810.
26. Frantz Heinrich von Kleist,⁸⁹⁷ son of Berndt Christian, retired Captain, proprietor of `\*` Schmentzin together with its appurtenances. Registered in respect of Nos. 1–48 pursuant to the decree of 22 August 1810.
27. Friedrich Leopold Ludwig von Kleist,⁸⁹⁸ son of Chamberlain August Wilhelm, proprietor of Juchow, Zemmentz, `\*` Falkenhagen, Schneidemühl, Kucherow, and a share in Gissolck; he is presently residing at Tzschernowitz in Saxony. Registered in respect of Nos. 1–48 pursuant to the decree of 7 September 1810.
The registration of these rights of feudal succession was made subject to the express restriction that, before any future actual exercise thereof, judicial proof must be furnished that, in the states where he presently resides, the feudal rights of foreign agnates to family fiefs situated there continue to be recognised.
28. Leopold von Kleist,⁸⁹⁹ son of Colonel Carl Wilhelm, Colonel and commander of a Chevaux-légers regiment in Royal Saxon service, proprietor of `\*` Raddatz, `\*` Neuendorff, `\*` Bramstedt, `\*` Nieder Paneckow, `\*` Klingbeck, and `\*` Ober Paneckow. Registered in respect of Nos. 1–48 pursuant to the decree of 7 September 1810, subject to the same restriction as under No. 27.
29. Leopold Friedrich von Kleist,⁹⁰⁰ son of Major Joachim Friedrich von Kleist, retired Major and Postmaster at Stolpe. Registered in respect of Nos. 1–48 pursuant to the decree of 6 April 1812.
30. Ludewig Ferdinand Adolph von Kleist, only surviving son of No. 12, retired Lieutenant and subsequently Referendary at Berlin. Registered in respect of Nos. 1–48 pursuant to the decree of 10 August 1820.
31. Wilhelm Heinrich Fridrich von Kleist, son of No. 10, Captain in the 2nd Line Infantry Regiment at

⁸⁹² (III. 10) 790, father 666

⁸⁹³ (III. 8) 642, father 518

⁸⁹⁴ (III. 8) 644, father 518

⁸⁹⁵ (II. 11) 205, father 167

⁸⁹⁶ (III. 10) 672, father 536

⁸⁹⁷ (III. 8) 501, father 383

⁸⁹⁸ (II. 11) 205, father 167

⁸⁹⁹ (II. 11) 168, father 129

⁹⁰⁰ (III. 8) 626, father 499, (brother poet **Heinrich** † 1811)

Stettin. Registered in respect of Nos. 1–48 pursuant to the decree of 17 May 1821.

32. Friedrich August Moritz von Kleist, son of No. 10, First Lieutenant in the 2nd Line Infantry Regiment, serving with the General Staff at Coblenz. Registered in respect of Nos. 1–48 pursuant to the decree of 17 May 1821.

33. Friedrich Wilhelm Otto von Kleist, son of No. 4, proprietor of `` Groß and `` Klein Dubberow. Registered in respect of Nos. 1–46 and 48 pursuant to the decree of 25 January 1844.

34. Carl August Bogislav von Kleist, son of No. 4, retired Captain of Horse at Muttrin. Registered in respect of Nos. 1–46 and 48 pursuant to the decree of 25 January 1844.

698.

1792. Königsberg. 27 March.

Testament of Henriette Gottliebe von Kleist,⁹⁰¹ née Baroness von Schrötter, and family foundation for unmarried women and widows of limited means from the von Kleist family of the Schmentzin and Zarnekow houses and from the Barons von Schrötter of the Wohnsdorf, Wesselshöfen, and Maulen houses.

From an authenticated copy.

The uncertainty as to whether the hour of my death will come sooner or later moves me to draw up and record in writing my last will, partly in order to fulfil my highest duty toward those who have been dear to me during my life, and partly to make certain further provisions concerning the property which I shall leave behind.

First and foremost, I commend my life into the hands of the all-good and all-knowing Being from whom I received it, to whom I return it with the deepest gratitude for His blessings, and before whom, after the completion of this earthly course, I confidently and joyfully expect a happy existence. As regards my burial, I entrust its arrangement to my husband, who has been dear to me in life. He will willingly undertake to have my lifeless body laid to rest without pomp, but with proper dignity, and will thereby perform the final duty toward me.

I have already disposed of my property by a reciprocal testament made with my husband, which is still deposited with the magistrate at Zinten. Since, however, I intend by this present testamentary disposition to alter it in essential respects, I hereby revoke it with the full consent which my husband has declared to me and direct that only the provisions which I shall now make shall remain valid.

I accordingly appoint my dearly beloved husband, Major von Kleist, voluntarily, after mature consideration, and while of sound mind, as universal heir to my entire property, nothing excepted. It is my will that, after my death, he shall take possession of my entire estate without the intervention of any court.

Since, however, I consider myself obliged to establish as beneficial an institution as possible for the female members of my own family and that of my husband—because sufficient foundations already exist in part for the male sex, and sons are more readily able to provide for their own prosperity, whereas daughters are usually forgotten—I hereby impose upon my husband an obligation which, out of love for me and in consideration of the fact that I am also mindful of the welfare of his own family, he will willingly fulfil.

This obligation is that, after his death, he shall leave from the capital of 20,000 thalers registered upon Gerlaucken the sum of 13,333 thalers 30 groschen for a family foundation to be more precisely defined by me. He may therefore dispose of the property inherited from me only with the exclusion of this capital of

⁹⁰¹ III. 500, Alt-Schmentzin house.

13,333 thalers 30 groschen.

With regard to this family foundation, I make the following provisions:

1. The income from the capital of 13,333 thalers 30 groschen dedicated to the foundation shall be used for six pensions for six unmarried women or widows from my family and that of my husband, in such manner that three from my family and three from my husband's family shall receive these pensions.
 2. As belonging to my family, I designate the three houses of the Baronial von Schrötter family: Wohnsdorf, Wesselshöfen, and Maulen. As belonging to my husband's family, I designate the two houses of the von Kleist family in Pomerania: Schmentzin and Zarnickow.
 3. Within my family, the Wohnsdorf house shall have the first right to receive the benefit. Apart from myself, this house presently consists of my three brothers—the Lieutenant Colonel Baron von Schrötter, the Chief President Baron von Schrötter, and the President of the Chamber Court Baron von Schrötter—and my sister, Baroness von Schrötter. So long as any unmarried women or widows from the Wohnsdorf house remain, the other two houses, Wesselshöfen and Maulen, shall be excluded.
 4. The two houses of Schmentzin and Zarnickow within the von Kleist family shall be equally entitled to receive the benefit, without either having precedence over the other.
 5. The Royal East Prussian Ministry of State shall exercise supreme supervision over the foundation.
 6. Two members, one from the Baronial von Schrötter family and one from the von Kleist family, shall at all times serve as curators of the foundation. They must, however, undertake the curatorship without remuneration.
- Subject to the supreme supervision prescribed above, they shall have full administration of the foundation capital. They shall not be required to provide security, but must demonstrate to the Royal Ministry of State that the capital has been securely invested and that its income is being applied in accordance with the purpose of the foundation.
7. The first unmarried women or widows of the two families entitled to receive these pensions shall be those who are unable to derive an annual income of 100 thalers from their own property. Should there not be so many women of limited means in both families, those possessing the least property of their own shall receive the pensions, so that the poorest unmarried women or widows of the two families shall always benefit from the foundation established by me.
 8. The recipients shall divide the income from the foundation capital equally among themselves.
 9. They must be descendants of male members of the two families and must therefore bear the family name Baroness von Schrötter or von Kleist.
 10. Should either of the two families become entirely extinct, unmarried women or widows descended from female members of that family shall also become eligible. The Royal Ministry of State may then select the recipients from among these female-line descendants, but they must be the poorest among them.
 11. Since, in the event that the Wohnsdorf house of my family should become extinct, the other two houses may have developed more extensively than they have at present, the person who is then curator of the foundation on behalf of the von Schrötter family shall designate the house and the collateral branch thereof which shall next become entitled to receive the benefit, to the exclusion of the others.
 12. Should the capital be called in from Gerlaucken, the curators shall arrange for its secure reinvestment. They shall also consider applying it to the purchase of an estate if this can be done advantageously.
 13. Should any points require more precise regulation after my death, my husband, together with my brother, the Royal Chief President Baron von Schrötter, shall draw up the necessary provisions. Whatever

they jointly determine shall be regarded as though I had personally directed it.

In addition to this institution, my appointed heir shall also pay the 1,000 thalers falling to the daughters of my brother, Chief President Baron von Schrötter, under the inheritance settlement concluded with my siblings, and 500 thalers for the maintenance of our burial vault.

This is my final and free will. Although I did not write it myself, I caused my curator to record it according to the information which I gave him concerning my intentions. I have read its contents and sign this testament in my own hand as follows.

Königsberg, 27 March 1792.

Henriette Gottliebe v. Kleist.

Published by the East Prussian Government on 20 November 1792.—Cf. No. 703.

699.

1797. Cöslin. 9 January.

Judgment concerning the preferential right of succession to the fief estates of the extinct principal Raddatz line, in favour of Lieutenant Georg Heinrich von Kleist⁹⁰² of Andersdorff and the sons of Colonel Carl Wilhelm von Kleist⁹⁰³.

From a copy in the records of the Cöslin Court of Justice in the matter of Georg Heinrich von Kleist of Andersdorf against the agnates concerning succession to the Raddatz estates, fol. 200, in the Library of the Society for Pomeranian History and Antiquities, Manuscript I.a, No. 84, fol. 260.

In the matter of Lieutenant George Heinrich von Kleist of Andersdorff, plaintiff, against the other agnates of the von Kleist family who have asserted claims to the succession to the von Kleist-Raddatz fief estates, namely:

1. a) Director of the Provincial Credit Association Carl Caspar von Kleist⁹⁰⁴ of Segenthin, and his brothers:
 - b) Friedrich Otto Gustav; and
 - c) Lieutenant General Franz Casimir von Kleist;
2. a) Captain Frantz Heinrich von Kleist⁹⁰⁵ of Schmentzin, and his brother:
 - b) Major Alexander George Wilhelm von Kleist;
3. a) Commander Friedrich Wilhelm von Kleist,⁹⁰⁶ and his brothers:
 - b) Commander Wilhelm Adrian;
 - c) Major Friedrich Joachim;
 - d) Friedrich Carl Leopold;
 - e) Colonel Wilhelm Heinrich;
 - f) Colonel Ferdinand Friedrich;

⁹⁰² II. 163.

⁹⁰³ II. 129; sons: II. 164, 167, 168.

⁹⁰⁴ III. 522, 524, 523.

⁹⁰⁵ III. 501, 500.

⁹⁰⁶ III. 488, 490, 494, 495, 496, 497, 498.

- g) Major General Hans Reimar von Kleist of Oels;
4. a) District Councillor Otto Bogislav von Kleist⁹⁰⁷ of Dubberow, and his brothers:
- b) Captain Franz George of Carstenitz;
- c) Postmaster Wilhelm Christian;
- d) Captain of Horse Nikolaus Ludewig;
- e) Captain Ewald Heinrich von Kleist of Tychow;
5. Major Felix Friedrich⁹⁰⁸ of Bärwalde;
6. Captain Christoph Caspar Heinrich⁹⁰⁹;
7. Lieutenant Adam Heinrich⁹¹⁰ of Kieckow;
8. Lieutenant Martin Ulrich⁹¹¹ of the von Amaudruz Regiment;
9. Major Johann Joachim Gneomar von Kleist⁹¹² of Zuchen;
- all defendants:

We, Frederick William, by the Grace of God King of Prussia, hereby adjudge:

First, that the declaration made by Captain von Kleist of Schmentzin and his brother, named under Nos. 2 a) and b), by which they concede to the plaintiff the preferential right of succession to the von Kleist-Raddatz fief estates, shall remain in force; likewise the corresponding declaration made at the conclusion of the proceedings by District Councillor von Kleist of Dubberow, named under No. 4, for himself and his brothers, and by Captain Christoph Caspar Heinrich, No. 6, Adam Heinrich, No. 7, Martin Ulrich Heinrich, No. 8, and Major Johann Joachim Gneomar, No. 9.

A corresponding concession of the preferential right shall also be deemed to have been made by Director of the Provincial Credit Association von Kleist of Segenthin and his brothers, Nos. 1 a–c, and by Major Felix Friedrich von Kleist, No. 5.

For the rest, the plaintiff shall be regarded as more nearly entitled than all the defendants to succeed to the von Kleist-Raddatz estates. The plaintiff shall, however, be obliged to establish in separate proceedings his preferential right of succession against the sons of Colonel Carl Wilhelm von Kleist, who are related in the same degree as he to the common ancestor.

The costs of the proceedings shall be set off against one another, except that Captain von Kleist of Schmentzin and his brother, named under Nos. 2 a) and c), shall not be required to contribute to them.

The judgment fees are fixed at fifteen thalers and the instruction fees at twenty-five thalers three groschen, including stamp duty, for the plaintiff; and at fifteen thalers in judgment fees and eighteen thalers thirty-one groschen in instruction fees, including stamp duty, for the defendants.

V. R. W.

Grounds

⁹⁰⁷ II. 201, 198, 197, 199, 200.

⁹⁰⁸ III. 430.

⁹⁰⁹ III. 533.

⁹¹⁰ III. 531.

⁹¹¹ III. 532.

⁹¹² III. 517.

Major Wilhelm Christoph von Kleist, possessor of the von Kleist-Raddatz fief estates, died on 23 March 1793 without male descendants. With him, the von Kleist-Raddatz line became extinct, so that the succession devolved upon the von Kleist lines of Dubberow and Muttrin.

In addition to the plaintiff, twenty-two agnates asserted claims, maintaining that they were all equally entitled to succeed to these estates. The plaintiff disputed this assertion and regarded himself as more nearly entitled than the twenty-two agnates because they were one degree further removed from the common ancestor. He therefore sought to succeed to the exclusion of the defendants.

The Farther Pomeranian Feudal Constitution, Tit. 24, § 3, and Tit. 25, § 2, establishes that persons nearer in degree exclude those more remotely related, while persons equally near in degree succeed per capita. The present case therefore depends upon the application of these provisions.

To demonstrate the preferential right, the parties produced three genealogical tables during the evidentiary proceedings. One was submitted by Director of the Provincial Credit Association von Kleist and showed the plaintiff and the defendants as equally removed in degree from the common ancestor. Another came from the Zarnekow house, and a third had been prepared by Feudal Secretary Schultz. The latter two essentially agreed with one another and showed the plaintiff as one degree nearer to the common ancestor than the defendants. On the basis of these two genealogical tables, the plaintiff claimed the sole succession to the exclusion of the defendants.

None of the genealogical tables produced possessed greater or lesser evidentiary weight than the others. They were all private documents, and the accuracy of one or the other could be established only by an investigation undertaken by the Feudal Tribunal through the examination of old letters of enfeoffment and laborious research in the earlier feudal and homage records.

The difference between the Segenthin table and the other two tables arose because the former listed two persons named Hans among the plaintiff's ancestors, thereby placing the plaintiff and the defendants at the same degree of removal from the common ancestor. In the other two genealogical tables, by contrast, only one Hans was listed among the Kleist ancestors descending from the common ancestor.

According to the report submitted to the Feudal Tribunal by Feudal Secretary and Criminal Councillor Zietelmann, although the letters of enfeoffment and judicial documents do not establish that there was only one Hans von Kleist, and this is not expressly stated, several reasons cited by him and the conclusions drawn from them nevertheless support the plaintiff's position as correct.

All other information available concerning the von Kleist family, with the sole exception of the Segenthin genealogical table, likewise agrees that George von Kleist had only one son named Hans and did not also have a grandson of that name. The letter of enfeoffment of 1477 appears to confirm this as well.

Since this investigation shows the plaintiff to be one degree nearer to the common ancestor than the others, it follows of itself that he excludes the defendants from succession to these estates.

It has, however, likewise been demonstrated and established that the plaintiff and the sons of Colonel Carl Wilhelm von Kleist descend in the same degree from the common ancestor. It is therefore for the plaintiff to establish in separate proceedings his preferential right to the sole succession against them.

Of the agnates, those named under Nos. 2 a) and b) had to be exempted from all costs because they abandoned their opposition before entering into the proceedings. The others named in the tenor of the judgment did so only after the closing record had been drawn up and must therefore contribute to the costs.

With respect to the agnates named under Nos. 1 a–c and No. 5, a concession of the preferential right was deemed to have been made because they had declared in the records that they would adhere to whatever District Councillor von Kleist should propose. According to fol. 191 of the records, after the conclusion of

the case he conceded the preferential right to the plaintiff.

The set-off of costs is lawful in the present case and accords with Part I, Tit. 23, § 2, No. 3 of the Judicial Ordinance, because it was only through the investigation of the genealogical tables conducted during the proceedings that the defendants could become convinced of the correctness of the plaintiff's assertion that he was more nearly entitled.

For these reasons, judgment had to be given as stated above, both in the principal matter and with respect to the costs.

Published at Cöslin on 9 January 1797.

700.

1797. Hohennauen. 21 February.

Testament of Lieutenant General Hans Ehrenreich von Bornstedt and his wife, and establishment of the Kleist von Bornstedt entail of Hohennauen in the Havelland.

From an authenticated copy in the Hohennauen Estate Archives.

Since it is of great concern to us, the undersigned spouses, that no dispute concerning our estate should arise after the death of both of us, we have wished by this reciprocal testament to determine and direct how our property shall be dealt with both after the death of either one of us and after the death of the last survivor.

First, we, the undersigned, hereby appoint one another sole heirs to all our immovable and movable property, of whatever nature or description it may be, nothing excepted, in such manner that the survivor of us shall alone inherit and receive the property of the first to die and shall be entitled to administer and dispose of it freely as his or her lawfully acquired property.

After the death of the last survivor of us, however, we hereby, after mature and careful consideration, freely and without having been persuaded by anyone, and thus of our own free determination, appoint as sole heir to all the property left by the last survivor our nephew Franz Otto von Kleist,⁹¹³ presently serving as Lieutenant in the von Kunheim Infantry Regiment, to the exclusion of all other relatives of the same or more remote degree, in such manner that this our nephew shall alone receive the property left by us.

Although it follows of itself that, since our appointed heir can receive as heir only the property which the last survivor leaves behind, he may not require the survivor to provide security for the property left by the deceased, we nevertheless consider it necessary, for the avoidance of all doubt, expressly to direct that the survivor of us shall not be obliged to provide our aforementioned heir with any bond or other security for the property left by the deceased, nor may the heir demand any such security.

We attach the following conditions to this appointment of an heir and expressly direct:

1. That our heir shall assume the name of his testator, von Bornstedt, and shall henceforth call himself Kleist von Bornstedt.
2. That the wife of our heir, whether he is already married when he enters upon our inheritance or marries thereafter, must be of noble birth and good conduct.

We therefore hereby establish and direct that, when the last survivor of us has died, should our appointed heir neither previously have assumed the name von Bornstedt nor be willing to assume it upon entering upon our inheritance, or should he already have married or subsequently marry a person who is not of noble birth, he shall be entirely excluded from our inheritance.

⁹¹³ III. 647, brothers 648, 651

In that event, our entire estate, comprising all movable and immovable property existing at the death of the last survivor, shall pass to the brother next following our appointed heir, Lieutenant Carl Ludewig von Kleist, presently serving at Magdeburg in the Prince Louis Ferdinand Regiment, provided that he fulfils the conditions stated above. He shall then be our sole heir, and we hereby expressly nominate and appoint him as such.

We nevertheless desire that our heir shall remain in Royal Prussian military service and shall leave it only for very important reasons.

Should our appointed heir fulfil the conditions stated above and leave male descendants from a marriage with a woman of noble birth, we direct and establish that his eldest son shall become possessor of our estate of Hohennauen, together with all its appurtenances and the inventories belonging thereto.

Should our appointed heir, however, die without leaving male descendants, he shall have no power to dispose of the immovable property which has passed to him from us and shall not be entitled to transfer it to others either *inter vivos* or *mortis causa*. He shall instead be obliged to leave it, together with all its appurtenances and inventories, to our likewise nephew, the aforementioned Lieutenant Carl Ludewig von Kleist of the Prince Louis Regiment, or, should the latter already have died, to his next following brother then still living, Jacob Friedrich von Kleist, who is presently serving in Lieutenant General von Kleist's regiment at Prenzlau.

We accordingly substitute the Lieutenant von Kleist of the Prince Louis Regiment, or Jacob Friedrich von Kleist serving in the von Kleist Regiment, for our first-appointed heir in the event that legitimate male descendants are lacking, always, however, subject to fulfilment of the conditions stated above.

Should, contrary to our hopes, our nephew Lieutenant Franz Otto von Kleist die before the death of the last survivor of us, but leave male descendants from a marriage contracted in accordance with the foregoing requirements, the eldest of those male descendants shall enter upon our inheritance in the same manner as his father would have done had he remained alive. His paternal uncle, the present Lieutenant von Kleist of the Prince Louis Ferdinand Regiment, shall serve as his guardian for as long as he remains a minor.

Should Franz Otto von Kleist die before the last survivor of us without leaving legitimate male descendants, our estate shall be dealt with in the manner previously directed.

The conditions stated above for entering upon our inheritance shall likewise apply to the Lieutenant von Kleist of the Prince Louis Regiment or to his brother succeeding in his place.

Should our first-appointed heir, Lieutenant Franz Otto von Kleist, or the eldest of the sons left by him from a marriage contracted in accordance with the foregoing requirements, actually enter upon our inheritance, he shall pay to our likewise nephew, the repeatedly mentioned Lieutenant von Kleist of the Prince Louis Ferdinand Regiment, a capital sum of 1,000 thalers in Prussian currency as a legacy as soon as the latter receives command of a company. Until then, he shall pay annual interest upon it at five per cent.

Whichever person may enter upon the inheritance—whether our first-appointed heir or his sons, his brother in the Prince Louis Ferdinand Regiment, or the other brother substituted for him—we expressly direct and establish that none of our heirs shall be entitled to alienate our estate of Hohennauen and its appurtenances or to burden it with debts, but shall be obliged to preserve it in every way and retain it within the family.

We likewise expressly forbid the sale by auction of any of our furniture or anything else belonging to our movable estate. In order that this direction may be observed all the more readily, the immovable property shall pass solely to the eldest male descendant of the respective possessor then living or, in the absence of such descendants, to his nearest relative within this von Kleist family.

Since a sum of 2,000 thalers in Prussian currency is still registered upon our estate of Hohennauen as feudal money, which after my death, as testator, may and shall immediately be paid to Hans Friedrich von Bornstedt of Ehrenberg near Friedberg, I have deposited a capital sum of 2,000 thalers for this purpose in the Royal Bank at Berlin, so that our heir may receive our estate of Hohennauen free of debt.

We likewise direct that none of our heirs shall charge a pension for his widow upon our estate of Hohennauen, but that each heir shall leave it to his successor free of all debts and burdens, in the same condition in which he received it from us.

We both further expressly establish that this our direction and testamentary disposition shall remain unaltered. By virtue of an express agreement, we bind ourselves and mutually promise that whichever of us survives the other shall make no alteration to this disposition and shall make no provision concerning succession to the estate of the last survivor other than that established herein.

Although I, the undersigned testatrix, would be at liberty, should my husband predecease me, either to succeed under this testament after bringing my property into account and to take or claim one half of the common estate, leaving the other half to my husband's relatives, I nevertheless hereby expressly renounce this form of succession and the right to elect the statutory portion, and confirm this our testamentary disposition as an irrevocable agreement.

Finally, we expressly reserve the right, should we consider it proper to confer anything from our estate upon any person by way of legacy, or to make provision for our servants or other persons in our employment who have deserved well of us by fidelity and diligence, to establish and determine the same in a separate document written and signed by us, or bearing only our signatures.

We therefore direct that, should one or more such documents be found among our papers after the death of the last survivor of us, their contents shall have the same force and validity as though they had been included word for word in this reciprocal testament, and shall be observed most precisely by our heirs.

Lastly, we direct that Regimental Quartermaster Mann, in whom we place particular confidence for this purpose, shall ensure the most exact observance of this our last will.

Should this testament be unable to stand as a disposition executed in accordance with all legal formalities, we nevertheless will that it shall remain valid as a codicil, fideicommiss, gift mortis causa, or in whatever other manner it can be upheld, and that it shall be valid and binding upon both of us as an irrevocable contract.

All other testaments previously made by us which might be found after our deaths are hereby expressly revoked in their entirety and declared invalid.

In witness thereof, we have both signed this our testamentary disposition in our own hands and sealed it with our coats of arms.

Done at Hohennauen on 21 February 1797.

(L. S.) Hans Ehrendreich von Bornstedt,

Lieutenant General.

(L. S.) Johanne Sophie Friderique von Bornstedt,

née von Quast.

Establishment of the von Kleist entail of Zerxten–Aspurn–Sallen–Marienhoff in Courland in place of the entail of Mescheneeken–Carlshoff.

From an authenticated copy in the engrossment records of the Tuckum Court.

Be it hereby known to all persons, present and future, who need to know it that an instrument was executed at Mitau on 24 June 1787 between my dearly beloved father, the late high and well-born George Christoph von Kleist,⁹¹⁴ and myself, the contents of which read word for word as follows:

Be it known and manifest hereby to all, etc. etc. (No. 696.)

The provisions and conditions therein were also expressly repeated as follows in the testament executed by my late father at Mitau on 10 August 1787 and engrossed in the records of the Goldingen Court on 9 May of the present year and in those of the Tuckum Court on 17 May of the present year:

“As regards my hereditary estates of Mescheneeken and Carlshoff, I have conveyed and transferred them as hereditary and absolute property to my beloved youngest son Ernst Johann von Kleist for the sum of 30,000 Albertus guilders, together with all their appurtenances and dependencies and their complete stock of livestock, and also together with all the brandy-distilling vessels and equipment situated upon my leased estate of Kursiten, which I hereby bequeath to him in advance.

“The persons purchased from Essern or other outsiders who are present upon these estates as farmers or servants shall remain there undisturbed without any payment and without any increase in the price of 30,000 Albertus guilders.

“All persons who are subjects of Mescheneeken and Carlshoff and who, at the time of my death, may be in Mitau, upon the leased estates, or elsewhere, shall immediately be delivered and transferred to my youngest son and shall remain where they belong.

“Since I, like my late father, have the beneficial intention of preserving my purchased and lawfully acquired estates of Mescheneeken and Carlshoff for all future time among my male and female descendants, I fix upon them, to ensure the fulfilment of this intention, the very fair and moderate price of 30,000 Albertus guilders.

“I direct that these my lawfully acquired estates, apart from the single case specified below, shall and must always remain within my family, in such manner that, so long as male and female descendants of my youngest son Ernst Johann von Kleist exist, the estates shall always be taken over by the person next entitled to inherit according to the degrees of kinship, for the sum of 30,000 Albertus guilders.

“Should he have no descendants and should his descendants of both sexes become entirely extinct, the estates of Mescheneeken and Carlshoff shall never pass to a stranger outside my descendants.

“Even if, by reason of proximity of degree, a collateral relative outside the descendants of my youngest son should inherit from the last deceased possessor of the estates, that collateral relative shall receive from these estates only the price of 30,000 Albertus guilders fixed upon them and unalterable for all time.

“The estates themselves shall immediately pass, for the same sum of 30,000 Albertus guilders and without any additional allowance or accounting for improvements, to whichever person among my remaining descendants is most closely related to the last deceased possessor.

“Should male and female heirs who, under the order of succession and the *jus repraesentationis*, are related to the last possessor of the estates in the same degree compete with one another, no distinction shall be made except that, in accordance with the *Privilegium Nobilitatis*, the male line shall take precedence over the female line in taking over the estates for 30,000 Albertus guilders.

⁹¹⁴ III. 555, father 424

“Consequently, on pain of nullity, these estates may never, under any condition, be burdened with debts exceeding the sum of 30,000 Albertus guilders and, apart from the case specified below, may at no time be alienated or inherited outside the family.

“Should it nevertheless occur that a possessor of the estates of Mescheneeken and Carlshoff is compelled by urgent necessity to sell them, he shall offer them to those male and female descendants of mine who, at the time of the intended alienation, would be next entitled after him to possess the estates.

“The person next entitled, or, should that person be unwilling, the next and so forth, shall take over these estates for no more than the unalterably fixed price of 30,000 Albertus guilders, so that they shall continue to be preserved within the family for that same price and subject to the conditions established herein.

“For the preservation of the prosperity of the peasantry of Mescheneeken and Carlshoff, and thus for the benefit of their hereditary lord both now and in the future, I further direct that the granary established by me at Mescheneeken, containing 300 Lof of rye and 300 Lof of barley, shall always and permanently be maintained.

“Whenever the peasants suffer a shortage, bread grain and seed shall be supplied to them from it. The quantity advanced shall, however, be collected again each autumn, so that the fund of the granary shall be permanently preserved.

“I establish this granary as a charitable foundation and as a perpetual appurtenance of these estates which may in no event be abolished by any possessor, with the same effect as the provisions which I have made concerning the value of the estates and the succession to them.

“It is therefore my earnest will that, in every case of testamentary inheritance or alienation of the estates of Mescheneeken and Carlshoff, the perpetual maintenance of this granary shall always be accepted and regarded as a condition of the sale and succession.

“The sole case in which the whole of my preceding provision concerning the perpetual preservation of the estates of Mescheneeken and Carlshoff within my family and the succession to them may be regarded as having no effect is the following:

“Should my beloved youngest son Ernst Johann von Kleist, through the advantageous marriage which he has contracted, find himself in a position and have the desire to purchase a larger and more important hereditary estate than the estates of Mescheneeken and Carlshoff conveyed to him by me, then he—and he alone—shall be permitted, for the advancement and improvement of his circumstances, to sell or exchange Mescheneeken and Carlshoff without restriction, subject to the following unalterable conditions:

“First, he shall then be obliged immediately to purchase for himself a larger and more important hereditary estate.

“Second, with regard to preserving that estate among his own and my male and female descendants, the succession to it, and the provision made for the peasantry through a granary, he must establish precisely the same arrangements, and immediately confirm them by a formal instrument, as I have established in perpetuity for the estates of Mescheneeken and Carlshoff. My provisions shall serve him word for word as the rule to be followed.

“Third, the quantity to be maintained in the granary must be fixed by him proportionately, using as his standard the amount fixed by me for Mescheneeken and Carlshoff.

“Fourth, the price at which the larger estate purchased by him is to be taken over must in every case be fixed and established at 25,000 Albertus guilders less than the higher purchase price paid by him for it. For this same reason I conveyed to him the estates of Mescheneeken and Carlshoff, which according to the deed of sale cost me 55,000 Albertus guilders and were subsequently very considerably improved by me, for the

low price of only 30,000 Albertus guilders.

“Should my son Ernst Johann von Kleist, to whom alone and personally I permit the sale of Mescheneeken and Carlshoff upon these conditions, be willing to accept these well-intentioned conditions, which are necessary under my provision, then, as stated above, he shall be permitted and free to sell the estates without restriction.

“In order, however, that all these conditions may then be fulfilled immediately and in full, I bind all my heirs, and particularly my eldest son Friedrich Christopher von Kleist, to insist unwaveringly upon their observance and to remain answerable for them.”

After the estates of Mescheneeken and Carlshoff, which had thus been conveyed to me by my late father subject to the foregoing unalterable provisions and conditions and had been accepted by me, were sold by me in 1792 to the high and well-born Christopher Ewald von Kleist,⁹¹⁵ and after I subsequently purchased in 1794 from the high and well-born Government Councillor, now Councillor of State, Adolph Wilhelm von Hahn the estates of Zerxten, Aspur, Sallen, and Marienhoff, I now establish the following in accordance with the provisions contained in the aforementioned instrument executed between my late father and myself and in my late father’s testament.

Since those provisions must serve me word for word as the rule governing this present instrument, they have also been inserted herein word for word and are accepted by me, for myself, my descendants, heirs, and legal successors, as a perpetual family law to be observed exactly and inviolably and never to be altered at any time or under any circumstances or pretext:

Everything which my late father disposed and directed in perpetuity for the benefit of his entire posterity in the aforementioned instrument inserted above word for word and in his testament concerning the estates of Mescheneeken and Carlshoff, which he himself had purchased and lawfully acquired, shall and must remain valid in perpetuity for the estates of Zerxten, Aspur, Sallen, and Marienhoff purchased by me in their place.

Accordingly, under the unalterable conditions established in the aforementioned instrument and in my late father’s testament, upon which alone I was permitted to sell without restriction the estates of Mescheneeken and Carlshoff conveyed to me, the future assumption price of the estates of Zerxten, Aspur, Sallen, and Marienhoff purchased by me in their place must in all cases be fixed at 25,000 Albertus guilders less than the higher purchase price paid by me.

I therefore hereby fix the future assumption price of the estates of Zerxten, Aspur, Sallen, and Marienhoff, which according to the deed of sale cost me 190,000 Albertus guilders, at 165,000 Albertus guilders.

In accordance with my late father’s disposition concerning the estates of Mescheneeken and Carlshoff, I further direct that the estates of Zerxten, Aspur, Sallen, and Marienhoff purchased by me in their place, as they lie within their proper boundaries and have hitherto been peacefully possessed and enjoyed by me, or could have been possessed and enjoyed, together with the entire peasantry residing upon and belonging to them, the complete stock of livestock, the brandy-distilling vessels and equipment situated there, and all other appurtenances and dependencies, together with the rights and liberties attached to these estates, nothing whatsoever excepted, shall always remain among my own male and female descendants and those of my late father.

⁹¹⁵ Family history suggests a resale to the father; however, this does not align with the account given. The buyer mentioned remains unidentified. From 1797 onwards, the owner was the Imperial Russian Rittmeister Karl von Hahn of Mescheneeken and Karlshof (Courland), who was married to Eleonore von Korff of the Kreutzburg line (Polish Livonia). (2021)

So long as my male and female descendants exist, these estates shall always be taken over by the person next entitled to inherit according to the degrees of kinship, for the sum of 165,000 Albertus guilders.

Should my descendants of both sexes become entirely extinct, the estates of Zerxten, Asburn, Sallen, and Marienhoff shall never pass to a stranger outside the descendants of my late father.

Even if, by reason of proximity of degree, a collateral relative outside my descendants should inherit from the last deceased possessor of these estates, that collateral relative shall receive from them only the price of 165,000 Albertus guilders fixed upon them and unalterable for all time.

The estates themselves shall immediately pass, for the sum of 165,000 Albertus guilders and without any additional allowance or accounting for improvements, to whichever person among my late father's remaining descendants is most closely related to the last deceased possessor.

Should male and female heirs who, under the order of succession and the *jus repraesentationis*, are related to the last possessor of the estates in the same degree compete with one another, no distinction shall be made except that, in accordance with the *Privilegium Nobilitatis*, the male line shall take precedence over the female line in taking over the estates for 165,000 Albertus guilders.

Consequently, on pain of nullity, these estates may never, under any condition whatsoever, be burdened with debts exceeding the sum of 165,000 Albertus guilders and may at no time be alienated or inherited outside the family.

Should it nevertheless occur that a possessor of the estates of Zerxten, Asburn, Sallen, and Marienhoff is compelled by urgent necessity to alienate them, he shall offer them to those male and female descendants of my late father who, at the time of the intended alienation, would be next entitled after him to possess them.

The person next entitled, or, should that person be unwilling, the next and so forth, shall take over these estates for no more than the unalterably fixed price of 165,000 Albertus guilders, so that they shall continue to be preserved within the family for that same price and subject to the conditions established herein.

For the preservation of the prosperity of the peasantry of Zerxten, Asburn, Sallen, and Marienhoff, and thus for the benefit of their respective hereditary lord both now and in the future, a granary containing 600 Lof of rye and 600 Lof of barley shall always and permanently be maintained at Zerxten in place of the granary established by my late father at Mescheneeken for Mescheneeken and Carlshoff.

Whenever the peasants suffer a shortage, bread grain and seed shall be supplied to them from it. The quantity advanced shall, however, be collected again each autumn, so that the fund of the granary shall be permanently preserved.

This granary shall therefore be regarded as a charitable foundation and as a perpetual appurtenance of these estates which may in no event be abolished by any possessor, with the same effect as the provisions concerning the value of these estates and the succession to them.

In every case of inheritance or alienation of the estates of Zerxten, Asburn, Sallen, and Marienhoff as determined herein, the perpetual maintenance of this granary shall always be accepted and regarded as a condition of the sale and succession.

I further renounce, for myself, my descendants, heirs, and legal successors, knowingly, conscientiously, and in the most legally binding manner, all and every right, remedy, objection, and legal benefit which might at any time, under whatever title or pretext, assist me or them against this instrument and the provisions and determinations contained herein, by whatever names such remedies may be known or devised, as though all and every one of them had been expressly named and separately stated herein.

In particular, I renounce the objections of persuasion, filial reverence, miscalculation, injury, that the

matter was negotiated or understood otherwise than written herein, restoration to the former condition, the beneficium protestationis both generally and per oblatam, and the rule of law that a general renunciation is invalid unless accompanied by a particular specification of that which is renounced.

All without deceit.

In witness thereof, I have signed and sealed this instrument in my own hand together with the gentlemen specifically requested by me as witnesses.

The original shall always be preserved in the deed chest at Leegen, while an authenticated copy shall be supplied to every other interested person who requests one.

I have likewise consented to its judicial confirmation without any further acknowledgment beyond that hereby made.

Done at Zerxten on 31 May 1801.

(L. S.) Ernst Johann von Kleist,
my own hand and seal.

(L. S.) Ernst Johann von Medem,
as requested witness,
my own hand and seal.

(L. S.) George Reinhold von Albedyl,
as requested witness,
my own hand and seal.

702.

1803. Berlin. 11 April.

Permission for First Lieutenant Franz Otto von Kleist⁹¹⁶ and the future possessors in fideicommiss of the estate of Hohennauen to combine the names and coats of arms of von Kleist and von Bornstedt and to call themselves Kleist von Bornstedt.

From the original in the Hohennauen Estate Archives.



We, Frederick William, by the Grace of God King of Prussia, Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire; Sovereign and Supreme Duke of Silesia; Sovereign Prince of Orange, Neufchatel and Valangin, and also of the County of Glatz; Duke in Geldern, of Magdeburg, Cleve, Jülich, Berg, Stettin, Pomerania, the Cassubians and Wends, Mecklenburg and Crossen; Burgrave of Nuremberg above and below the mountains; Prince of Halberstadt, Minden, Cammin, Wenden, Schwerin, Ratzeburg, East Frisia and Moers; Count of Hohenzollern, Ruppin, the Mark, Ravensberg, Hohenstein, Tecklenburg, Schwerin, Lingen, Bühren and Leerdam; Lord of Ravenstein and of the lands of Rostock, Stargard, Limburg, Lauenburg, Bütow, Arlay and Breda, etc.,

hereby make known and declare that, upon the joint petition of First

⁹¹⁶ III. 647

Lieutenant Franz Otto von Kleist and Lieutenant General Hans Ehrendt von Bornstedt, and in consideration of the fact that the latter leaves no legitimate descendants, We have graciously consented that his nephew and future heir, Franz Otto von Kleist, First Lieutenant in the Count von Kunheim Regiment, as well as the future possessors of the estate of Hohennauen, which has been dedicated as a permanent von Kleist family fideicommiss, may bear the name Kleist von Bornstedt and may combine the von Kleist and von Bornstedt coats of arms in the manner depicted below (Table II).

Von Kleist shall henceforth be entitled to use this double name and coat of arms both in and out of court.

We accordingly command all and every one of Our subjects, as well as all authorities and officeholders appointed by Us, Governments, Chambers, and other courts, to protect and uphold von Kleist and the future possessors in fideicommiss of Hohennauen, on Our behalf, in the privilege of bearing the name Kleist von Bornstedt and the coat of arms depicted above; not to hinder or disturb them therein; and to do nothing contrary thereto.

In witness thereof, We have signed this present consent with Our own hand and caused Our greater Royal seal to be appended thereto.

Done and given in Our Royal residence city of Berlin on the eleventh day of April in the year of Our Lord 1803 and in the sixth year of Our Royal reign.

Frederick William.

The original, written upon four parchment sheets placed one within another, is bound in red morocco decorated with gold and fastened with a twisted black-and-silver cord ending in tassels, from which the great seal of Majesty in red wax hangs in a brass capsule.

702a.

Vassal Table of 1804.

Source: Registers and Lists of the Pomeranian Knighthood from the Fourteenth to the Nineteenth Century, edited by Robert Klempin and Gustav Kratz, Berlin 1863, pp. 452 ff.

Abbreviations: B. = brother; S. = son; LH. = land hides; Lpf. = feudal horses.

II. Combined Belgard and Polzin District.

von Kleist

11. Otto Bogislaf, aged 59, retired major and district administrator of the Belgard and Polzin District, served for 24 years in the 1st Battalion of the Guards. – (The whole of Klein-Dubberow together with 2 peasant farms in Boissin (20,000), Gr. Dubberow (19,000), Damen A. (10,700), Damen B. (10,500), Damen C. (13,000), the whole of Arnhausen together with the field estate of Heide (purchased on 28 January 1802, 52,350), the whole of Battin together with the outlying farms of Crampe, Carlsruh and Gramhusen (16,120).)

S. a. Otto Friedrich Wilhelm, aged 15½, at the Nobles' Academy in Brandenburg.

b. Carl August Bogislaf, aged 14, likewise.

12. Hans Joachim Gneomar, aged 85, retired major, at Nemitz in the Schlawe District. – (Bulgrin, Butzke A. and B., and 3 peasant farms at Silesen (30,000); furthermore Kl. Satspe, Zuchen and Schübben in the Principality District, and Gr. Soldeckow and Rattaick in the Schlawe District (together 50,000).)

S. a. Jürgen, aged 35, lieutenant in Brüsewitz's Dragoons.

b. Anthon, aged 31, lieutenant in Blücher's Hussars.

13. Georg Lorenz August Philip, aged 38, retired lieutenant. – (Camissow A. and B. and Natztow A. and B. (27,000).)

S. a. Carl Anton Lorenz, aged 13.

b. Wilhelm August Ludwig, aged 10.

c. Heinrich Friedrich Wilhelm, aged 6.

14. Johan Jürgen, aged 34, retired lieutenant. – (Gr. Tychow A. and B. together with the field cottages of Bamnitz and Vogelsang, the land-improvement estate of Johannisberg, and the field estates of Wilhelmshof and Charlottenaue (54,000), Kl. Crössin B. and Kiekow (22,600).)

S. a. Hans August, aged 12.

b. Otto Franz Wilhelm, aged 11.

c. Otto Ferdinand, aged 9.

15. Wilhelm Ludwig Johan, aged 33, retired lieutenant. – (Zarnekow, Drenow, Dimkuhlen and Kowalk (23,000).)

S. a. Heinrich, aged 8.

b. Herman, aged 5.

16. Franz Heinrich, aged 68, retired captain. – (Schmenzin together with the woodland cottages belonging to it (17,200); furthermore shares in Zechendorf, Storkow and Kussow⁹¹⁷ in the Neustettin District.)

S. a. Carl Berndt, aged 38.

b. Georg Johan Wilhelm, aged 32, lieutenant in Brüsewitz's Dragoons.

17. Heirs of the late captain's wife. – (Sietkow together with the outlying farm of Grünhof (18,000).)

S. Franz Leopold, aged 49, cavalry captain in the Life Cuirassier Regiment at Schönebeck.

18. Friedrich Wilhelm, aged 35. – (Warnin and a share in Zatkow B. (8,000).)

S. Christian Philip Anthon, aged 30, lieutenant in the Invalid Company at Labes.

VI. Principality District.

von Kleist.

39. Johan Bogislaf, aged 65, retired captain. – (Carvin C. (1,706).)

S. a. Johan Bogislaf, aged 26, lieutenant in Berlin.

b. Heinrich, aged 22, lieutenant in Berlin.

40. Gneomar, aged 83, retired major. – (Zuchen, Kl. Satspe, Schübben (75,000).)

X. Neustettin District.

von Kleist.

28. . . . captain's widow⁹¹⁸ at Brotzen in West Prussia. – (Altenwalde, Lantzen, Zacherin (10,000).)

29. . . . feudal successor in Saxony.⁹¹⁹ – (Bramstädt, Falkenhagen, Gissolk, Juchow, Klingbeck, Kucherow, Neuendorf, Ober- and Nieder- (Gr. and Kl.) Pankow, Raddatz, Schneidemühl, Kl. Zemmin or Ellerkamp,

⁹¹⁷ Erroneously given as Gustrow in the original.

⁹¹⁸ III. 458

⁹¹⁹ II. 168, 204, 205

Zamenz (50,000).)

30. . . . unmarried lady.⁹²⁰ – (Dolgen (6,000).)

31. Carl, retired captain, at Segentin in the Schlawe District. – (Nass Glienke (6,000).)

32. Franz Heinrich, retired captain, at Schmenzin in the Belgard District. – (Kussow A., Storkow A., Wruckhütten (now Buchwald), Zechendorf A. (11,758).)

XV. Rummelsburg District.

von Kleist

9. Franz Georg, aged 66, retired captain. – (Cunsow (9,000).)

S. a. Heinrich Franz, aged 17, officer cadet under Zenge at Frankfurt an der Oder.

b. Georg Caspar, aged 16, boarder at the Stolp Cadet Corps.

10. . . . widow in Wend. Tychow in the Schlawe District. – (Warbelow (8,000).)

XVI. United Saatzig and Wedel District.

von Kleist.

13. Bogislaf Christlieb, aged 56, retired cavalry captain, served with Bailliodz's Cuirassiers and completed 19 years of service. – (Buchholz (27,000).)

XVII. Combined Schlawe and Polnow District.

von Kleist.

15. Carl Caspar, aged 72, retired captain. – (Segentin (12,000), Krolow (14,500), Pöppeln (3,500).)

S. a. Franz Otto, aged 33, captain under Kunheim.

b. Ludwig Carl, aged 31, captain under Prince Louis Ferdinand.

c. Friedrich, aged 27, lieutenant and inspection adjutant.

16. Hans Joachim, aged 83, retired major. – (Nemitz together with peasants in Gr. Soldekow, Rattaick A. and B.)

S. a. Georg Christian, aged 35, lieutenant in Brüsewitz's Dragoons.

b. Adolf Friedrich, aged 32, lieutenant in Blücher's Hussars.

17. . . . widow. – (Wend. Tychow A. and B.; Warbelow (4,000).)

S. Carl Heinrich, aged 16, in Berlin.

XVIII. Stolp District.

von Kleist.

22. Otto Joachim Bernd Heinrich, aged 59, retired cavalry captain. – (Ruschitz (14,000).)

S. a. Friedrich, aged 31, retired lieutenant.

b. Ludwig, aged 21, lieutenant under Reinhard.

703.

1809. Königsberg in Prussia. 9 December.

⁹²⁰ III. 420 älteste Tochter

Formal declaration and clarification of the von Kleist and Baron von Schrötter family foundation for unmarried women and widows of limited means. (Cf. No. 698.)

From an authenticated copy.

Actum before the Higher Regional Court of East Prussia on 9 December 1809.

Henriette Gottliebe, wife of Major von Kleist,⁹²¹ née Baroness von Schrötter, by her testament of 27 March 1792 dedicated a capital sum of 13,333 thalers 30 groschen, registered upon Gerlaucken, to a family foundation for female members of the Baron von Schrötter and von Kleist families: for the former, those of the houses of Wohnsdorff, Wesselshöfen, and Maulen; and for the latter, those of the houses of Schmentzin and Zarnickow.

Within the von Schrötter family, the house of Wohnsdorff has precedence. The founder's nearest agnate and relative from that house is her brother Friedrich Leopold Baron von Schrötter, actual Privy Minister of State and War and Knight of the Order of the Black Eagle, who has assumed the curatorship for the von Schrötter family. The next agnate is his brother, Baron von Schrötter, Chancellor of the Kingdom of Prussia, Chief President of the Higher Regional Court of East Prussia, and Knight of the Order of the Red Eagle, since the founder's third brother, Lieutenant Colonel Baron von Schrötter, is already deceased.

Captain Franz Heinrich von Kleist⁹²² has assumed the curatorship for the von Kleist family of the Schmentzin-Zarnickow houses.

A hearing for the formal declaration of the aforementioned instrument of foundation has been appointed for today, to which the two aforementioned curators have been summoned. Chancellor Baron von Schrötter appears at this hearing for the curator of the von Schrötter family, Minister of State Baron von Schrötter, and establishes his authority by the attached power of attorney.

On the basis of the authority granted to Minister of State Baron von Schrötter in § 13 of the instrument of foundation, the following more precise provisions and clarifications of that instrument are submitted:

Regarding § 5 of the instrument of foundation

a. The Higher Regional Court of East Prussia shall take the place of the former East Prussian Ministry of State. It shall retain supreme supervision over this family foundation even if, through a possible alteration of administrative jurisdiction, family foundations should be placed under the administration of another authority. Should the Higher Regional Court of East Prussia itself undergo any further alteration, its place shall be taken by the Provincial College of Justice having jurisdiction over the city of Königsberg.

Regarding § 6

b. Only two curators are required in all: one from the von Schrötter family and the other from the von Kleist family.

c. The curator shall be the agnate who, within the von Schrötter family, is most closely related in degree to the founder, and, within the von Kleist family, most closely related in degree to the founder's husband, Major von Kleist. Among relatives of equal degree, the eldest in age shall serve as curator.

d. Since, under § 3, the houses of Wesselshöfen and Maulen within the von Schrötter family remain excluded for as long as the house of Wohnsdorff exists, the curatorship shall pass to the houses of Wesselshöfen and Maulen only when no agnate of the house of Wohnsdorff remains.

e. Within the von Kleist family, under § 4, neither of the two houses of Schmentzin and Zarnickow possesses

⁹²¹ III. 500.

⁹²² III. 501.

a preferential right over the other. Within this family, therefore, the curatorship shall be determined solely by proximity in degree of relationship and, among several relatives equally near in degree, by age.

f. If the agnate to whom the curatorship passes is still a minor, it shall, until he attains his majority, be administered by the person to whom it would have passed if that minor agnate did not exist. Should it therefore occur that only one agnate of the house of Wohnsdorff remains and that he is a minor, the agnate of the Wesselshöfen-Maulen house to whom the curatorship would pass after the extinction of the last branch of the Wohnsdorff house shall assume it.

g. No special oath or formal appointment of the curators shall be required. Rather, upon the death of a curator, it shall be sufficient for the person to whom the curatorship passes under the foregoing principles to notify the Higher Regional Court of East Prussia that he assumes the vacant curatorship. The Higher Regional Court of East Prussia shall then issue him a certificate stating that he is curator and specifying the conditions under which he holds that position, so that he may establish his authority before other public bodies whenever necessary.

h. Without the approval of the Higher Regional Court of East Prussia, the curators may neither call in and reinvest elsewhere the capital dedicated to the foundation nor, still less, purchase landed property with it.

i. The foundation capital may be lent only upon landed property for which the mortgage register is kept not by a lower court but by the Higher Regional Court of the province or, if that court is not itself the mortgage authority, by another superior authority.

k. The capital dedicated to the foundation shall at all times be invested as a first mortgage upon privately owned landed property.

l. The appointment of the unmarried women or widows who are to enjoy the benefits of the foundation shall, in respect of each family, belong solely to the curator of that family.

m. No legal proceedings shall therefore be permitted concerning whether one applicant is entitled to preference over another. That determination shall remain solely with the curator of the family, who is duty-bound to take proper account of need combined with merit.

n. No person of immoral conduct shall be admitted to receive a pension. If a curator disregards this provision and the matter is reported to the Higher Regional Court, that court shall obtain a determination as to whether the recipient is to be regarded as immoral from the two adult agnates of the family to whom the curatorship would next pass if that curator did not exist. If those agnates have an interest in the matter, the determination shall be obtained from two other near relatives. If they disagree, they shall themselves choose an umpire from among the nearest relatives; or, should they also be unable to agree upon the umpire, the Higher Regional Court shall appoint one. His opinion shall be decisive.

Regarding § 7

o. Widows or unmarried women whose annual incomes amount to less than 100 thalers shall be regarded as equally needy. It shall therefore make no difference if, for example, one has an income of ninety thalers while another has only eighty thalers. If several applicants are equally needy, preference shall be given to the one who, within the von Schrötter family, is most closely related in degree to the founder and, within the von Kleist family, most closely related in degree to the founder's husband.

p. It shall be sufficient for an applicant to affirm in lieu of an oath that her income amounts to less than 100 thalers. If she is still a minor, this affirmation in lieu of an oath shall be made by her parents or, if they are already deceased, by her guardian.

q. If one family has fewer than three, while the other has more than three, female family members whose incomes amount to less than 100 thalers, three members of each family shall nevertheless receive pensions

under § 1. Under § 7, the benefit shall then be received by the woman who, although her income exceeds 100 thalers, is the neediest among the other female members of her family.

The application of these more precise provisions and of § 7, letters o, p, and q, in each individual case shall, however, under the provisions in letters l and m, remain solely within the discretion and conscience of the curator, and every member of the family must submit to his decision.

r. There shall be no connection between the von Schrötter and von Kleist families with respect to participation in the revenues of the foundation capital.

aa. Consequently, if in either of these families there are not three but only one or two beneficiaries descended through the male line, or, under § 10, through the female line, the vacant portions shall be added to the capital until three beneficiaries once more exist. They shall then share the income from the capital thus added.

bb. If no widows or unmarried women at all exist within either family, the annual revenues shall be added to the foundation capital and paid into the depository of the Provincial College of Justice until they can be securely invested.

As soon as an unmarried woman or widow again exists, she shall receive, in addition to the original single portion, the entire income from the whole sum by which the capital has increased through the accumulation of interest, provided that the total amount, including the original portion, does not exceed 300 thalers.

When a second beneficiary is added, the provision under letter aa shall apply. The same shall apply when a third beneficiary is added.

cc. If either family has become extinct in such a manner that no future recipient can arise, three needy girls or daughters, selected by the President of the Provincial College of Justice, shall receive the benefits. Their fathers must have served in the military or civil service and held positions of importance. The President shall then take the place of the curator.

The testament of Major von Kleist, née von Schrötter, dated at Königsberg on 27 March 1792, shall therefore be regarded both as an independent foundation for the benefit of the von Schrötter family and as a separate, independent foundation for the benefit of the von Kleist family.

Regarding § 10

s. It has already been stated above and under letter l that the selection of the recipient shall remain solely with the curator of each family.

Regarding § 12

t. In the event of any changes to be made concerning the foundation fund, the foregoing provisions under letters h to k shall be observed.

Subject to these more precise provisions, the appearing party acknowledges the instrument of foundation as binding and applies for its confirmation, etc. etc.

Confirmed by the Royal Prussian Higher Court of East Prussia at Königsberg on 24 February 1810.

704.

1809.

Royal permission for Major Jacob Friedrich von Kleist⁹²³ to assume the name and coat of arms of von

⁹²³ III. 651.

Rüchel and to call himself von Rüchel, otherwise von Kleist.

All efforts to locate the diploma, the Cabinet Order, or any other documentary or official evidence of this grant have proved unsuccessful. Neither the only surviving son of the Major, who later became General Jacob Friedrich von Kleist—First Lieutenant Albrecht Philipp von Rüchel-Kleist of the 2nd Guards Uhlan Regiment—nor the Royal Privy State Archives possesses the slightest evidence concerning it.

It has therefore been possible to reproduce only the coat of arms, as it passed from his father to him, according to the information kindly supplied by the aforementioned gentleman. (Table III.)

Major von Kleist was adopted in 1809 by the then Lieutenant General Ernst Wilhelm Ferdinand Friedrich Philipp von Rüchel, and Royal approval for the assumption of the name and coat of arms was granted as a consequence.

The first printed notice of this is found in Hellbach's **Adelslexikon**, I, p. 663, where the year 1810 is given and it is stated that Major von Kleist was permitted to call himself "von Rüchel, otherwise called Kleist." Like the other notices concerning Prussian grants of nobility and coats of arms in that work, this information probably originated with the late Privy Archivist Köhne, who also reproduces the coat of arms in his **Wappenbuch der Preußischen Monarchie**, IV, Table 41, although with differing colours.

The year 1810 given in the Köhne-Hellbach notice cannot, however, be correct, for in a document from the year 1809—State Archives: Tit. IX, Sect. 88, No. 34b, fols. 54a–b—I already find the designation "Major von Kleist, now called von Rüchel."

That the adoption and addition of the name had already taken place in 1809 was also confirmed to me by his son. According to the latter, the original form of the name granted was "von Rüchel, otherwise von Kleist." Signatures written in the Major's own hand in 1810 also employ that form.

As a General, as early as the 1830s, he used the abbreviated form von Rüchel-Kleist, which was also adopted by his children and became the customary form.

705.

1810. Gawesen. 5 June.

Establishment of the von Kleist-Keyserlingk fideicommiss of Gawesen–Neuhoff–Ingenhoff in Courland.

From a copy in the Gawesen Estate Archives.

Be it known to everyone whom it is necessary to inform that I have sold, as hereditary and absolute property, my estates of Gawesen, Neuhof, and Ingenhoff, situated in the Goldingen Chief Captaincy, together with all the brandy-distilling equipment belonging to these estates, the manor dairy utensils, all livestock, sheep, and breeding stock present there—in a word, with all the rights with which I have possessed, enjoyed, and been entitled to enjoy these estates—to my beloved grandson Ludwig von Kleist,⁹²⁴ Captain in the Imperial Russian service and Knight of several Orders, for the sum of 98,000 silver rubles, subject, however, to the following terms and conditions:

1. He shall never permit the estates to pass away from his descendants, whether male or female, but shall always have them taken over again for this purchase price.
2. In order to achieve this purpose, he shall never burden the estates sold herein with debts exceeding 98,000 silver rubles.
3. Gawesen shall remain obliged annually to deliver without payment:

⁹²⁴ III. 682.

to Warwen, forty spruce trunks, forty cords of fallen or dead firewood measuring seven feet square, thirty cords of stumps or roots, and thirty cords of brushwood for fencing;

and to the estates of Ilsen and Laiden, forty spruce trunks for building beams, ten saw logs, forty cords of fallen or dead firewood measuring seven feet square, and forty cords of roots or stumps.

The reciprocal obligation shall apply, however, that both the estates of Warwen and Dannenhoff and those of Ilsen and Laiden must have the said timber cut, broken up, and carted away by their own people.

4. Each successive possessor and heir of Gawesen shall bear the name Keyserlingk in addition to his family name.

Since my beloved grandson Ludwig von Kleist has accepted these conditions, but the purchase price is to be paid only after my death by being brought into account at the future division of the inheritance more precisely determined in my testament, it shall until that time be regarded as a mortgage debt contracted by my grandson upon the estates sold. This mortgage debt is established **eo ipso** by this deed of sale.

Since there is therefore no legal obstacle to delivery, I place him, by handing over this deed of sale, in the true, actual, hereditary, and absolute possession of the estates sold, together with all their appurtenances.

For the duration of my life I reserve only the usufruct in consideration of the purchase price still owed to me. I nevertheless expressly declare that this usufruct shall cease at the moment of my death and that, in order to avoid every conceivable dispute, the matter shall be regarded as though I had never possessed this usufruct and as though the estates sold had long before my death also been in the beneficial possession of my beloved grandson and purchaser.

Just as, in making this sale, I have borne in mind the patriotism, loyalty, and bravery which my beloved grandson has demonstrated in the service of His Imperial Majesty, as shown by the decoration most graciously bestowed upon him, it follows that, for myself, my heirs, and successors, I renounce every objection which might possibly assist me against this deed of sale.

All without fraud or deceit.

In witness thereof, I have signed and sealed this deed of sale in my own hand. I have also consented that, without any further acknowledgment beyond that hereby given, it may be engrossed in the competent records and confirmed in the customary manner.

Gawesen, 5 June 1810.

(L. S.) Johann Emmerich von Keyserlingk,
my own hand and seal.

(L. S.) Johann Christoph Conrad Saemann,
as a requested witness,
my own hand and seal.

(L. S.) Johann Friedrich Rutzen,
my own hand and seal.

In the year 1811, on 12 June, this deed of sale was duly engrossed in the records of the Goldingen Court of First Instance on the basis of the acknowledgment and consent contained therein and confirmed in the customary manner. Actum ut supra.

Chr. Erh. Sam. Langhausen,

Secretary of the Goldingen Court of First Instance.

1814. Paris. 3 June.

Elevation of General of Infantry Friedrich Ferdinand Emilius Heinrich von Kleist⁹²⁵ to the rank of Prussian Count, with the addition of the name Count Kleist von Nollendorff.

From a copy of the original in the Knauten Estate Archives.

We, Frederick William, by the Grace of God King of Prussia, etc., hereby make known, for Ourselves and Our heirs and successors to the Crown:

Whereas, through Royal favour and benevolence, We are inclined from the throne upon which the infinite goodness of God has placed Us to recognise merit, Our Royal disposition is especially gracious toward those who, descended from a worthy family and lineage, have through virtue and good conduct followed in the footsteps of their renowned forefathers.

Having therefore graciously considered that Our worthy and especially dear and faithful Friedrich Ferdinand Emilius Heinrich von Kleist, Our General of Infantry and Knight of Our Orders, descends from such a family; that he, von Kleist, by his great services toward the successful development of the great and sacred cause of Prussia, Germany, and all the allied powers, has placed the fatherland under a lasting obligation; and that he has rendered great and distinguished services to Us and Our monarchy; and having resolved, as evidence of Our Royal favour and grace, to establish for him a memorial of honour which shall serve him and his family as a perpetual adornment and permanent distinction:

We have bestowed upon Our aforementioned General of Infantry Friedrich Ferdinand Emilius Heinrich von Kleist, with the addition of the name Kleist von Nollendorff, the special Royal grace of elevating him, together with his legitimate descendants and posterity of both sexes born in wedlock, to the rank of Count and of adding them to the Counts of Ourselves, Our hereditary Kingdom of Prussia, and Our other states, as though their ancestors had belonged to the comital estate from ancient times and had continuously borne its name and title.

We hereby do so by virtue of this open letter. We place and elevate Our aforementioned General of Infantry Friedrich Ferdinand Emilius Heinrich von Kleist to the rank of Count, and likewise his legitimate bodily heirs already living or hereafter to be born in lawful wedlock and their descendants of both sexes in the direct descending line, to the estate, honour, and dignity of Counts of Ourselves and Our hereditary Kingdom of Prussia.

We grant them the right, henceforth and for all time, for as long as any one of them remains, to name and style themselves Counts and Countesses Kleist von Nollendorff in relation to Us, Our heirs and successors, and every other person whatsoever, whatever that person's dignity, estate, or condition.

They shall be regarded, held, honoured, named, recognised, and styled as such by Us, Our successors, and everyone else. They shall also be capable of receiving, possessing, and bearing all and every favour, honour, dignity, right, and privilege belonging and appertaining to persons of comital rank in assemblies, tournaments, and high offices, and shall enjoy them as the native-born Counts and Countesses of Our Kingdom are entitled to do by law and good custom.

As further testimony, We have granted, confirmed, and augmented for the said Count Kleist von Nollendorff and his legitimate bodily heirs of both male and female sex in the direct descending line the coat of arms described below, as an eternal and perpetual memorial of this elevation to comital rank. Their comital coat of arms shall henceforth consist of the following:

⁹²⁵ III. 615.

The coat of arms consists of a quartered shield with a central escutcheon. The central escutcheon contains the ancient von Kleist family arms, namely a silver field with a horizontal red fess. Above this fess appears a red fox running toward the heraldic right, with open jaws and a red tongue. Below the fess appears another fox of the same colour, running and formed in the same manner.

Of the four quarters of the shield, the first and fourth silver fields contain the black Royal Prussian eagle, crowned with the Royal crown, with a red tongue, golden beak, golden talons, and golden clover stems upon its wings.

The second and third golden fields contain an upright steel sword with a golden hilt, surrounded by a green laurel wreath composed of two branches.



Above the shield is a count's coronet, and above it are three tournament helmets crowned with count's coronets and adorned with golden ornaments.

The central helmet is that of the ancient von Kleist family arms. Upon this helmet are three roses, of which the central one is red and the other two silver. Above each rose is a short golden lance with its point directed toward the rose. The mantling is red and silver.

The second helmet stands above the upper field containing the Royal Prussian black eagle. Upon this helmet is the same eagle, formed exactly as in the shield. The mantling is black and silver.

The third helmet stands above the upper field containing the sword and laurel wreath. Upon this helmet are the sword and laurel wreath, formed exactly as in the shield. The mantling is green and gold.

The said comital coat of arms, in its proper metals and colours, is depicted here. (Table IV.)

Count Kleist von Nollendorff and his legitimate bodily heirs and descendants of both sexes in the direct descending line shall be entitled, for their honour, to bear this comital coat of arms on every occasion—in battles, assaults, combats, tournaments, encampments, banners, funerals, seals, and wherever else they please.

They shall likewise be entitled to enjoy all and every favour, honour, dignity, right, and privilege in assemblies, tournaments, and high offices in the same manner as the other native-born Counts and Countesses of Ourselves and Our hereditary Kingdom are entitled to use and enjoy them by law and good custom.

In order that the aforementioned Count Kleist von Nollendorff may experience Our Royal favour and grace all the more fully, We have most graciously ordained, and hereby ordain by Our supreme Royal authority and by virtue of this open letter, that henceforth, in the writings and instruments of Ourselves and Our heirs and successors in which he or they are mentioned, he and his legitimate bodily heirs and their descendants of both sexes in the direct descending line shall be given the title of Count together with the honorific *Hochwohlgeboren*; and that others shall give them the honorific *Hochgeboren* and shall name and style them accordingly.

We therefore command and order all and every one of Our ecclesiastical and secular subjects—princes, prelates, counts and barons, knights, persons of noble standing, and vassals—and likewise all authorities and officeholders appointed by Us, Our Council of State, Our governors, Our Privy Supreme Tribunal, Our Chamber Court, Our governments, Higher Regional and other courts, provincial bailiffs, provincial governors, district councillors, castellans, burgraves and magistrates, mayors, judges, councillors, citizens,

communities, and all other subjects and faithful servants of Ourselves, Our hereditary Kingdom, and Our other states, of whatever dignity, estate, or condition:

They shall henceforth and forever accept, hold, regard, honour, and recognise the aforementioned Count Kleist von Nollendorff and all his legitimate bodily heirs and descendants of both sexes in the direct descending line as native-born Counts and Countesses of Ourselves and Our hereditary Kingdom in all honourable assemblies, tournaments, and high offices, and in every other place.

They shall name and style them as stated above, accord them the honorific **Hochgeboren**, and permit them to use and enjoy all and every favour, honour, dignity, right, and privilege belonging by law and custom to Our Counts.

They shall neither hinder nor disturb them therein, but shall uphold, protect, and defend them on Our behalf in all the foregoing. They shall do nothing contrary thereto, nor permit others to do so in any manner whatsoever, if each wishes to avoid Our displeasure and a penalty of 1,000 thalers.

Each person who wilfully contravenes this provision shall, upon every such occasion, be liable to pay one half of that penalty into Our treasury and the other half to the aforementioned Count Kleist von Nollendorff or to whichever of his legitimate bodily heirs and descendants of both sexes in the direct descending line has suffered the violation.

In witness thereof, We have signed this diploma with Our own hand and caused Our greater Royal seal to be appended thereto.

Done and given at Our headquarters in Paris on the third day of June in the year 1814 after the birth of Christ Our Lord and in the seventeenth year of Our Royal reign.

Frederick William.

Carl, Prince von Hardenberg.

707.

1814. Berlin. 7 August.

Royal grant of the domains of Stötterlingenburg and Wülperode to General of Infantry Friedrich Ferdinand Heinrich Emilius Count Kleist von Nollendorff.⁹²⁶

From the draft in the Privy State Archives, R. 74, O. 3, No. 26.

We, Frederick William, by the Grace of God King of Prussia (*toto titulo*), hereby declare, by virtue of this Our open letter, for Ourselves and Our heirs and successors to the Crown, that, in recognition of the distinguished services which Our General of Infantry Friedrich Ferdinand Heinrich Emilius Count Kleist von Nollendorff has rendered to Our monarchy, and of the devotion which he showed to Us and Our Royal House in times of peril, We have most graciously resolved to give, transfer, and convey to Our said General of Infantry Friedrich Ferdinand Heinrich Emilius Count Kleist von Nollendorff, as his hereditary and absolute property, from the beginning of the agricultural year, namely from 1 July 1814, the following estates and properties situated in the Principality of Halberstadt and the District of Osterwieck, together with the appurtenances described in the present instrument and subject to the conditions stated below:

§ 1.

A. The domain of Stötterlingenburg, with all the appurtenances belonging thereto, as it has hitherto been leased, and in particular:

⁹²⁶ III. 615.

1. The demesne farm of the same name, together with all residential and agricultural buildings belonging thereto and more particularly described in the building inventory, and the adjoining lands specified in Appendix A, the area of which, according to the survey undertaken in 1732,⁹²⁷ amounts to:

a. Garden land: 17 Morgen, 43 square rods.

b. Arable land:

α. free of tithes: 1,468 Morgen, 130 square rods;

β. subject to tithes: 42 Morgen, 163 square rods.

c. Meadows:

α. yielding two cuttings: 62 Morgen, 99 square rods;

β. yielding one cutting: 93 Morgen, 106 square rods.

Total: 1,685 Morgen, 1 square rod.

2. The grain tithe belonging to the said domain, which is collected from 270 Morgen and 45 square rods situated within the field districts of the villages of Stötterlingen, Lüttgenrode, and Bühne.

3. The rights of grazing and pasturage upon the lands of the domain and in the forests belonging thereto and named below, some of which are conveyed and some of which remain with Us, as well as upon the fields of the communities belonging to the domain; subject, however, to the extent, number, periods, and powers in which these rights have hitherto been exercised by the domain of Stötterlingenburg under the established regulations and existing customs, agreements, settlements, and so forth, concerning which Appendix B serves as guidance.

4. All monetary dues and payments in kind arising from the said domain, insofar as they still exist and were not abolished under the former Government or redeemed by those liable to render them, namely land tax, ditch money, farm rents, grazing money, hereditary rents from the mills, money in lieu of tithes upon newly cultivated land, fixed tithe money, hereditary interest, money in lieu of smoke hens, Martinmas dues, and service money.

The grant further includes the grain dues consisting of 3 Wispel, 15 bushels, and 2 Metzen of rye, and 4 Mispel and 2 Metzen of oats.

Finally, it includes the services in kind performed with teams and by hand by the communities of Stötterlingen and Lüttgenrode, consisting of 529 days of team service and 840 days of manual service, all as demonstrated in Appendix C and founded upon the table of services and dues of the domain of Stötterlingenburg for 1804/16.

5. The entire manorial inventory of livestock, implements, and harness, together with the field inventory consisting of seed sown, manuring, and ploughing wages, as recorded in the inventory of 23 June 1720 attached hereto as Appendix D:

a. Inventory of livestock, implements, and harness, valued at 605 Reichsthalers, 5 groschen, 4 pfennigs.

b. Field inventory, valued at 1,975 Reichsthalers, 13 groschen.

Total: 2,580 Reichsthalers, 18 groschen, 4 pfennigs.

B. The royal domain of Wülperode, as it has hitherto been enjoyed under lease, together with all the appurtenances belonging thereto, namely:

1. The demesne farm of the same name, together with all residential and agricultural buildings more

⁹²⁷ Appendices A–J have been omitted here.

particularly described in the building inventory, the brewery, and the adjoining lands specified in Appendix E and in the basic inventory, the area of which, according to the survey undertaken in 1732, amounts to:

- a. Garden land: 6 Morgen, 79 square rods.
- b. Arable land free of tithes: 766 Morgen, 110 square rods.
- c. Meadows yielding one cutting: 107 Morgen, 66 square rods.

Total: 880 Morgen, 75 square rods.

2. The unsurveyed ditches and hedges surrounding the domain which have been brought under cultivation and are presently used as agricultural land.

3. The free fishery in the River Ecker.

4. The rights of grazing and pasturage both upon the fields and meadows of the domain and upon the lands of the communities belonging to it, in accordance with the information contained in Appendix F; subject, however, to the extent, number, periods, and powers in which these rights have hitherto been exercised by the domain of Wülperode under the established regulations and existing customs, agreements, settlements, and so forth.

5. All monetary dues arising from the domain of Wülperode, insofar as they still exist and were not abolished under the former Government or must not cease under the more recent constitution, namely land tax, tavern rents, hereditary rents from the mills, water rents, money in lieu of tithes upon newly cultivated land, hereditary interest, money in lieu of smoke hens and running eggs, and service money; likewise the natural services with teams, consisting of 1,292 days of service, performed by the communities of Göddeckenrode, Rinnbeck, Bühne, and Hoppenstedt, according to Appendix G.

6. The entire manorial livestock and field inventories, the latter consisting of seed sown, manuring, and ploughing wages, as both are recorded in the inventory of 24 July 1720 attached as Appendix H:

- a. Livestock inventory, valued at 1,175 Reichsthalers, 8 pfennigs.
- b. Field inventory, valued at 1,500 Reichsthalers, 1 groschen.

Total: 2,675 Reichsthalers, 1 groschen, 8 pfennigs.

C. The forests belonging to the domains of Stötterlingenburg and Wülperode, namely:

1. The Stötterlingenburg forest district, with an area of:

coppice woodland: 556 Morgen, 146 square rods;

oak and white-beech plantations: 310 Morgen, 77 square rods.

2. The Wülperode forest district, containing:

a birch plantation of 6 Morgen;

oak plantations and clearings of 215 Morgen, 65 square rods.

The two forest districts therefore have a total area of 1,088 Morgen and 108 square rods, within the boundaries specified in Appendix J.

3. The properties belonging to the forestry service, namely a dwelling house with stables, two Morgen of garden land, and eight Morgen of arable land at the place called the Long Strips.

D. The high, middle, and low hunting rights, as they have been exercised and enjoyed by the domains of Stötterlingenburg and Wülperode in the woodlands belonging to them and within their respective field districts, within the boundaries precisely specified in the two lease contracts dated at Halberstadt on 14 October 1804 and at Stötterlingenburg on 7 November 1810.

§ 2.

By the present instrument We give the aforementioned property to General of Infantry Friedrich Ferdinand Heinrich Emilius Count Kleist von Nollendorff as his hereditary and absolute property, to be possessed and enjoyed as true and lawfully acquired property under Our sceptre, Our sovereign and territorial rights, and Our laws.

The grant includes the right of patronage over the churches at Stötterlingen and Wülperode, the right to call and present the cantor and schoolmaster in those villages, and jurisdiction over the so-called domain villages of Stötterlingen, Lüttgenrode, Göddekenrode, Wülperode, Bühne, Rinnbeck, and Hoppenstedt, subject to the restrictions applicable in this respect in the Province of Halberstadt.

By reason of the estates thus granted to him, General of Infantry Friedrich Ferdinand Heinrich Emilius Count Kleist von Nollendorff shall, with respect to representation in the provincial estates and other relationships, enter the category of proprietors of noble estates.

He is, however, obliged to bear all burdens and taxes upon all the above-mentioned estates and appurtenances, whether they already rest upon them and are named below or not, or may in future be imposed upon them by general laws and regulations.

These properties shall therefore enjoy no exemption from general territorial, corporate, or communal burdens. The donee must assume responsibility for such burdens, for the maintenance of roads, and for the payment of the taxes, burdens, and servitudes resting upon the properties, particularly the monetary payments due to the clergy and schoolmasters.

In particular, he must at present fulfil the following principal obligations:

a. The demesne farms and appurtenances granted as an endowment are presently liable to an annual land tax of 1,386 thalers, 22 groschen, 2 pfennigs. The forests included in the grant, including the forester's service house and the lands belonging thereto, are likewise liable to an annual land tax of 124 thalers, 9 groschen, 6 pfennigs.

b. The donee shall pay annually, at the customary due date, 55 thalers in gold to Cathedral Canon von Spiegel zum Diesenberg at Seggerde, on account of the von Asseburg tithe.

c. The following shall be paid annually to the clergy and schoolmasters at Stötterlingen and Wülperode:

1. To the minister at Stötterlingen: 60 Reichsthalers.
2. To the cantor there: 30 Reichsthalers.
3. To the minister at Wülperode: 46 Reichsthalers, 9 groschen.
4. To the schoolmaster there: 13 Reichsthalers, 12 groschen, 6 pfennigs.

d. Each of the hereditary-rent millers at Lüttgenrode, Stötterlingen, and Wülperode shall annually receive from the forest districts conveyed one oak tree measuring twenty feet in length and twenty-four inches in thickness, in return for payment of the proportionate land tax.

e. The community of Lüttgenrode shall be permitted to exercise its existing right to pasture its cattle in the forests under the supervision and direction of the forestry official.

f. The communities of Osterwieck, Lüttgenrode, and Stötterlingen shall be permitted to collect dry fallen wood from these forests on Mondays and Thursdays of each week from Michaelmas until Easter, without cutting implements or vehicles.

§ 3.

The donee shall not be entitled to demand any warranty in respect of the properties granted, whether on

account of their area, their yield, or for any other reason. He shall likewise not be permitted to raise objections on account of any errors or discrepancies in the property conveyed to him.

We do, however, hereby consent and oblige the donee to cause the estates, forests, and rights conveyed to him under this instrument to be entered in his name as his property in the land and mortgage register.

§ 4.

We grant the aforementioned estates and forests, together with their appurtenances, to the donee upon the following terms:

Since the State enjoyed all revenues from these properties until the last day of June of the present year 1814, We, in return, promise to cause everything which, up to 30 June 1814, may have been contracted or apportioned as debts or otherwise upon the said estates and their appurtenances, or which originates from that period and may still be apportioned, to be discharged solely from the State treasury and without any participation by the donee.

§ 5.

The physical delivery of these estates, forests, and rent-paying villages to the donee has already been carried out by Our Government at Magdeburg.

All existing lease contracts, tables of services and dues, maps, survey registers, and other documents concerning them shall, insofar as this has not yet been done, be delivered to the donee either in the original or in an authenticated copy.

§ 6.

The donee enters into all the rights of the Treasury against the tenant of the properties described above, but must also assume all obligations legally incumbent upon the lessor under the tenant's lease.

§ 7.

We promise, for Ourselves and Our heirs and successors to the Crown, that We will royally protect Our General of Infantry Friedrich Ferdinand Heinrich Emilius Count Kleist von Nollendorff and his heirs and descendants in the grant made to him and them in the manner described above.

We graciously and earnestly command Our Ministries of State, supreme provincial colleges, Higher Regional Courts, Governments, and all and every authority dependent upon Us to protect and maintain at all times Our General of Infantry Friedrich Ferdinand Heinrich Emilius Count Kleist von Nollendorff and his heirs and descendants in the absolute possession and enjoyment of the aforementioned estates and their appurtenances.

They shall not hinder them therein in any way, but shall permit Our General of Infantry Friedrich Ferdinand Heinrich Emilius Count Kleist von Nollendorff and his heirs and descendants peacefully to possess and enjoy these estates and their aforementioned appurtenances. They shall neither act contrary thereto themselves nor cause or permit others to do so, on pain of Our displeasure and the penalties prescribed by law.

In witness of everything contained in this diploma of donation, We have caused it to be drawn up, have executed it with Our own hand, and have caused it to be confirmed with Our Royal seal appended thereto.

Done and given in Our Royal residence city of Berlin on the seventh day of August in the year 1814 and

in the seventeenth year of Our Royal reign.⁹²⁸

Frederick William.

Carl, Prince von Hardenberg.

708.

1822. Cöslin. 13 July.

Establishment of a von Kleist feudal capital fund of 14,000 thalers from the purchase price of the fief estates of Kiekow, Muttrin A and B, Döbel, and Zatkow A.

From an authenticated copy in the Feudal Archives: Tit. IX, Sect. 88, No. XXXVa, fol. 23.

Actum at Cöslin on 13 July 1822.

By a contract dated 22 May 1799, Major Adam Heinrich von Kleist⁹²⁹ sold the estates of Kikow, Muttrin A and B, Döbel, and Zatkow A to Major von Petersdorff, who summoned the von Kleist agnates to exercise their feudal rights in those estates.

The summons resulted in the judgment of preclusion dated 4 November 1805, by which most of the agnates were barred, while the feudal rights of some of them were reserved.

As the proceedings following the summons continued, and following an action brought by the agnates against Major von Petersdorff, District Councillor von Kleist, von Zastrow, and von Blankenburg, as the later possessors of these estates, for their surrender, judgment was first given on 4 May 1809.

That judgment established that the agnates could not exercise the *beneficium taxae*, but that the following persons were entitled to demand a feudal capital fund:

5. Captain George Heinrich von Kleist of Andersdorff near Neustädtel in Silesia.
6. The minor von Kleist at Tschernowitz, now a Major and official in the Department of Foreign Affairs at Berlin.
7. George Wilhelm Anton von Kleist at Dargen, now Second Lieutenant von Kleist at Stettin in the 9th Infantry Regiment.
8. Wilhelm Johann Ludwig von Kleist at Zarnekow.
9. Colonel Leopold von Kleist of Zützen near Luckau.
10. Captain George Christian August Carl von Kleist of Nemitz.
11. Heinrich Eduard von Kleist of Wendisch Tychow.
12. Lieutenant Christoph Philipp Anton von Kleist of the Invalid Company at Rügenwalde.
13. Provincial Deputy Friedrich Leopold Ludwig von Kleist at Tschernowitz near Guben in Lausitz.

The determination of the amount of this feudal capital fund and the manner in which it was to be established was referred to separate proceedings.

Although the President of the Court of Justice von Kleist at Bromberg and the student of law Albert Ferdinand Lebrecht von Kleist at Dorpat had also had their rights to the feudal capital fund reserved by the

⁹²⁸ The document is backdated, since it was not issued until March 1818 and was sent to General Count Kleist von Nollendorff on 9 May of the same year. It was engrossed on parchment, with the great pavilion seal appended in a capsule.

⁹²⁹ III. 531.

judgment of 15 August 1810, they were entirely barred from exercising this right by the judgment published on 2 February of the present year.

The judgment of 4 May 1809 had at the same time directed, and the declaratory judgment of 21 January of the present year had established, that the allodial status of the estates of Kikow, Muttrin A and B, Döbel, and Zadtkow A was to be recorded in the mortgage register.

In return, the agnates were entitled to apply for the interim entry in the mortgage register of a notice prohibiting all dispositions and payments in respect of that part of the purchase price which von Petersdorff still owed to his vendor.

According to a communication from the Royal Higher Regional Court at Stettin dated 24 November 1809, this notice was in fact entered against the following capital claims of the vendor:

- a) the sum of 6,925 thalers entered under No. 6 upon Kikow;
- b) the sum of 7,000 thalers entered under No. 11 upon Kiekow; and
- c) the sum of 3,775 thalers entered under No. 9 upon Muttrin and under No. 20 upon Zadtkow.

The documents relating thereto were called in for deposit in the archives of the Higher Regional Court here.

The separate proceedings concerning the amount and manner of establishing the feudal capital fund have so far produced no result. Since, however, the number of persons entitled to the fund has now been finally determined, the heir of the vendor, Major von Kleist at Stargardt—namely his son Wilhelm Heinrich Dietrich von Kleist—considered it appropriate to settle the matter by agreement.

A settlement had already been concluded on 3 March 1820. Von Kleist of Andersdorff, named under No. 1 above, had not yet joined it, however, and subsequent changes also required it to be modified.

For the sake of a complete overview, it was therefore considered appropriate to draw up a new settlement concerning the feudal capital fund in place of that concluded on 3 March.

Since the nine persons entitled to the feudal capital fund have now appointed special authorised representatives here, a hearing was fixed for the present day. The following persons appeared:

- 14. Wilhelm Heinrich Dietrich von Kleist of Alt-Storckow, assisted by Judicial Commissioner Hentsch.
- 15. Councillor of Justice Stricker, representing von Kleist of Zarnekow, Major von Kleist, and Provincial Deputy von Kleist—Nos. 2, 4, and 9.
- 16. Judicial Commissioner Hildebrandt, representing von Kleist of Andersdorff, von Kleist of Dargen, von Kleist of Zützen, von Kleist of Nemitz, von Kleist of Wendisch Tychow, and Lieutenant von Kleist—Nos. 1, 3, 5, 6, 7, and 8.

The persons present agreed upon and resolved the following:

§ 1.

The aforementioned nine agnates of the von Kleist family, whose rights were reserved by the judgments of 4 May 1809 and 15 August 1810, acknowledge the estates of Kiekow, Muttrin A and B, Döbel, and Zadtkow A as allodial property and hereby renounce, for themselves and their descendants, all feudal rights belonging to them therein.

§ 2.

In return, Wilhelm Heinrich Dietrich von Kleist hereby establishes for them a feudal capital fund of 14,000 Reichsthalers in silver courant according to the Prussian monetary standard of 1764. All rights belonging to him therein according to the nature and character of a fief shall remain reserved to him.

§ 3.

Von Kleist has provided security for this feudal capital fund by issuing, on 5 October of the preceding year, an obligation and security instrument for 14,000 thalers.

According to the certificate of 10 January of the present year, this instrument is entered under Rubric III, No. 60, in the mortgage register of Alt-Storckow in the District of Saatzig, for the benefit of the persons entitled to the feudal capital fund, with the exception of Captain von Kleist of Andersdorff.

The official provincial valuation of this estate amounts to 62,481 thalers, 12 groschen, 10 pfennigs. Only 28,000 thalers are registered ahead of the feudal capital fund. All the contracting parties therefore acknowledge the security to be sufficient.

§ 4.

Since the claim to the feudal capital fund is entered in the mortgage register for only eight of the persons entitled to it, and Captain Georg Heinrich von Kleist of Andersdorff, named under No. 1 above, now joins them subsequently pursuant to the judgment of 2 February of the present year, although he was not included in the settlement of 3 March 1820, all persons present consent that his right to the feudal capital fund shall subsequently be entered in the mortgage register of Alt-Storckow to the same extent as that of the other entitled persons, upon the basis of this settlement and the obligation of 5 October of the preceding year.

§ 5.

In return, all persons entitled to the feudal capital fund consent that their mortgage rights and the notices entered in the mortgage register against:

the capital of 6,925 thalers entered under No. 6 upon Kickow;

the capital of 7,000 thalers entered under No. 11 upon Kickow and under No. 12 upon Groß Tychow; and

the capital of 3,775 thalers entered under No. 9 upon Muttrin A and B and under No. 20 upon Zadtkow, shall be cancelled upon the basis of this settlement.

Any documents concerning these capital claims which are held in judicial custody shall be returned to von Kleist.

§ 6.

After the character of the sum as a feudal capital fund has been entered, the security instrument for 14,000 thalers shall remain in the judicial custody of the Higher Regional Court here.

§ 7.

Von Kleist shall nevertheless be at liberty to substitute for the security presently furnished another security established either by registration upon landed property or by the pledge of registered obligations.

The persons entitled to the feudal capital fund shall be obliged to accept such security if it is established within the first two thirds of the official provincial valuation.

In order, however, to avoid the difficulty of obtaining the consent of the agnates whenever the security is changed:

§ 8.

It is at the same time established that the Royal Higher Regional Court at Cöslin shall be authorised, and is hereby requested, on each occasion to consent to the cancellation of the security for the feudal capital fund; to examine and determine, without the participation of the persons entitled to the fund, whether the security required under § 7 is sufficient; and to receive every new security instrument into its depository.

§ 9.

The costs of these proceedings and of the registrations and cancellations required in consequence thereof shall be borne by von Kleist of Storckow.

The appearing parties, Judicial Commissioner Hildebrandt having subsequently produced Colonel von Kleist of Zützen's power of attorney, approved and signed this settlement after it had first been read aloud.

They unanimously request:

that the Higher Regional Court send the security instrument, together with an engrossed copy of this settlement, to Stettin for the registration of the claims of Captain von Kleist of Andersdorff, and thereafter arrange for the document to be deposited and for the three previous security instruments to be returned and cancelled.

Wilhelm Heinrich Dietrich von Kleist.

Hentsch. Hildebrandt. Stricker. Wilke II.

709.

1823. Berlin. 21 January.

Elevation of Major Wilhelm Bogislav von Kleist⁹³⁰ to the Prussian rank of Count, with the addition of the name Count von Kleist vom Loß.

From a copy of the original.

We, Frederick William, by the Grace of God King of Prussia, Margrave of Brandenburg, Sovereign and Supreme Duke of Silesia and also of the County of Glatz, Grand Duke of the Lower Rhine and Posen, Duke of Saxony, Engern and Westphalia, of Geldern, Magdeburg, Cleve, Jülich, Berg, Stettin, Pomerania, the Cassubians and Wends, Mecklenburg and Crossen, Burgrave of Nuremberg, Landgrave of Thuringia, Margrave of Upper and Lower Lusatia, Prince of Orange, Neufchatel and Valangin, Prince of Rügen, Paderborn, Halberstadt, Münster, Minden, Cammin, Wenden, Schwerin, Ratzeburg, Moers, Eichsfeld and Erfurt, Count of Hohenzollern, Princely Count of Henneberg, Count of Ruppin, the Mark, Ravensberg, Hohenstein, Tecklenburg, Schwerin and Lingen, Lord of the lands of Rostock, Stargard, Lauenburg and Bütow, etc. etc., hereby make known, for Ourselves, Our heirs and successors to the Crown:

Although, from innate Royal favour and clemency, We are inclined from the throne upon which the infinite goodness of God has placed Us to allow every good thing to flow to everyone, Our Royal disposition is nevertheless especially gracious and benevolent toward those who are descended from a good family and lineage and who, through virtue and good conduct, have followed in the footsteps of their renowned forefathers.

Major Wilhelm von Kleist has distinguished himself by his loyal attachment to Us and Our Royal House. In consequence of his intended marriage to the eldest daughter of the Royal Saxon Lord Chamberlain Count vom Loß, and in accordance with a testamentary disposition of the founder of the comital vom Loß family fideicommiss, he has most humbly petitioned Us graciously to confer upon him the rank of Count and at the same time benevolently to permit him to add the name and coat of arms of the comital vom Loß family to his own name and coat of arms.

As evidence of Our Royal favour and benevolence, We have therefore resolved most graciously to grant this petition and to elevate Major Wilhelm von Kleist, together with his legitimate descendants and posterity of

⁹³⁰ II. 205.

both sexes born in wedlock, to the rank of Count and to add, associate, and place them among the Counts of Ourselves and Our hereditary Kingdom of Prussia, as though their ancestors had belonged to the comital estate from ancient times and had continuously borne its name and title.

We hereby do so by virtue of this open letter and by Our sovereign Royal authority. We place and elevate the aforementioned Major Wilhelm von Kleist, together with his legitimate bodily heirs born in wedlock and their descendants of both sexes in the direct descending line, to the estate, honour, and dignity of Counts of Ourselves and Our hereditary Kingdom.

We add them to the company and community of those Counts and grant them the liberty to add the name of the comital vom Loß family to their own name and henceforth and for all time, for as long as any one of them remains, to name and style themselves Counts and Countesses von Kleist vom Loß in relation to Us, Our heirs and successors, and every other person whatsoever.

They shall be regarded, held, honoured, named, recognised, and styled as such by Us, Our successors, and everyone else. They shall also be capable of receiving, possessing, and bearing all and every favour, honour, right, and privilege belonging and appertaining to persons of comital rank, particularly in assemblies and tournaments, and shall enjoy everything which the native-born Counts of Our Kingdom and Our other lands are entitled to use and enjoy by law and good custom, without hindrance from anyone.

We further permit the aforementioned Major Wilhelm Count von Kleist vom Loß and his legitimate bodily heirs and descendants of both male and female sex in the direct descending line henceforth and for all time to add the coat of arms of the comital vom Loß family to their existing coat of arms. We hereby ordain that this combined coat of arms shall consist of the following:



A shield divided into six fields, three above and three below. In the first field at the upper right and the sixth field at the lower left, both of which are silver, is a black eagle facing toward the heraldic right, crowned with a noble coronet, with outspread wings and extended golden talons.

The third field at the upper left and the fourth at the lower right are blue and contain a silver lion rampant toward the heraldic right, with extended forepaws and a protruding golden tongue.

The second silver field, in the upper centre, is divided by a horizontal red fess. In both the upper and lower divisions of this field appears a fox running toward the heraldic right in its natural colour.

In the fifth red field, in the lower centre, is depicted a tree frog springing toward the heraldic right in its natural colour, surrounded by a wreath of green leaves.

Upon the count's coronet covering the shield rest four steel-blue tournament helmets, crowned with counts' coronets and adorned with golden ornaments.

Upon the first helmet at the right appears the black eagle, crowned with a noble coronet and facing toward the heraldic left. The mantling is black and silver.

Upon the second helmet are three red roses, upon each of which rests a lance with its point directed downward. The mantling is red and silver.

Upon the third helmet, whose mantling is likewise red and silver, a tree frog sits upon a green wreath.

From the fourth helmet at the left rises the silver lion facing toward the heraldic right. The mantling is blue and silver.

The supporters are a fox on the right and a lion on the left, both in their natural colours and standing upon

a pedestal of grey marble, as this comital coat of arms is depicted here in its proper metals and colours. (Table V.)

Major Wilhelm Count von Kleist vom Loß and his legitimate bodily heirs and descendants of both sexes in the direct descending line shall be entitled, for their honour and benefit, to bear this comital coat of arms on every occasion—in battles, assaults, combats, tournaments, encampments, banners, funerals, seals, signet seals, and wherever else they please.

They shall likewise be entitled to enjoy all and every favour, honour, right, and privilege, particularly in assemblies and tournaments, in the same manner as the other native-born Counts of Our Kingdom and Our other lands are entitled to use and enjoy them by law and good custom, without hindrance from anyone.

In order that the aforementioned Major Wilhelm Count von Kleist vom Loß may experience Our Royal favour and grace all the more fully, We have most graciously ordained, and hereby ordain by Our supreme Royal authority and by virtue of this open letter, that henceforth We and Our heirs and successors shall accord to him and his legitimate bodily heirs born in wedlock of both sexes in the direct descending line the title of Count together with the honorific High and Well-born, and shall name and style them accordingly.

We therefore command and order all and every one of Our ecclesiastical and secular subjects—princes, prelates, counts and barons, knights, persons of noble standing and vassals—and likewise all authorities and officeholders appointed by Us, Our governors, Our Supreme Tribunal and Chamber Court, Our Higher Regional Courts, Governments, courts, provincial bailiffs, provincial governors, district councillors, castellans, burgraves and magistrates, mayors, judges, councillors, citizens, communities, and all other subjects and faithful servants of Ourselves, Our hereditary Kingdom, and Our other lands:

They shall henceforth, in all honourable assemblies, tournaments, and at every other place, accept, hold, regard, honour, and recognise the aforementioned Major Wilhelm Count von Kleist vom Loß and all his legitimate bodily heirs and descendants of both sexes in the direct descending line as native-born Counts of Ourselves and Our hereditary Kingdom.

They shall name and style them as stated above, accord them the honorific High-born, and permit them peacefully to use and enjoy all and every favour, honour, right, and privilege.

They shall not hinder or disturb them therein, but shall uphold, protect, and defend them on Our behalf in everything stated above. They shall do nothing contrary thereto, nor permit others to do so in any manner whatsoever, if each wishes to avoid Our displeasure and a penalty of 1,000 thalers.

Each person who wilfully contravenes this provision shall, upon every such occasion, be liable to pay one half of that penalty into Our treasury and the other half to the aforementioned Major Wilhelm Count von Kleist vom Loß or to whichever of his legitimate bodily heirs and descendants of both sexes in the direct descending line has suffered the violation.

In witness thereof, We have signed this diploma with Our own hand and caused Our greater Royal seal to be appended thereto.

Done and given in Our Royal residence city of Berlin on the twenty-first day of January in the year of Our Lord 1823 and in the twenty-sixth year of Our Royal reign.

Frederick William.

W. F. zu Wittgenstein.

Elevation of retired First Lieutenant Heinrich Werner Eduard von Kleist⁹³¹ of Tippielsgrün in Bohemia to the Prussian rank of Baron.

From the draft in the Royal Privy State Archives at Berlin: R. 52, No. 52, No. 1.

We, Frederick William, by the Grace of God King of Prussia, etc. etc. etc., hereby make known, for Ourselves, Our heirs and successors to the Crown:

Although, from innate Royal favour and clemency, We are inclined from the throne upon which the infinite goodness of God has placed Us to allow every good thing to flow to everyone, Our Royal disposition is nevertheless especially gracious and benevolent toward those who are descended from a good family and lineage and who, through virtue and good conduct, have followed in the footsteps of their renowned forefathers.

Having graciously considered that retired First Lieutenant Heinrich Werner Eduard von Kleist has distinguished himself through good service, and having resolved, as evidence of Our Royal favour and grace, to establish for him a memorial of honour which shall serve him and his family as a perpetual adornment and permanent distinction, We have bestowed upon the aforementioned First Lieutenant Heinrich Werner Eduard von Kleist the special Royal grace of elevating him, together with his legitimate descendants and posterity of both sexes born in wedlock, to the rank of Baron and of adding, associating, and placing them among the Barons of Ourselves and Our hereditary Kingdom of Prussia, as though their ancestors had belonged to the baronial estate from ancient times and had continuously borne its name and title.

We hereby do so by virtue of this open letter. We place and elevate the aforementioned First Lieutenant Heinrich Werner Eduard von Kleist, together with his legitimate bodily heirs already living or hereafter to be born in wedlock and their descendants of both sexes in the direct descending line, to the estate, honour, and dignity of Barons of Ourselves and Our hereditary Kingdom.

We add them to the company and community of those Barons and grant them the liberty henceforth and for all time, for as long as any one of them remains, to name and style themselves Barons and Baronesses von Kleist in relation to Us, Our heirs and successors, and every other person whatsoever.

They shall be regarded, held, honoured, named, recognised, and styled as such by Us, Our successors, and everyone else. They shall also be capable of receiving, possessing, and bearing all and every favour, honour, right, and privilege belonging and appertaining to persons of baronial rank, particularly in assemblies and tournaments, and shall enjoy everything which the other native-born Barons of Our Kingdom and Our other lands are entitled to use and enjoy by law and good custom, without hindrance from anyone.



As further testimony, We have granted, confirmed, and augmented for the said First Lieutenant Heinrich Werner Eduard Baron von Kleist and his legitimate bodily heirs of both male and female sex in the direct descending line the coat of arms described below as an eternal and perpetual memorial of this elevation to baronial rank.

Their baronial coat of arms shall henceforth consist of the following:

A silver shield divided by a horizontal red fess. In both the upper and lower silver divisions appears a fox running toward the heraldic right in its natural colour.

Upon the shield, which is covered by a baron's coronet, stands a steel-blue

⁹³¹ III. 716.

tournament helmet, crowned with a noble coronet and adorned with a golden ornament. Upon it appear three roses side by side, of which the central rose is red and the other two silver. Upon each rose rests a lance with its point directed downward.

The mantling on both sides is red and silver, as this baronial coat of arms is depicted here in its proper metals and colours. (Table VI.)

First Lieutenant Heinrich Werner Eduard Baron von Kleist and his legitimate bodily heirs and descendants of both sexes in the direct descending line shall be entitled, for their honour and benefit, to bear this baronial coat of arms on every occasion—in battles, assaults, combats, tournaments, encampments, banners, funerals, seals, signet seals, and wherever else they please.

They shall likewise be entitled to enjoy all and every favour, honour, right, and privilege, particularly in assemblies and tournaments, in the same manner as the other native-born Barons of Our Kingdom and Our other lands are entitled to use and enjoy them by law and good custom, without hindrance from anyone.

In order that the aforementioned First Lieutenant Heinrich Werner Eduard Baron von Kleist may experience Our Royal favour and grace all the more fully, We have most graciously ordained, and hereby ordain by Our supreme Royal authority and by virtue of this open letter, that henceforth We and Our heirs and successors shall accord to him, his legitimate bodily heirs born in wedlock, and the heirs of those heirs of both sexes in the direct descending line the baronial title together with the honorific Well-born, and shall name and style them accordingly.

We therefore command and order all and every one of Our ecclesiastical and secular subjects—princes, prelates, counts and barons, knights, persons of noble standing and vassals—and likewise all authorities and officeholders appointed by Us, Our governors, Our Supreme Tribunal and Chamber Court, Our Higher Regional Courts, Governments, courts, provincial bailiffs, provincial governors, district councillors, castellans, burgraves and magistrates, mayors, judges, councillors, citizens, communities, and all other subjects and faithful servants of Ourselves, Our hereditary Kingdom, and Our other lands:

They shall henceforth, in all honourable assemblies, tournaments, and at every other place, accept, hold, regard, honour, and recognise the aforementioned First Lieutenant Heinrich Werner Eduard Baron von Kleist and all his legitimate bodily heirs and descendants of both sexes in the direct descending line as native-born Barons and Baronesses of Ourselves and Our hereditary Kingdom.

They shall name and style them as stated above, accord them the honorific High and Well-born, and permit them peacefully to use and enjoy all and every favour, honour, right, and privilege.

They shall not hinder or disturb them therein, but shall uphold, protect, and defend them on Our behalf in everything stated above. They shall do nothing contrary thereto, nor permit others to do so in any manner whatsoever, if each wishes to avoid Our displeasure and a penalty of 1,000 thalers.

Each person who wilfully contravenes this provision shall, upon every such occasion, be liable to pay one half of that penalty into Our treasury and the other half to the aforementioned First Lieutenant Heinrich Werner Eduard Baron von Kleist or to whichever of his legitimate bodily heirs and descendants of both sexes in the direct descending line has suffered the violation.

In witness thereof, We have signed this diploma with Our own hand and caused Our greater Royal seal to be appended thereto.

Done and given in Our Royal residence city of Berlin on the sixth day of May in the year of Our Lord 1831 and in the thirty-fourth year of Our Royal reign.

1839. Berlin. 13 February.

Permission for District Councillor Johann Georg von Kleist⁹³² of Kieckow to assume the name and coat of arms of von Retzow and to call himself von Kleist-Retzow.

From the original in the Kieckow Estate Archives.

We, Frederick William, by the Grace of God King of Prussia, etc. etc. (as in No. 709)⁹³³, hereby make known and graciously inform everyone:

Whereas, from innate Royal favour and clemency, We are constantly striving to promote and increase the welfare and contentment of Our faithful subjects; and whereas District Councillor Johann George von Kleist of Kieckow near Belgard has informed Us that his late maternal grandmother, the widowed Lieutenant General's wife von Retzow, by her testament of 30 January 1772 established from her estate of Mäthlow in the West Havelland District a family entail with the provision that, should one of the sons of her two daughters succeed to that entail, he should be obliged to bear, in addition to his family name and coat of arms, the name and coat of arms of the noble von Retzow family;

and whereas the said District Councillor Johann George von Kleist has most humbly petitioned Us graciously to grant him, as the present possessor of the aforementioned entail, Our sovereign permission to add the name and coat of arms of the noble von Retzow family to his own name and coat of arms and henceforth to name and style himself von Kleist-Retzow:

As evidence of Our Royal favour and benevolence, We most graciously grant this petition.

Accordingly, by Our sovereign Royal authority, We hereby grant the said District Councillor Johann George von Kleist Our sovereign permission in such manner that he and his legitimate bodily heirs born in wedlock and their descendants of both sexes in the direct descending line shall be entitled to add the name of the noble von Retzow family to their own name and, both in relation to Us and Our successors to the Crown and in relation to every other person, whatever that person's dignity or estate, to name and style themselves von Kleist-Retzow in all their writings, speeches, titles, actions, and transactions.

They shall also be named, styled, and honoured accordingly by everyone.

We further permit, by virtue of this present instrument, that henceforth and for all time the said District Councillor Johann George von Kleist-Retzow and his legitimate bodily heirs born in wedlock and their descendants of both sexes in the direct descending line may add the coat of arms of the noble von Retzow family to their existing coat of arms.



We hereby ordain that this combined coat of arms shall consist of the following:

A quartered shield. In the first and fourth silver fields is a narrow horizontal red fess, accompanied above and below by two red foxes running toward the heraldic right.

In the second and third red fields are two blue crescents, their horns turned away from one another toward the right and left. Between them appear two blue five-pointed stars, one above and one below.

Upon the shield rest two forward-facing steel-blue tournament helmets adorned with golden ornaments.

⁹³² III. 565.

⁹³³ Pyrmont is also inserted after Lingen.

Upon the helmet at the right are three red six-petalled roses, upon which stand the steel points of three tilting spears with brown shafts.

Upon the helmet at the left are three feathered blue arrows with their points directed upward.

The mantling on both sides is alternately red and silver and blue and silver, as this coat of arms is depicted here in its proper metals and colours. (Table VII.)

District Councillor Johann George von Kleist-Retzow and his legitimate bodily heirs born in wedlock and their descendants of both sexes in the direct descending line shall henceforth be entitled to bear and use this combined coat of arms in all honourable and noble matters and transactions—in assaults, contests, combats, tournaments, jousts, engagements, knightly games, military campaigns, banners, encampments, seals, signet seals, ornaments, paintings, funerals, and at all other places according to their honour and pleasure.

We therefore command all and every one of Our ecclesiastical and secular subjects—princes, prelates, counts and lords, knights, persons of noble standing and vassals—and likewise all authorities and officeholders appointed by Us, Our governors, Our Supreme Tribunal, Our Chamber Court, Our Higher Regional Courts, Governments and courts, provincial bailiffs, provincial governors, bailiffs, administrators, captains, district judges, councillors, citizens, communities, and all Our other faithful subjects in Our Kingdom:

They shall henceforth protect and uphold on Our behalf the aforementioned District Councillor Johann George von Kleist-Retzow and his legitimate bodily heirs and descendants of both sexes in the direct descending line in the possession of this name and coat of arms as described above.

They shall not hinder or disturb them therein, do anything contrary thereto, or permit anyone else to do so in any manner whatsoever, if each wishes to avoid Our displeasure.

In witness thereof, We have signed this diploma with Our own hand and caused Our greater Royal seal to be appended thereto.

Done and given in Our Royal residence city of Berlin on the thirteenth day of February in the year of Our Lord 1839 and in the forty-second year of Our Royal reign.

Frederick William.

W. F. zu Wittgenstein.

The document is written upon four parchment sheets and bound in red morocco decorated with gold. The great seal of Majesty in a silver capsule hangs from a black-and-silver cord with matching tassels.

712.

1840. Berlin. 20 October.

Elevation of retired Major Eduard von Kleist⁹³⁴ of Zützen to the Prussian rank of Count, with the inheritance of this dignity linked to the sole possession of the Zützen family entail in Lower Lusatia.

From the original Cabinet Order in the Privy State Archives at Berlin.

Upon your report of yesterday, I will also elevate the retired Major and possessor of the family entail von Kleist of Zützen in Lower Lusatia to the rank of Count, subject to the same conditions which I established by My two Orders of the 10th of last month and the 15th of the present month for elevations of this category.

⁹³⁴ II. 207.

I commission you to make this publicly known. The Ministry of State has received a copy of this Order.

Berlin, 20 October 1840.

Frederick William.

To Minister of State von Rochow.

The aforementioned conditions governing the inheritance of this dignity were communicated to the person elevated by a decree of the Ministry of the Royal House dated 27 March 1843.

According to the printed official “List of all elevations of rank and other acts of grace most graciously granted by His Majesty the King on the occasion of the hereditary homage received in Berlin on 15 October 1840 and published on 20 October 1840,” those conditions were as follows:

“The dignity of Count conferred shall pass only to that descendant who comes into the sole possession of the paternal landed property. It shall furthermore pass only if the inherited landed property is the present property, or is at least equal to it in extent and rights and is situated within My territories. Finally, the elevations of rank conferred shall remain valid only for the duration of such ownership of landed property and shall become extinct in the person of the last possessor upon the loss of that property.”



No diploma has yet been issued, and consequently no coat of arms has yet been granted. The coat of arms shown in Table VIII is therefore not properly a coat of arms conferred by diploma, but one adopted by the family itself.

It has, however, already been described in a similar form in Kneschke's **Deutsche Grafenhäuser**, Part I, p. 446,⁹³⁵ and would presumably also be included in any diploma issued subsequently.⁹³⁶

713.

1842. Hohennauen. 15 February.

Family compact concerning an amendment to the Kleist von Bornstedt-Hohennauen fideicommiss foundation.

From an engrossed copy in the Hohennauen Estate Archives.

By the reciprocal testament executed at Hohennauen on 21 February 1797 by Lieutenant General Hanns Ehrenreich von Bornstedt and his wife Johanna Sophie Friderique, née von Quast, and opened on 6 October 1802, the first share of the knightly estate of Hohennauen, situated in the West Havelland District and entered in the mortgage register of the Royal Chamber Court, Vol. II, p. 529, which is presently possessed

⁹³⁵ Ernst Heinrich Kneschke, **Deutsche Grafenhäuser der Gegenwart**, Vol. I, Leipzig 1852, pp. 446–447: In a silver shield is a horizontal red fess, above and below which a red fox runs toward the heraldic right. The shield is covered by a count's coronet, above which rises a crowned helmet. Upon the helmet stand three roses—silver, red, and silver—side by side, and upon these roses rest three golden tilting spears with their pointed knobs. The mantling is red and silver. (2021)

⁹³⁶ 2021: The family archives at Hamm contain the comital diploma issued on 1 June 1863 for his son Heinrich Leopold, II. 226, bearing this coat of arms. It is reproduced in the second edition in Part II of the family history.

by Major Kleist von Bornstedt, was dedicated as a fideicommiss within the von Kleist family.

With regard to the powers of each possessor, it was expressly provided:

“We likewise direct that none of our heirs shall charge a pension for his widow upon our estate of Hohennauen, but that each of our heirs shall leave it to his successor free of all debts and burdens, in the same condition in which he received it from us.”

The present possessor of the fideicommiss has applied for an amendment of this provision insofar as it prohibits the possessor from charging a pension for his widow upon the estate of Hohennauen.

Accordingly, the present possessor and all persons entitled to succeed to the Hohennauen fideicommiss estate have established the following by this family compact:

1. The provision in the testament of the founders, Lieutenant General von Bornstedt and his wife, dated 21 February 1797, under which none of their heirs is entitled to charge a pension for his widow upon the estate of Hohennauen, is hereby revoked.
2. The widow of each possessor shall, for as long as she does not relinquish her widowhood, receive an annual pension of 300 thalers courant from the revenues of the estate of Hohennauen. Should more than one widow be living, they shall together receive an annual pension of 300 thalers courant, divided among them in equal shares.
3. Consent is given to the entry of the contents of this compact in the mortgage register of the Royal Chamber Court against the first share of the knightly estate of Hohennauen.

Hohennauen, 15 February 1842.

Carl Ludwig Kleist von Bornstedt⁹³⁷

Retired Major.

Jacob Friedrich von Rüchel-Kleist⁹³⁸

Lieutenant General and Governor.

Friedrich Wilhelm Ferdinand von der Hagen

as curator of the brothers von Kleist-Bornstedt and von Rüchel-Kleist.

The foregoing family compact, executed on 15 February 1842 in the matter of the Kleist von Bornstedt fideicommiss, is hereby confirmed by the Royal Chamber Court.

In witness thereof, under the greater seal of the Royal Chamber Court and the customary signature.

Berlin, 6 May 1844.

(L. S.) von Bülow.

714.

1843. Hohennauen. 10 March.

Testament of Major Carl Ludwig Kleist von Bornstedt⁹³⁹ of Hohennauen, enlargement of the fideicommiss, and association of a family foundation with it.

⁹³⁷ III. 648.

⁹³⁸ III. 651.

⁹³⁹ III. 648, sons 773 - 775

From an authenticated copy in the Hohennauen Estate Archives.

My Testament

I appoint as heirs to my estate:

I. My wife, Wilhelmine Charlotte Julie Auguste, née von Hanstein.

II. My six children: 1. Otto Friedrich Erdmann, 2. Ludwig Carl, 3. Louise Wilhelmine Charlotte, 4. Carl Wilhelm Heinrich, 5. Auguste Marie Julie, 6. Helene Wilhelmine Natalie; and I release my wife from the obligation to bring her own property into the common estate.

My property consists:

A. of the fideicommiss estate constituting the first share of Hohennauen;

B. of feudal property consisting of the estates of Nassen-Glinke and Pöppelhof, situated in Farther Pomerania, to which no inventory belonging to me is attached;

C. of allodial property:

1. the hereditary leasehold rights in the local glebe lands;
2. the separately divided half of the former Neuemann peasant farm situated here, together with the buildings erected upon it, namely a brickworks and a substantial day-labourer's house;
3. the supplementary inventory situated upon the fideicommiss estate of Hohennauen;
4. my remaining movable property;
5. assets and outstanding claims, particularly government securities and other bonds.

I must make separate provisions concerning each of these different assets of my property.

As regards, first:

A.

the fideicommiss estate of Hohennauen, it passes, together with the inventory belonging to the fideicommiss, to my eldest son under the existing order of succession. No disposition on my part is therefore required in that respect.

I nevertheless intend to enlarge this already existing perpetual family fideicommiss from my allodial property and accordingly direct that my share in the Neuemann peasant farm, the brickworks established upon it, the substantial master workman's and day-labourer's house built there, and the hereditary leasehold rights in the local glebe lands—which properties and rights I have hitherto used in conjunction with the fideicommiss—shall remain united with it for all time and shall therefore pass to each successive holder of the fideicommiss.

This shall, however, be subject to the condition that the possessors of the fideicommiss remain obliged to preserve the hereditary leasehold lands undiminished within their proper boundaries.

It follows of itself that, together with the lands and rights hereby added to the fideicommiss, all burdens and dues resting upon them shall also pass to the fideicommiss.

In particular, however, I intend to associate a family foundation with the enlargement of the fideicommiss hereby undertaken. For this purpose, I make the enlargement of the fideicommiss estate of Hohennauen dependent upon the condition that it shall annually pay an annuity of 520 thalers courant, which I shall dispose of below for the benefit of the children of the former possessors of the fideicommiss.

I hereby impose upon my successors in possession of the fideicommiss estate of Hohennauen, enlarged by this disposition, the obligation to pay this annuity and direct the following concerning it:

I.

Of the aforementioned annuity of 520 thalers, I assign the sum of 500 thalers to those legitimate children in the first degree of former possessors who do not themselves succeed to the fideicommiss.

The right to participate in the distribution is therefore restricted to the immediate children of deceased possessors of the fideicommiss. The respective possessor himself and the more remote descendants of deceased possessors are excluded. Children in more remote degrees descended from a former possessor are consequently not entitled to participate.

The participation of the respective family members shall therefore depend upon whether their father was in possession of the fideicommiss estate of Hohennauen and of the lands and rights added to it by this disposition.

II.

If there are several children of one former possessor, or children of several former possessors, they shall participate per capita and in equal shares in the total annuity of 500 thalers assigned to them.

Shares of the annuity which become vacant through the death of one recipient shall accrue to the remaining entitled persons in the same proportion.

III.

The annuity must be paid annually at Christmas. The possessor of the fideicommiss shall pay it to the curators, who shall distribute it among the entitled persons.

IV.

Only those children of deceased possessors of the fideicommiss who had already been born and were still living on the day upon which the annual annuity fell due shall participate in that year's annuity.

Consequently, where family members otherwise entitled to receive it die during the course of an annuity year, no account shall be taken of those who have died in the meantime when the next annuity falling due is distributed.

V.

Whenever, at the time when the annuity falls due, there are no members of the family entitled to receive it, the annuity for that year shall fall to the possessor of the fideicommiss.

The obligation to pay the annuity shall, however, cease only for the duration of such a vacancy. From the first due date following the death of a possessor of the fideicommiss estate of Hohennauen, the successor to the fideicommiss must again pay the annuity to the children left by that possessor.

VI.

I appoint as curators of the foregoing family foundation the eldest male member of the family then entitled to receive the annuity and the person then administering the jurisdiction associated with the fideicommiss estate of Hohennauen.

They shall ensure that the foundation established by me, and particularly the obligation to pay the annuity after the properties added to the fideicommiss have been entered as belonging to it in the mortgage register, is duly registered. In general, they shall ensure that the provisions made herein are upheld and observed.

In particular, the respective court administrator shall, on the basis of certificates from the church registers to be submitted to him by the family members entitled to participate, maintain a register of the respective recipients of the annuity.

On the basis of this register, he shall inform the family member serving with him as co-curator of every

change which occurs. He shall also remain obliged, whenever requested and particularly for the purpose of enabling the possessor of the fideicommiss to pay the annuity to those entitled, to submit to that possessor the relevant register together with the supporting documents establishing entitlement.

As remuneration for the duties assigned to the court administrator, I assign to him the twenty thalers remaining from the annuity of 520 thalers after deduction of the 500 thalers provided under No. I. These twenty thalers shall be paid annually on the due date established for the annuity as a whole.

I hereby impose upon my son and successor to the fideicommiss, as well as upon all our other successors and possessors of the fideicommiss estate of Hohennauen, the strictest obligation precisely to fulfil all duties imposed upon them by this foundation.

I do so all the more because, through the enlargement of the fideicommiss undertaken and required by the circumstances, I have considerably reduced my allodial estate and have found in the foundation established herein the only means of providing some compensation for my allodial heirs and, in general, of providing the children of the possessors who do not themselves obtain possession of the fideicommiss with some compensation for the advantages granted to those possessors.

I was induced to enlarge the fideicommiss principally by my conviction that the lands and rights added to it produce the considerable income which I have hitherto derived from them only when united with the fideicommiss estate of Hohennauen. Separating them from the fideicommiss would therefore considerably diminish their value.

I am firmly convinced that the annual income from the properties incorporated by me into the fideicommiss exceeds by considerably more than three times the amount of the annuity imposed by me upon the fideicommiss in consideration of this enlargement.

I therefore have not the slightest doubt that the benefit intended for the fideicommiss will be accepted and gratefully acknowledged both by my son who succeeds me in its possession and by all future successors.

Future possessors of the fideicommiss shall be permitted to raise a loan of 8,000 thalers courant upon the lands of the half peasant farm and the brickworks and day-labourer's dwelling built there, and to have this loan entered in the mortgage register.

This debt must, however, be amortised and repaid at the rate of 500 thalers annually, so that it is completely discharged within sixteen years. The curators of the annuity shall ensure that these repayments are duly made.

My son and successor in possession of the fideicommiss may arrange for the acceptance of the enlargement of the fideicommiss directed by me by the means prescribed by law and, if necessary, by the execution of a family compact. At the same time, he may apply for the formal declaration and confirmation of the aforementioned family foundation.

Should, contrary to expectation, the addition of the aforementioned properties to the fideicommiss not be accepted and approved, and should the family foundation established by me consequently fail to acquire the legal force of such a foundation in the form directed above, it is nevertheless my will that, with respect to the lands and rights intended for the fideicommiss, the following

Family Foundation

shall be established.

In that event, the curators appointed above under No. VI shall apply for the public sale to the highest bidder of my share in the former Neuemann peasant farm, the brickworks established upon it, the master workman's and day-labourer's house, and the hereditary leasehold rights in the local glebe lands.

The proceeds shall be invested with security suitable for the property of minors. After deduction of the

administrative expenses and the twenty thalers to be paid annually to the court administrator, the interest derived from the capital shall be divided equally among those members of the family whom I have designated above as entitled to participate in the annuity payable by the possessor of the fideicommiss.

With respect to the right to participate in these respective payments, the proportion in which several entitled persons shall participate and the times of payment, all the provisions made above concerning the annuity of 520 thalers shall apply, subject, however, to the following qualifications:

1. With respect to No. V, if no members of the family entitled to receive the interest exist, the interest shall not fall to the possessor of the fideicommiss estate of Hohennauen but shall be added to the capital until entitled persons again exist. The interest from the entire capital, consisting of the original capital and the interest accumulated upon it, shall then be distributed among them.

2. With respect to No. VI, the court administrator appointed as curator shall prepare and maintain the register and its supporting documents in duplicate and shall annually submit one copy to the authority administering the foundation property.

Should the fideicommiss estate of Hohennauen, through the absence of persons entitled to succeed and the resulting extinction of the fideicommiss, become the free and absolute property of its last possessor, thereby making it impossible to attain the purpose which I intended through this foundation, the foundation property then existing shall pass as free and absolute property to the heirs of the last possessor of the fideicommiss estate of Hohennauen and shall be delivered to them.

I hereby impose upon all persons concerned the obligation carefully to fulfil all the foregoing provisions.

As an exception, however, to the rules established by me concerning participation in the annuity payable by the possessor of the fideicommiss estate of Hohennauen or in the interest from the foundation property, I direct for the first case occurring after my death that my wife, née von Hanstein, shall for her lifetime receive 200 thalers courant from the annuity of 500 thalers intended for distribution among my children, or two fifths of the interest from the foundation property intended for distribution among them.

Until her death, therefore, only 300 thalers of the annuity, or three fifths of the interest from the foundation property, shall be distributed among my children.

As regards, next:

B.

my feudal property, it shall etc. etc.

Hohennauen, 10 March 1843.

(L. S.) Carl Ludwig Kleist von Bornstedt.

715.

1845. Berlin. 29 July.

Family compact concerning the succession to the von Kleist-Retzow fideicommiss estate of Möthlow.

From an engrossed copy of the proceedings dated at Berlin on 29 July 1845, in the Groß Tychow Archives.

Introduction

I.

The late Charlotte Louise von Retzow, née von Röseler, widow of Lieutenant General von Retzow and formerly proprietress of the knightly estate of Mätelow, situated in the West Havelland District of the Electoral Mark of Brandenburg and entered in the mortgage register of the Chamber Court at Berlin, Vol.

III, p. 529, directed, among other things, in her testament dated at Mätelow on 30 January 1772:

1. That the said estate of Mätelow should be permanently preserved within her family and that a capital sum of 20,000 thalers courant should remain invested in it as a perpetual fideicommiss capital fund; and
2. that the estate and the fideicommiss capital should pass first to her eldest son and his male descendants; after their extinction, to her second son and his male descendants; after their extinction, to the second or third son of her younger daughter, Mrs von Möllendorff, and his male descendants; and finally, after their extinction, to the second son of her elder daughter, Mrs von Kleist,⁹⁴⁰ and his male descendants, in every case according to the right of primogeniture, provided that they also assumed the name von Retzow, and to the exclusion of female descendants.

Pursuant to these provisions, which were entered in the mortgage register of Mätelow under Rubric II, No. 1, the fideicommiss estate of Mätelow, after the male descendants of the founder's two sons and likewise those of her younger daughter von Möllendorff had become entirely extinct, most recently passed to the second son of her elder daughter von Kleist, née von Retzow, namely District Councillor and Hereditary Master of the Kitchen Hans Jürgen von Kleist-Retzow,⁹⁴¹ proprietor of the knightly estates of Kieckow, Groß Tychow, and others.

The title to possession of Mätelow is still entered in his name in the mortgage register of the Chamber Court.

This last possessor of Mätelow died on 13 March 1844 at his estate of Kieckow near Belgard, leaving four sons born of a marriage of equal birth, namely:

- a. retired First Lieutenant Hans August von Kleist-Retzow;
- b. Otto Franz Wilhelm von Kleist-Retzow;
- c. Major and Squadron Commander Ferdinand Carl von Kleist-Retzow; and
- d. District Councillor Hans Hugo von Kleist-Retzow.

According to the certificate of legitimacy as heirs issued by the Higher Regional Court at Cöslin on 17 May 1844, these four sons of the late District Councillor and Hereditary Master of the Kitchen Hans Jürgen von Kleist-Retzow also became his sole and unconditional heirs.

Under the provisions of the founder of the fideicommiss cited above, the estate of Mätelow would now pass to the eldest son of this last possessor.

During his lifetime, however, the latter, together with his aforementioned four sons, concluded a provisional judicial agreement dated 6 August 1838 (1 October 1839), under which the sons altered among themselves the order of succession originally established for the fideicommiss estate of Mätelow.

In particular, the two elder brothers, in return for a specified settlement, renounced the succession in favour of the third brother and, if necessary, the fourth brother.

This provisional agreement, by which the aforementioned four brothers von Kleist-Retzow still declare themselves fully bound, shall now, by means of the present contract, be elevated to the status of a formal, independent family compact capable of registration.

II.

The persons to be regarded as legally entitled and duly qualified to participate in the execution of this compact are not only:

⁹⁴⁰ III. 431

⁹⁴¹ III. 565, sons 707 - 710

1. the aforementioned four sons of the late District Councillor and Hereditary Master of the Kitchen Hans Jürgen von Kleist-Retzow, but also
2. the legitimate descendants already living, or who may be born within the 302nd day following the execution of this family compact, of those among the four sons who are validly married.

In this respect, the following is stated and acknowledged by all parties to be correct:

A. Retired First Lieutenant Hans August von Kleist-Retzow, eldest son of the late District Councillor and Hereditary Master of the Kitchen Hans Jürgen von Kleist-Retzow, was indeed married to Henriette Caroline, daughter of the manorial estate forester Carl Mancke of Groß Tychow, but the marriage is not valid because it was contracted without the consent of his father and his other nearest relatives and without sovereign dispensation.

His descendants, who are therefore not recognised by the other interested parties as capable of succeeding to the fideicommiss, are:

1. Carl Albert Hans Ferdinand von Kleist-Retzow, born on 1 July 1828, represented in the present transaction by his special curator, Karnuth, Deputy Headmaster at Marienwerder, who was also appointed special curator of any male descendants who might be born within the 302nd day, by the guardianship appointment of 7 May 1844;
2. Emma Caroline Auguste, born on 25 December 1832;
3. Luitgard Auguste, born on 21 November 1837; and
4. Laurette Therese Caroline, born on 25 May 1842.

The three last-named children are represented in the present transaction by Councillor of Justice Eyser at Marienwerder, who was appointed their special curator by the guardianship appointment of 7 May 1844.

B. Major and Squadron Commander Ferdinand Carl von Kleist-Retzow, third son of the late District Councillor and Hereditary Master of the Kitchen Hans Jürgen von Kleist-Retzow, is married to a woman of equal birth.

The following children born to him of marriages of equal birth are living:

1. Oscar Benno, born on 23 December 1827, from an earlier marriage; and
 2. Carl Friedrich Jürgen Hugo, born on 22 December 1834, from his present marriage,
- the brothers von Kleist-Retzow.

Both are represented in the present transaction by District Secretary Heinrich Wilhelm Butzke at Belgard, who was appointed their curator by the guardianship appointment of 18 February 1845 and who also represents the rights of any male descendants who may be born within the 302nd day.

C. Otto Franz Wilhelm von Kleist-Retzow, the second son, and

D. Hans Hugo von Kleist-Retzow, now District Councillor of the Belgard District and the fourth son of the said Hans Jürgen von Kleist-Retzow, are both still unmarried and have never previously been married.

The interested parties named above have now agreed upon and resolved the following:

§ 1.

Retired First Lieutenant Hans August von Kleist-Retzow, who under the testament of Lieutenant General's widow von Retzow dated 30 January 1772 is among those called to succeed to the fideicommiss estate of Mätelow and the capital of 20,000 thalers secured upon it, and who would be entitled to take over the estate and capital which became vacant through the death of the last possessor of the fideicommiss, his father, on 13 March 1834, hereby expressly renounces, for himself and his descendants, his right of succession to the

estate of Mätelow and the fideicommiss capital of 20,000 thalers secured upon it, together with the interest thereon:

in favour of his younger third brother, Major and Squadron Commander Ferdinand Carl von Kleist-Retzow, and the latter's male descendants capable of succeeding;

and, should those descendants become extinct, so that no person capable of succeeding remains among the descendants of Ferdinand Carl von Kleist-Retzow, in favour of his youngest, fourth brother, District Councillor Hans Hugo von Kleist-Retzow, and the latter's male descendants capable of succeeding.

He reserves his right of succession in its original extent only in the event that he or his descendants capable of succeeding should survive both of his aforementioned younger brothers and their descendants capable of succeeding.

§ 2.

In the same manner, and with the approval of the guardianship authority, the special curators of the children of retired First Lieutenant Hans August von Kleist-Retzow, namely:

1. Deputy Headmaster Karnuth, on behalf of the minor Carl Albert Hans Ferdinand and any male descendants who may be born within the 302nd day; and
2. Councillor of Justice Eyser, on behalf of the minors Emma Caroline Auguste, Luitgard Auguste, and Laurette Therese Caroline,

hereby irrevocably renounce all and every claim of those children arising from succession to the fideicommiss estate of Mätelow and the monetary fideicommiss capital of 20,000 thalers secured upon it, and from participation in the enjoyment of the interest upon that capital, in favour of Major Ferdinand Carl von Kleist-Retzow and his descendants capable of succeeding.

They accept as full and final satisfaction the settlement to be granted to them in return, as specified below in § 6, No. 1, and § 7.

They nevertheless reserve for their wards, and for any descendants of those wards capable of succeeding, their right of succession in the event that Major Carl Ferdinand von Kleist-Retzow and District Councillor Hans Hugo von Kleist-Retzow, together with their descendants capable of succeeding, should become entirely extinct.

§ 3.

Otto Franz Wilhelm von Kleist-Retzow not only approves the omission of himself from the present succession in favour of his two younger brothers, as declared by his eldest brother in § 1 above, but also hereby renounces, for himself and his descendants, in favour of those same two younger brothers—namely Major Ferdinand Carl von Kleist-Retzow and his male descendants capable of succeeding, and, should they become extinct, District Councillor Hans Hugo von Kleist-Retzow and his male descendants capable of succeeding—the succession to the fideicommiss estate of Mätelow and the fideicommiss capital secured upon it, together with the interest.

He reserves only the settlement stipulated below in § 6, No. 2, and his right of succession in its original extent under the foundation in the event that he or any descendants of his capable of succeeding should survive his two aforementioned younger brothers and their descendants capable of succeeding.

§ 4.

Retired First Lieutenant Hans August von Kleist-Retzow, the special curators of his descendants, and Otto Franz Wilhelm von Kleist-Retzow accordingly transfer to Major Ferdinand Carl von Kleist-Retzow the fideicommiss estate of Mätelow and the monetary fideicommiss capital secured upon it, together with the

revenues from both accruing since 13 March 1844, for possession and enjoyment in accordance with the foundation.

They consent to the entry of their foregoing renunciations in the mortgage register of Mätelow and to the correction of the title to possession of the estate in favour of Major Ferdinand Carl von Kleist-Retzow.

§ 5.

The last-named Major, together with District Secretary Heinrich Wilhelm Butzke as special curator of his descendants capable of succeeding, and District Councillor Hans Hugo von Kleist-Retzow, accepts the renunciations and declarations made in their favour and, respectively, in favour of the wards represented by them in the preceding sections.

§ 6.

Major Ferdinand Carl von Kleist-Retzow, for himself and his descendants, and District Secretary Butzke, as special curator of the Major's descendants capable of succeeding and on their behalf, furthermore specially undertake:

1. to pay retired First Lieutenant Hans August von Kleist-Retzow the sum of 6,260 thalers courant under the conditions set out more particularly in the following § 7; and
2. to pay Otto Franz Wilhelm von Kleist-Retzow, from 1 April 1844 for as long as he lives, an annual sum of 500 thalers courant, in half-yearly instalments payable in arrears from the most readily available revenues of Mätelow and, provided that his place of residence is not outside Pomerania, free of postage.

Both payments constitute compensation for the rights and claims to succession relinquished above by them and, respectively, by their descendants.

§ 7.

With respect to the settlement of 6,260 thalers assigned to First Lieutenant Hans August von Kleist-Retzow under § 6, No. 1, the following more detailed provisions are made:

In the division of his father's allodial estate, the knightly estate of Groß Konarzyn, situated in the Schlochau District of West Prussia and recorded in the mortgage register of the Higher Regional Court at Marienwerder, fell to him.

A balance of purchase money originally amounting to 6,000 thalers and 260 thalers courant, together with interest at five per cent, is still charged upon this estate in favour of the landowner von Jöden-Konieczpolski of Grumsdorff.

Of this amount, however, 1,050 thalers bearing interest at four per cent and enjoying priority over the remaining 4,950 thalers and 260 thalers presently belong to the heirs of the recently deceased Chief Forester von Lebbin.

Major Ferdinand Carl von Kleist-Retzow hereby undertakes:

1. To redeem these 1,050 thalers courant and the subsidiary document issued for them, and, by 1 July of the present year at the latest, to assign them or cause them to be assigned to the children of Lieutenant Hans August von Kleist-Retzow named above in the Introduction under II.A.1–4, and to any children who may subsequently be born to him by Henriette Caroline Mancke or from a later marriage.

The assignment shall be made in such manner that ownership of the 1,050 thalers passes immediately to the children of Lieutenant von Kleist-Retzow now living and those who may subsequently be born, while their father retains the enjoyment of the interest for his lifetime.

The assignment shall also be recorded in the mortgage register of Groß Konarzyn, and the mortgage document shall finally be delivered to Lieutenant von Kleist-Retzow for safekeeping.

Major von Kleist-Retzow shall bear the costs of the assignment and of its entry in the mortgage register.

Should it be impossible to complete the said assignment by 1 July of the present year because of the settlement of the estate of Chief Forester von Lebbin now in progress, Major Ferdinand Carl von Kleist-Retzow undertakes to deposit the aforementioned sum of 1,050 thalers with the court on that day.

2. In precisely the same manner, Major von Kleist-Retzow further undertakes to redeem the remaining 4,950 thalers and 260 thalers which still belong to von Jöden-Konieczpolski and are entered upon Groß Konarzyn ahead of the aforementioned creditor.

He may redeem the whole sum earlier and at once, but is not obliged to do so. At the latest and as a minimum, he shall redeem:

on 1 April 1846, 950 thalers and 260 thalers;

on 1 April 1847, 1,000 thalers;

and on 1 April of each subsequent year, a further 1,000 thalers, until the entire amount of 4,950 thalers and 260 thalers has been redeemed.

Each amount redeemed shall immediately be assigned, or caused to be assigned, as their joint property to the existing children of Lieutenant von Kleist-Retzow and any children who may subsequently be born to him, subject, however, to their father's enjoyment of the interest for his lifetime.

The assignment shall also be recorded in the mortgage register, and the document shall thereafter be delivered for safekeeping to Lieutenant Hans August von Kleist-Retzow or, if necessary, to the guardianship authority responsible for his children.

Major von Kleist-Retzow shall likewise bear the costs of these assignments and entries.

3. Until the aforementioned sum entered upon Groß Konarzyn has been fully discharged in the prescribed manner by Major von Kleist-Retzow, he shall assume payment of the interest upon the balance remaining from time to time.

4. Should von Jöden-Konieczpolski refuse to accept the instalments specified under the preceding No. 2, and should Major von Kleist-Retzow not wish to redeem the entire outstanding purchase-money balance at once—which he is entitled but not obliged to do—he shall be obliged to deposit and invest at interest with the private bank of the provincial nobility at Stettin, on the annual dates fixed above under No. 2, the minimum instalments there specified.

This shall continue until the full outstanding purchase-money balance has accumulated and can be completely discharged from that fund in the manner described above, and the document can be acquired for the descendants of Lieutenant von Kleist-Retzow.

In that event, the interest accruing in the meantime upon the amounts invested with the private bank of the provincial nobility shall belong to Major von Kleist-Retzow, since he must meanwhile continue to pay interest to the creditor upon the outstanding purchase money owed to von Jöden-Konieczpolski until it has been fully discharged.

5. Should Lieutenant von Kleist-Retzow sell the estate of Groß Konarzyn before the purchase money of 6,000 thalers and 260 thalers has been fully discharged in the foregoing manner and assigned to his children, and should the purchaser assume personal liability for the 6,000 thalers and 260 thalers charged upon it and deduct them from the purchase price, Major von Kleist-Retzow shall be obliged to pay the settlement sum of 6,000 thalers and 260 thalers—or so much thereof as has not yet been discharged and assigned to his brother's children—for those children, at his option either at once or in the annual instalments fixed above under No. 2, in cash into the depository of their guardianship authority.

He shall pay interest at five per cent upon any remaining balance.

In every case, Lieutenant von Kleist-Retzow shall be excluded from administering the capital. In view of his right to enjoy the interest, which remains reserved to him for his lifetime under all circumstances, he shall nevertheless participate in decisions concerning the investment of the capital at interest.

Should he subsequently wish to purchase landed property, he shall also retain the right to require the guardianship authority responsible for his children to lend and pay to him, in preference to others, the 6,000 thalers and 260 thalers, provided that he furnishes security suitable for ward funds.

6. The settlement capital of 6,000 thalers is and shall remain the property of the children of Lieutenant Hans August von Kleist-Retzow in such manner that, upon the death of any one of them without legitimate descendants and without a spouse, that child's share shall accrue to the surviving siblings, to the exclusion of every right of inheritance of the parents.

After the death of Hans August von Kleist-Retzow, any widow who survives him shall first enjoy the usufruct of the 6,000 thalers and 260 thalers for her lifetime. Only after her death shall the substance of the capital be divided in equal shares among the surviving legitimate children of First Lieutenant Hans August von Kleist-Retzow.

If she has also died, these children shall obtain free disposal of their respective shares upon attaining their majority.

7. As security both for the capital payments to be made and for the interest payable under Nos. 3 and 5 upon the balance remaining until complete discharge, and likewise as security for his brother Otto Franz Wilhelm von Kleist-Retzow in respect of the annual payment of 500 thalers due to him under § 6, No. 2, Major von Kleist-Retzow pledges the revenues of Mätelow to First Lieutenant Hans August von Kleist-Retzow, his aforementioned descendants, and Otto Franz Wilhelm von Kleist-Retzow.

He consents to the entry of this lien in the mortgage register of Mätelow.

§ 8.

Insofar as the obligations assumed by Major von Kleist-Retzow under §§ 6 and 7 above have not been fulfilled, or have not been completely fulfilled, during his lifetime, they shall pass unchanged and to the extent described above to his male descendants capable of succeeding, who, pursuant to the renunciations declared in §§ 1–3, will next enter into possession and enjoyment of the fideicommiss of Mätelow.

After their extinction, the obligations shall pass to District Councillor Hans Hugo von Kleist-Retzow, should he actually succeed before those obligations have been fulfilled.

Both District Secretary Butzke, as special curator of the said descendants, and District Councillor von Kleist-Retzow hereby expressly assume those obligations to that extent.

First Lieutenant Hans August von Kleist-Retzow, the two curators of his children, and Otto Franz Wilhelm von Kleist-Retzow fully accept the foregoing declarations.

§ 9.

The costs of this contract, its formal declaration, and its registration shall be borne by Major Ferdinand Carl von Kleist-Retzow.

Confirmed on 6 July 1846.

New Feudal and Succession Register of the von Kleist Family.

(Established pursuant to the Act of 11 July 1845. The fief estates marked with an * have since been deleted.)

From the Feudal Archives: Tit. IX, Sect. 88, No. XXXVb.

The von Kleist family has claimed:

I. The following estates and rights in Farther Pomerania as fiefs:

1. Zarnekow (District of Belgard). Old fief; cf. the family letters of enfeoffment of 27 March 1601, 27 September 1618, 28 September 1621, 14 September 1686, and 3 February 1711. (See No. 192.)

2. Kowalk, together with the Hansfelde field district and the share in the Hassel Mill (District of Belgard). The same.

3. Drenow (District of Belgard). The same.

4. Dimkuhlen, together with the outlying farm of Sandhof (District of Belgard). The same. Major Ernst Ewald von Kleist sold Dimkuhlen to Anton von Kleist in 1765. At that time the agnates were summoned to exercise their preferential right of purchase and were subsequently barred from doing so.

5. Klein Crössin A (District of Belgard). The same.

6. Warnin (District of Belgard). The same.

7. Zatkow B (District of Belgard). The same.

8. Schmentzin, together with Groß and Klein Freienstein, Friedrichshoff, Lindenhoff, and the other woodland estates and outlying farms belonging thereto (District of Belgard). The same. A small share of this estate is also a von Versen fief.

9. Sietkow (District of Belgard). Old fief; cf. the letters of enfeoffment of 28 September 1621 and 24 January 1718. This estate is actually partly a von Wolden and partly a von Versen fief. The von Kleist family, however, had already received a feudal right and expectancy to it in 1489. This was also incorporated into the family letter of enfeoffment of 28 September 1621. After the von Kleist family acquired the estate by purchase, a special letter of enfeoffment was issued on 24 January 1718. (See Nos. 214, 594, and 681.)

10. Groß Nemrin (District of Belgard). Old fief; cf. the aforementioned letters of enfeoffment of 1601, 1618, 1621, 1686, and 1711.

11. Klein Nemrin (District of Belgard). The same.

12. Klein Dubberow, together with the share in Groß Dubberow belonging thereto and the noble share in Boissin (District of Belgard). The same.

13. Groß Dubberow (District of Belgard). The same.

14. *Damen A (District of Belgard). The same. According to the communication of the Royal Higher Regional Court at Cöslin dated 10 June 1847, the estates of Damen A and B, together with the outlying farm of Nemrin, the field estate of Sand, and the share in Katschenhagen, were declared allodial property by the final judgments of 15 June 1833 and 9 March 1836, and their feudal character was deleted pursuant to the decree of 30 March 1836. Recorded pursuant to the decree of 28 June 1847.

15. *Damen B, together with the outlying farm of Nemrin, the field estate of Sand, and the share in Katschenhagen (District of Belgard). The same. Deleted pursuant to the decree of 28 June 1847. Cf. the entry under No. 14.

16. Mandelatz, together with the field estate of Kiefheide (District of Belgard). The same. According to the

communication of the Royal Higher Regional Court at Cöslin dated 10 June 1847, the von Kleist fief estate of Mandelatz is designated in the mortgage register as Mandelatzke A. Several members of the von Kleist family have also declared feudal rights only in Mandelatz A. Entered pursuant to the decree of 21 July 1857.

17. Nassen Glienke (District of Neustettin). The same. Following the public summons obtained by Director of the Provincial Credit Association Carl Caspar von Kleist, the judgment of 27 June 1764 barred the unknown agnates from asserting claims to this estate. The rights of the known agnates were, however, reserved because they had not been personally summoned at their residences.

18. Share of Pumlow (District of Belgard). The same.

19. Lantzen (District of Neustettin). The same.

20. Raddatz (District of Neustettin). The same.

21. Neuendorf (District of Neustettin). The same.

22. Bramstedt (District of Neustettin). The same.

23. Nieder Pankow (District of Neustettin). The same.

24. Klingbeck, together with Ober Pankow (District of Neustettin). The same.

25. *Falkenhagen (District of Neustettin). The same. According to the communication of the Royal Higher Regional Court at Cöslin dated 10 June 1847, the estate of Falkenhagen, also called Wedage, was declared allodial property by the final judgments of 18 September 1820 and 8 February 1821, and its allodial character was entered pursuant to the decree of 15 March 1821. Recorded pursuant to the decree of 28 June 1847.

26. Klein Zemmin or Ellerkamp (District of Neustettin). The same. It is a field estate which was alienated subject to a right of redemption and whose superior ownership belongs to Raddatz.

27. Wendisch Tychow (District of Schlawe). The same.

28. Egsow (District of Schlawe). The same. According to the communication of the Royal Higher Regional Court at Cöslin dated 10 June 1847, the following is recorded in the mortgage register of Egsow under the description of the estate: "Was formerly a von Kleist fief." Recorded pursuant to the decree of 28 June 1847.

29. Cumberzin (District of Schlawe). The same. According to the communication of the Royal Higher Regional Court at Cöslin dated 10 June 1847, nothing is recorded in the mortgage register of Cumberzin concerning feudal relationships involving the von Kleist family. Entered pursuant to the decree of 28 June 1847.

30. Groß Quesdow (District of Schlawe). The same.

31. Ruschitz (District of Stolp). The same.

32. Pöppeln (District of Rummelsburg). New fief. Director of the Provincial Credit Association von Kleist, who purchased it in 1776, was invested with it as a new fief on 30 June 1777. (See No. 692.)

33. Poberow (District of Cammin). Old fief; cf. the letters of enfeoffment cited under No. 1.

34. Von Kleist feudal capital fund of 14,000 thalers. It arose from the sale of the former von Kleist fief estates of Kiekow, Zatkow, Muttrin, and Döbel, situated in the District of Belgard. (See No. 708.)

35. Nemitz, together with a share in Groß Soldekow (District of Schlawe). New fief. Jürgen Valentin von Kleist purchased the estate of Nemitz, together with a share in Groß Soldekow, which had formerly been a von Rahmel fief, from District Councillor von Below and received it as a new fief on 15 November 1715. His feudal successor Christoph von Kleist sold it in 1737 to Major Jürgen Lorenz von Kleist, who and

whose sons were also invested with it. (See above, Document 684, XVII, under Nemitz.)

The four sons of Major George Lorenz von Kleist—Captain Ewald Friedrich von Kleist, Martin Georg von Kleist, Hans Joachim Gneomar von Kleist, and Lieutenant Anton von Kleist—provided in the inheritance settlement executed on 2 January 1751 and judicially confirmed on 15 November 1751 (see No. 687) that their father's property, with the exception of a feudal capital fund established at 8,000 thalers, should be regarded as allodial property. At the possessor's request, this was entered in the mortgage register of Nemitz pursuant to the decree of 7 October 1819.

Consequently, District Councillor Anton Tam Gneomar Constantin von Kleist claims the estate of Nemitz, together with the share in Groß Soldekow, as allodial property. Recorded pursuant to the decree of 11 October 1847.

36. *Damen C, together with the field estates of Rauden and Hohenhausen and the agricultural estate in Katschenhagen (District of Belgard). Old fief. According to the communication of the Royal Higher Regional Court at Cöslin dated 10 June 1847, the estate of Damen C, together with the field estates of Rauden and Hohenhausen and the agricultural estate in Katschenhagen, was declared allodial property by the final judgments of 15 June 1833 and 9 March 1836, and its feudal character was deleted from the mortgage register pursuant to the decree of 30 March 1836. Recorded pursuant to the decree of 28 June 1847.

37. Rattaick B (District of Schlawe). New fief. After the von Rahmel family had been barred, Jürgen Lorentz von Kleist received Rattaick B as a new fief in 1749.

38. The Hereditary Office of Master of the Kitchen in Farther Pomerania. This fief of dignity was established by His Majesty King Frederick William IV on the occasion of the homage paid to him, and the instrument of establishment and letter of enfeoffment were issued on 18 September 1846. This fief of dignity is linked to possession of the estate of Groß Tychow or another landed property in Farther Pomerania possessing knightly status and entitlement to representation in the Provincial Diet. (See No. 717.)

II. The following agnates, co-enfeoffed members, and joint feudal heirs have declared their claims and been entered in the register:⁹⁴²

(The registrants marked with † have since died; von Kleist fief estates are marked with *.)

1. Leopold Christian Ludwig Theodor von Kleist, son of Georg Wilhelm Anton, retired Major at Erfurt. Entered in respect of fief estates Nos. 1–34 on 28 September 1846.

2. Adolph Arminius Leopold von Kleist, son of Leopold Friedrich, retired Major at Ehrenbreitenstein. Entered in respect of Nos. 1–24 and 26–33 on 28 September 1847, and in respect of Nos. 25 and 36 on 4 January 1847.

3. Theodor Leopold Friedrich von Kleist, brother of the registrant under No. 2, retired Major, proprietor of

⁹⁴² The list contained in the feudal records is partly erroneous and partly incomplete. For instance, Nos. 37 and 38 are listed under the name "Kleist von Bornstedt" and Nos. 49, 50, and 51 as "Counts of Kleist," while the inventory of the feudal holdings actually possessed is deficient. Both aspects have been tacitly corrected or supplemented here; likewise, the current status and place of residence of the registered individual—or, in the event of their death, their status and residence prior to death—have been specified throughout. The variation in the number of feudal holdings attributed to individuals stems largely from the manner and timing of the registration itself; no verification was conducted in this regard, and consequently, some individuals are registered—in accordance with their own declarations—as holding estates and rights to which they have no actual legal claim, whether by feudal tenure or right of redemption. The numerous discrepancies and inconsistencies regarding the recording of reservations are attributable solely to the differing interpretations and views held by the feudal court at the time.

*Schmenzin. Entered in respect of Nos. 1–24 and 26–33 on 28 September 1846, and in respect of Nos. 25 and 36 on 4 January 1847.

4. Maximilian Leopold von Kleist, brother of the registrant under No. 2, Captain in the 4th Posen Infantry Regiment No. 59 at Krotoschin. Entered in respect of Nos. 1–24 and 26–33 on 28 September 1846, and in respect of Nos. 25 and 36 on 4 January 1847.

5. Christian Ewald Leopold von Kleist, brother of the registrant under No. 2, Captain in the 1st Foot Guards Regiment at Potsdam. Entered in respect of Nos. 1–24 and 26–33 on 28 September 1846, and in respect of Nos. 25 and 36 on 4 January 1847.

6. Wilhelm Heinrich Friedrich von Kleist, son of Major Hans Georg Wedig, retired Major General at Stargard. Entered in respect of Nos. 1–33, 35, and 36 on 4 January 1847, subject to the reservation that his feudal rights in Nemitz, together with the share in Groß Soldekow, must be more precisely proved.

7. Rudolf Heinrich Reimar von Kleist, son of the registrant under No. 6, retired First Lieutenant at Stargard. Entered in respect of Nos. 1–33, 35, and 36 on 4 January 1847, subject to the same reservation as under No. 6.

8. Wilhelm Heinrich Dietrich von Kleist, son of Adam Heinrich, retired First Lieutenant at Stettin. Entered in respect of Nos. 1–13, 16–24, 26, 27, and 30–35 on 24 June 1847.

9. Anton Tam Gneomar Constantin von Kleist, son of Major Georg Christian August Carl, retired District Councillor, proprietor of *Nemitz and a *share of Groß Soldekow. Entered in respect of Nos. 1–13, 16–24, 26, 27, and 30–33 on 11 October 1847, and in respect of No. 34 on 23 December 1853.

10. Leopold Felix Gustav Albert von Kleist, son of Lieutenant Christoph Philipp Anton, retired First Lieutenant, proprietor of *Warnin. Entered in respect of Nos. 1–13, 16–24, 26, 27, and 30–35 on 25 October 1847.

11. † Wilhelm Bogislav Count von Kleist vom Loß, son of Chamberlain August Wilhelm of Tzschernowitz, Master of the Royal Hunt and Major, proprietor of Olbernhau, Hirschstein, and Volkmannsdorf in the Kingdom of Saxony; Werchau and Krippelsdorf in the Province of Saxony; Tzschernowitz and Beesgen with Groß Döbern in Lower Lusatia; Juchow, Eichen, Gissolk, Kucherow, Schneidemühl, Zamenz, Falkenhagen, *Raddatz, *Nieder Pankow, *Bramstedt, *Klingbeck with *Ober Pankow, and *Neuendorf. Entered in respect of Nos. 1–4, 6–13, 16–24, 26, 27, 31–33, and 35 on 6 December 1847, subject, with regard to the estates of Pöppeln and Nemitz together with the share in Groß Soldekow, to the restriction that he prove his feudal rights in those estates within six months.

12. † Jacob Friedrich von Rüchel-Kleist, son of Director of the Provincial Credit Association Carl Caspar of Segenthin, retired General at Danzig. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 6 December 1847.

13. † Franz Carl von Rüchel-Kleist, son of the registrant under No. 12, Second Lieutenant in the 21st Infantry Regiment. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 6 December 1847.

14. Philipp Albrecht von Rüchel-Kleist, son of the registrant under No. 12, First Lieutenant in the 2nd Guards Uhlan Regiment at Berlin. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 6 December 1846.

15. † Eduard Count von Kleist, son of Colonel Leopold in Royal Saxon service, retired Major, proprietor of Zützen in Lower Lusatia. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 6 December 1847, subject to the same reservation as under No. 11.

16. Gustav von Kleist, brother of the registrant under No. 15, District Councillor, proprietor of Collochau near Herzberg in the Province of Saxony. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 6 December 1847, subject to the same reservation as under No. 11.

17. † Louis Christoph Friedrich Heinrich Carl Werner von Kleist, son of Christian Ewald, retired Captain, proprietor of Gawesen, Susten, and Kreutzbürg in Courland. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 13 December 1847, subject to the same reservation as under No. 11.

18. Johann Leonhard Helmuth Aurel von Kleist, son of landowner Wilhelm Johann Ludwig of Zarnekow, District Court Secretary at Demmin. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 28 December 1847, subject to the reservation that, within six months, he prove his descent, qualifying him to hold a fief, from a member of the enfeoffed family, as well as his feudal rights in the new fiefs of Pöppeln and Nemitz together with the share in Groß Soldekow.

19. † Ewald Wolfgang Mortimer von Kleist, son of Carl Ludwig Ewald, Captain of Horse and squadron commander in the 2nd Dragoon Regiment at Schwedt. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 28 December 1847, subject to the same reservation as under No. 18.

20. Wolfgang Ewald Eugen Otto von Kleist, brother of the registrant under No. 19, retired Lieutenant Colonel at Berlin. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 28 December 1847, subject to the same reservation as under No. 18.

21. Paul Ewald Heinrich Theodor Georg von Kleist, son of the registrant under No. 19, agriculturalist at Poberow, District of Rummelsburg. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 28 December 1847, subject to the same reservation as under No. 18.

22. † Carl Anton Lorenz von Kleist, son of Georg Lorenz August Philipp, retired First Lieutenant at Belgard. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 28 December 1847, subject to the same reservation as under No. 18.

23. † Hans August von Kleist-Retzow, son of District Councillor and Hereditary Master of the Kitchen Johann Georg, retired First Lieutenant at Groß Tychow. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 28 December 1847, subject to the reservation that he prove his feudal rights in the new fiefs of Rattaick B, Pöppeln, and Nemitz together with the share in Groß Soldekow within six months.

24. † Otto Franz Wilhelm von Kleist-Retzow, brother of the registrant under No. 23, landowner, proprietor of Klein Crössin *A and B. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 28 December 1847, subject to the same reservation as under No. 23.

25. Carl Ferdinand Friedrich von Kleist-Retzow, brother of the registrant under No. 23, retired Lieutenant Colonel and Hereditary Master of the Kitchen of Farther Pomerania, proprietor of Möthlow in the Havelland and resident at Groß Tychow. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 28 December 1847, subject to the same reservation as under No. 23, and in respect of No. 38 on 24 December 1846.

26. Hans Hugo von Kleist-Retzow, brother of the registrant under No. 23, former Chief President, proprietor of Kiekow and Klein Crössin *A and B. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 28 December 1847, subject to the same reservation as under No. 23, and in respect of No. 38 on 24 December 1846.

27. Herrmann Carl August Otto von Kleist, brother of the registrant under No. 18, landowner, proprietor of *Drenow and *Kowalk. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 28 December 1847, subject to the same reservation as under No. 23.

28. Franz Ludwig Carl von Kleist, son of Major Joachim August Leopold, retired Major at Halle. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 20 December 1847, subject to the reservation that, within six months, he prove his descent from a member of the enfeoffed family, as well as his feudal entitlement to the new fiefs of Pöppeln and Nemitz together with the share in Groß Soldekow.

29. † Carl Ludwig Kleist von Bornstedt, brother of the registrant under No. 12, retired Major, proprietor of Hohennauen, *Nassen-Glienke, and *Pöppeln. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 20 December 1847, subject to the reservation that he prove his feudal entitlement to the new fiefs of Pöppeln and Nemitz together with the share in Groß Soldekow within three months.
30. † Carl August Bogislav von Kleist, son of District Councillor and Major Otto Bogislav, retired Captain of Horse, proprietor of Damen and resident at Polzin. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 28 December 1847, subject to the same reservation as under No. 29.
31. † Franz Gottfried Joseph Albert von Kleist, son of the registrant under No. 30, First Lieutenant, proprietor of Damen. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 28 December 1847, subject to the same reservation as under No. 29.
32. Rudolf Oswald Bruno von Kleist, son of the registrant under No. 30, Second Lieutenant, proprietor of Damen. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 28 December 1847, subject to the same reservation as under No. 29.
33. † Friedrich Wilhelm Otto von Kleist, brother of the registrant under No. 30, retired Second Lieutenant, proprietor of *Groß and *Klein Dubberow. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 28 December 1847, subject to the same reservation as under No. 29.
34. † Eduard Heinrich Erdmann von Kleist, son of Captain Ewald Heinrich, Deputy of the Provincial Credit Association, proprietor of *Wendisch Tychow. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 3 January 1848, subject to the same reservation as under No. 29.
35. Ewald Heinrich Erdmann Bogislav von Kleist, son of the registrant under No. 34, Chamberlain, proprietor of *Wendisch Tychow, Dubbertsch, and Priddargen. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 3 January 1848, subject to the same reservation as under No. 29.
36. Otto Friedrich Erdmann Kleist von Bornstedt, son of the registrant under No. 29, Second Lieutenant, proprietor of Hohennauen in the Havelland. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 3 January 1848, subject to the same reservation as under No. 29.
37. Carl Ludwig von Kleist, son of the registrant under No. 29, Captain of Horse in the 2nd Brandenburg Uhlan Regiment No. 11 at Perleberg, proprietor of *Nassen-Glienke. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 3 January 1848, subject to the same reservation as under No. 29.
38. Carl Wilhelm Heinrich von Kleist, son of the registrant under No. 29, Second Lieutenant in the Magdeburg Hussar Regiment No. 10 at Aschersleben, proprietor of *Pöppeln. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 3 January 1848, subject to the same reservation as under No. 29.
39. † Otto Ludwig Philipp Friedrich Wilhelm Leopold von Kleist, son of Captain Ludwig Philipp Leopold Joachim, retired Second Lieutenant, proprietor of *Ruschitz, *Lantzen, and *Sietkow. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 3 January 1848, subject to the same reservation as under No. 29.
40. Louis Wilhelm Ferdinand Carl von Kleist, son of the registrant under No. 39, proprietor of *Sietkow. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 3 January 1848, subject to the same reservation as under No. 29.
41. Otto Heinrich Rudolf von Kleist, son of the registrant under No. 39, proprietor of *Lantzen. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 3 January 1848, subject to the same reservation as under No. 29.
42. † Ernst Wilhelm Robert Hans von Kleist, son of the registrant under No. 39. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 3 January 1848, subject to the same reservation as under No. 29.
43. † Otto Johann Wilhelm von Kleist, brother of the registrant under No. 22, retired Captain of Horse,

proprietor of Camissow and Natztow. Entered in respect of Nos. 1–4, 6–9, 12, 13, 16, 18, 27, 33, and 35 on 3 January 1848, subject to the reservation that, within three months, he more precisely prove his descent, qualifying him to hold a fief, from a member of the enfeoffed family, as well as his feudal rights in the new fief of Nemitz together with the share in Groß Soldekow.

44. Georg Ferdinand Lorenz August von Kleist, son of the registrant under No. 43, officer-cadet with sword knot in the 2nd Pomeranian Artillery Brigade. Entered in respect of Nos. 1–4, 6–9, 12, 13, 16, 18, 27, 33, and 35 on 3 January 1848, subject to the same reservation as under No. 43.

45. Otto Ewald Ernst von Kleist, son of the registrant under No. 6, Captain in the 5th Pomeranian Infantry Regiment No. 42 at Stralsund. Entered in respect of Nos. 1–13, 16–24, 26–33, 35, and 37 on 29 March 1852, subject to the same reservation as under No. 6.

46. † Franz Rudolf Carl Ludwig von Kleist, son of the registrant under No. 39. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 28 June 1852, subject to the reservation that he provide more precise proof of his feudal rights in the new fiefs of Pöppeln and Nemitz together with the share in Groß Soldekow.

47. Hans Ludwig Berndt Otto von Kleist, son of the registrant under No. 39, proprietor of *Ruschitz. Entered in respect of Nos. 1–13, 16–24, 26–35, and 37 on 28 June 1852, subject to the same reservation as under No. 46.

48. Heinrich Leopold Count von Kleist, son of the registrant under No. 15, Captain of Horse in the 1st Guards Landwehr Cavalry Regiment, proprietor of Zützen and Gersdorf. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 6 September 1852, subject to the same reservation as under No. 46 and a period of six months.

49. Oscar von Kleist, son of the registrant under No. 15, Second Lieutenant in the 5th West Prussian Cuirassier Regiment at Winzig. Entered in respect of Nos. 1–13, 26–24, and 26–35 on 6 September 1852, subject to the same reservation as under No. 48.

50. Hans Ewald von Kleist, son of the registrant under No. 15, First Lieutenant in the 1st Guards Dragoon Regiment at Berlin, proprietor of Gebersdorf in the District of Jüterbock. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 6 September 1852, subject to the same reservation as under No. 48.

51. Eduard Bogislav von Kleist, son of the registrant under No. 15, First Lieutenant in the Guards Cuirassier Regiment at Berlin. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 6 September 1852, subject to the same reservation as under No. 48.

52. Friedrich Wilhelm Elisar August Heinrich Gustav Anton Erdmann Joseph Ewald von Kleist, son of the registrant under No. 35. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 12 July 1855, subject to the same reservation as under No. 46, but with a period of three months.

53. Hans Dönniges Carl Albrecht Friedrich Nicolaus Adolf Erdmann von Kleist, son of the registrant under No. 35. Entered in respect of Nos. 1–13, 16–24, and 26–35 on 12 July 1855, subject to the same reservation as under No. 52.

54. Carl Friedrich Otto Anton Herrmann von Kleist, son of the registrant under No. 33, retired Lieutenant, proprietor of *Groß Dubberow. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 4 January 1856, subject to the same reservation as under No. 52.

55. Herrmann Otto Ewald von Kleist, son of the registrant under No. 54. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 4 January 1856, subject to the same reservation as under No. 52.

56. Otto Bogislav von Kleist, son of the registrant under No. 54. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 4 January 1856, subject to the same reservation as under No. 52.

57. Carl Alexander Siegfried Rudolf von Kleist, son of the registrant under No. 33, retired Major, proprietor

of *Klein Dubberow and resident at Jeseritz. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 4 January 1856, subject to the same reservation as under No. 52.

58. Carl Friedrich Werner Rudolf von Kleist, son of the registrant under No. 33, Second Lieutenant in the Neumark Dragoon Regiment No. 3 at Treptow an der Rega. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 4 January 1856, subject to the same reservation as under No. 52.

59. Ludwig Ferdinand Adolf von Kleist, son of Major Friedrich Wilhelm Christian, Actual Privy Councillor and retired Vice-President of the Supreme Tribunal at Berlin. Entered in respect of Nos. 1–13, 16–24, 26–33, and 35 on 25 May 1857.

717.

1846. Erdmannsdorf. 18 September.

Letter of enfeoffment concerning the hereditary office of Master of the Kitchen in the Duchy of Farther Pomerania, granted to Major Carl Ferdinand von Kleist-Retzow⁹⁴³ of Groß Tychow and to his male descendants or, should that line fail, to the male descendants of his brother, District Councillor Hans Hugo von Kleist-Retzow of Kieckow.

From the original in the Groß Tychow Estate Archives.

We, Frederick William, by the Grace of God King of Prussia, etc. etc. (as in No. 709), hereby declare and acknowledge, for Ourselves and Our heirs and successors:

In most gracious consideration of the loyalty and devotion at all times shown toward Us and Our Royal House by the late District Councillor von Kleist-Retzow of Kieckow near Belgard in Farther Pomerania, and also in consideration of the fact that he and his ancestors had for many years been established in Our Duchy of Farther Pomerania as faithful vassals and subjects of Ourselves and Our predecessors in the government, We conferred upon him, on the occasion of the homage paid to Us by the province,⁹⁴⁴ the hereditary office of Master of the Kitchen in the said Duchy of Farther Pomerania.

Since, however, the aforementioned District Councillor von Kleist-Retzow of Kieckow died before the instrument of grant could be issued, We have graciously resolved to confer the said dignity of Hereditary Master of the Kitchen in Our Duchy of Farther Pomerania upon his son, Carl Ferdinand von Kleist-Retzow, Major in Our Fifth Hussar Regiment and proprietor of Groß Tychow in the District of Belgard in Farther Pomerania, as a special token of Our Royal favour and as a permanent memorial of honour for his person; and, after his death, upon whichever of his legitimate male descendants succeeds him in possession of the said knightly estate of Groß Tychow.

Accordingly, by this instrument We establish the aforementioned hereditary office and confer it upon him and them as a true male fief. We inseparably unite this office and fief with possession of the knightly estate of Groß Tychow in such manner that the aforementioned Major Carl Ferdinand von Kleist-Retzow shall now and in the first instance hold the dignity of Hereditary Master of the Kitchen in the Duchy of Farther Pomerania.

After his death, this office shall, from one succession to the next, pass and descend to whichever member of his legitimate male descendants capable of holding a fief receives the knightly estate of Groß Tychow.

Within the posterity of the aforementioned Major Carl Ferdinand von Kleist-Retzow, however, the office

⁹⁴³ III. 709; his brother: III. 710.

⁹⁴⁴ At Berlin on 15 October 1840.

shall become extinct as soon as possession of the said knightly estate is lost by him or his descendants capable of succeeding, or should this landed property be reduced to such an extent that it no longer retains the character of a knightly estate situated within Our dominions and entitled to representation in the Provincial Diet.

We further direct that, should Major Carl Ferdinand von Kleist-Retzow die without male descendants, or should those descendants become extinct sooner or later, the said hereditary office shall then pass and descend, under the same conditions, to his brother, Hans Hugo von Kleist-Retzow of Kieckow, District Councillor of the District of Belgard in Farther Pomerania, and to the latter's legitimate male descendants capable of holding a fief, together with possession of the knightly estate of Groß Tychow or of another knightly landed property situated in Farther Pomerania and entitled to representation in the Provincial Diet.

Should the event occur that several male descendants of the aforementioned Major Carl Ferdinand von Kleist-Retzow succeed simultaneously to the knightly estate of Groß Tychow and continue to hold it in common, the decision whether the hereditary office is to remain dormant or pass to one of the joint proprietors alone, and the selection of that proprietor, shall remain reserved to Ourselves and Our successors in the government.

The hereditary office shall pass to the descendants of the aforementioned District Councillor Hans Hugo von Kleist-Retzow only subject to the same provision.

We further ordain that renewal of this fief shall be required only when a change occurs in the person holding the hereditary office. In that event, the successor to the hereditary office alone shall, within one year and thirty days from the date upon which he learns that the fief has devolved upon him, apply to the Feudal Court for the purpose of performing the feudal obligation and receiving a new letter of enfeoffment.

Upon a succession to the throne, however, the oath of homage to be taken shall serve in place of the feudal oath.

The aforementioned Major Carl Ferdinand von Kleist-Retzow and his successors in the hereditary office—or, should his male descendants become extinct, District Councillor Hans Hugo von Kleist-Retzow and his successors in the said hereditary office—shall remain bound to Ourselves and Our Royal House by the most inviolable loyalty and devotion and shall perform all honorary services connected with the hereditary office held by them.

In particular, they shall appear without special summons when the homage of the province is received and, upon other solemn occasions, shall appear without objection when specially summoned, in order dutifully to perform the customary honorary services or those particularly assigned to them.

In return, they shall enjoy the customary honours, liberties, and privileges connected with this hereditary office.

We therefore command all Our vassals and subjects, as well as all authorities appointed by Us, at all times to regard and recognise the aforementioned Major Carl Ferdinand von Kleist-Retzow and each of his successors in possession of the knightly estate of Groß Tychow, and likewise the aforementioned District Councillor Hans Hugo von Kleist-Retzow and his successors in possession of the knightly estate of Groß Tychow or another knightly landed property entitled to representation in the Provincial Diet, as Our Hereditary Masters of the Kitchen in the Duchy of Farther Pomerania.

They shall permit them peacefully to enjoy this title and the honours and privileges associated with it, shall not hinder them therein, but shall, on Our behalf, protect, defend, and uphold them in everything granted and conferred upon them by this open letter.

In witness thereof, We have signed this letter of enfeoffment with Our own hand and caused Our greater

Royal seal to be appended thereto.

Done and given at Erdmannsdorf on the eighteenth day of September in the year of Our Lord 1846 and in the seventh year of Our Royal reign.

Frederick William.

W. F. zu Wittgenstein.

The document, written upon parchment, is bound in red velvet richly decorated with gold and lined with white satin. The great seal of Majesty, enclosed in a silver capsule, hangs from silver-and-black cords furnished with tassels.

718.

1852. Belgard. 8 June.

Judgment in the public-summons proceedings concerning the agnates of the von Kleist, von Krankspar, and von Rahmel families entitled to feudal rights in Pumlow.⁹⁴⁵

From an engrossed copy.

In the Name of the King

In the public-summons proceedings concerning the families entitled to feudal rights in the estate of Pumlow in the District of Belgard, consisting of Shares A and B, the First Division of the Royal District Court at Belgard, at its sitting of 8 June 1852, in which the following judges participated—Zweigert, Director; Borghardt, Councillor of the District Court; and Thiel, District Judge—has adjudged:

For the completion of the required formalities, Captain of Horse von Kleist of Damen shall be required, within fourteen days and under penalty of a fine of two thalers, to produce a power of attorney issued to him by his son, the landowner Albert von Kleist, authorising him to safeguard the latter's rights in these proceedings.

As to the merits:

I. All members of unknown families entitled to feudal rights in the estate of Pumlow and its Shares A and B, together with their descendants capable of holding a fief; furthermore, all members of the von Krankspar and von Rahmel families and, among the latter in particular, Hereditary Master of the Kitchen Caspar Friedrich and the brothers Ensign Henning Christian and Anton Ernst von Rahmel, together with their descendants capable of holding a fief, shall be regarded as legally precluded from asserting any feudal rights in the estate of Pumlow, particularly in its Share B, and perpetual silence shall therefore be imposed upon them.

The estate of Pumlow, particularly Share B, shall, as against them, be declared allodial property, and this allodial character shall be recorded in the mortgage register.

II. The proprietor of the estate of Pumlow, landowner Neitzke, shall be dismissed with his application:

that effect be given to his declaration that he wishes to withdraw the provocation obtained by him against the agnates entitled to feudal rights in his estate of Pumlow, particularly its Shares A and B, for the purpose of their preclusion and the allodification of Pumlow, insofar as the agnates of the von Kleist family jointly interested therein are concerned.

⁹⁴⁵ This judgment is of interest not only because of the Pumlow fief, but also as a precedent and as guidance for members of the family concerning the extent of their feudal rights.

III. The following agnates of the von Kleist family:

A. The sons of the landowner Theodor von Kleist of Schmenzin: the brothers Leopold and Ewald von Kleist;

B. The sons of the landowner Albert von Kleist of Warnin: the brothers Eugen, Hugo, Emil, and Ewald von Kleist;

C. The sons and grandsons of the landowner Friedrich von Kleist of Klein Dubberow:

a. Herrmann von Kleist of Groß Dubberow and his sons Herrmann and Otto;

b. First Lieutenant Rudolf von Kleist of the 4th Uhlan Regiment at Jeseritz;

c. Werner von Kleist;

shall be dismissed with their application that their feudal rights in the von Kleist share of the estate of Pumlow be reserved to them and that they be granted a fixed period within which to prosecute those rights.

IV. The following agnates of the von Kleist family:

1. Captain of Horse Carl August Bogislav von Kleist of Damen and his two sons, Franz Gottfried Joseph Albert von Kleist of Rauden and Rudolf Oswald Bruno von Kleist;

2. Captain Adolph Arminius Leopold von Kleist of Ehrenbreitenstein;

3. Landowner and First Lieutenant Theodor Leopold Friedrich von Kleist;

4. Lieutenant Maximilian Leopold von Kleist of the 19th Infantry Regiment at Brieg;

5. Lieutenant Christian Ewald Leopold von Kleist of the 1st Foot Guards Regiment at Potsdam;

6. retired Major General Wilhelm Heinrich Friedrich von Kleist of Stargard;

7. Lieutenant Rudolf Heinrich Reimar von Kleist of the 2nd Infantry Regiment, known as the King's Regiment, at Colberg;

8. retired Lieutenant Wilhelm Heinrich Dietrich von Kleist of Stettin;

9. District Councillor Anton Tam Gneomar Constantin von Kleist of Nemitz;

10. landowner Leopold Felix Gustav Albert von Kleist of Warnin;

11. Master of the Royal Hunt Major Wilhelm Bogislav Count Kleist vom Loß of Tzschernowitz near Guben;

12. District Councillor Gustav von Kleist of Collochau near Hertzberg;

13. Captain Louis Christoph Heinrich Werner von Kleist of Gawesen and Susten;

14. office assistant Johann Leopold Hellmuth Aurel von Kleist of Kammin;

15. Chief President Hans Hugo von Kleist-Retzow of Coblenz;

16. Major Franz Ludwig Carl von Kleist of the 26th Infantry Regiment at Magdeburg;

17. landowner Friedrich Wilhelm Otto von Kleist of Klein Dubberow;

18. Major Carl Ludwig Kleist von Bornstedt of Hohennauen;

19. landowner Eduard Heinrich Erdmann von Kleist of Wendisch Tychow;

20. landowner Ewald Heinrich Erdmann von Kleist of Dubbertsch;

shall have all their feudal rights in the von Kleist feudal share of the estate of Pumlow reserved to them.

They shall, however, be obliged, within three months and on pain of preclusion, the imposition of perpetual silence concerning those rights, and the allodification of the estate of Pumlow as against them, to bring an

action against the landowner Neitzke for the exercise of their feudal rights.

V. Each of the dismissed agnates of the von Kleist family under II shall be required to contribute two thalers toward the judicial costs of these proceedings and to bear his own extrajudicial costs. All remaining costs of the proceedings shall, however, be imposed upon the landowner Neitzke.

So adjudged.

Grounds

According to the mortgage register, title to the estate of Pumlow in the District of Belgard, consisting of Shares A and B, is entered in the name of the landowner Neitzke.

The notices entered therein show that the estate is partly a von Kleist fief and partly a von Krankspar and von Rahmel fief which is alleged to have been allodified by a rescript of 1 April 1754.

These notices are entered in the same manner in the description of both shares of the estate, but in such a way that it can reasonably be recognised that the character of a von Kleist fief applies only to Share A, while that of a von Krankspar and von Rahmel fief applies only to Share B.

During the past year, the landowner Neitzke applied for a public summons of the known and unknown von Kleist, von Krankspar, von Rahmel, and other agnates entitled to feudal rights in the two shares of Pumlow, in order to obtain their preclusion and the allodification of the whole of Pumlow.

He also produced a certificate issued on 6 September 1851 by the Royal Court of Appeal at Stettin, acting as the Feudal Court for Pomerania. This certificate confirmed that the agnates of the von Kleist family listed therein under Nos. 1–44 inclusive had, by 1 January 1848 or by the date upon which the certificate was issued, notified the Feudal Court of their feudal rights in the von Kleist family fief known as the “Pumlow Share” and caused those rights to be entered in the Feudal and Succession Registers.

In compliance with the formalities prescribed by the rescript of 1 November 1783, § 157 of Title 51, and § 107 of Title 50 of the Code of Procedure, a public and individual summons was then issued to the known and unknown von Kleist, von Krankspar, von Rahmel, and other agnates entitled to feudal rights in the estate of Pumlow and its two shares.

They were summoned to register their feudal rights, under threat of preclusion and allodification of the estate of Pumlow.

Shortly before the appointed date for the agnates to register their claims, the authorised representative of the applicant, landowner Neitzke, declared on 26 March of the present year that he was withdrawing the provocation insofar as the von Kleist agnates were concerned, and requested that this declaration be communicated to Attorney Deetz, representative of several von Kleist agnates.

The hearing held on the 31st of the same month—which, in accordance with the applicant Neitzke’s declared intention, was to proceed on account of the von Krankspar and von Rahmel agnates and the other unknown agnates—was attended by numerous agnates of the von Kleist family.

They were informed that landowner Neitzke had withdrawn the provocation in relation to them.

They nevertheless maintained that the applicant was no longer entitled to abandon the provocation, particularly since he expressly denied their authority to assert feudal claims to the von Kleist share. They requested that their feudal rights be reserved and that they themselves be granted a reasonable period within which to bring an action against landowner Neitzke.

Landowner Neitzke considered this application inadmissible. Although, “to avoid misunderstandings,” he expressly denied that the von Kleist agnates possessed any feudal rights whatsoever in Pumlow, he requested that the judgment expressly determine that effect should be given to his application to withdraw

the provocation insofar as the von Kleist agnates were concerned.

None of the von Krankspar or von Rahmel agnates, nor any of the unknown claimants to feudal rights who had likewise been summoned, appeared at the hearing.

A large number of the von Kleist agnates also failed to appear, although they had been individually summoned.

With regard to the former, the applicant Neitzke requested preclusion. He expressly excluded the von Kleist agnates from this application, however, and did not even submit an alternative application for the event that those von Kleist agnates who now wished to assert their rights should succeed with their demand.

In view of these circumstances, the following preliminary question must first be decided:

“Does any proceeding still exist between the landowner Neitzke and those agnates of the von Kleist family who appeared at the hearing of 31 March of the present year and who are listed individually under III and IV in the operative part of the judgment?”

It is clear that, should the applicant Neitzke succeed with his present request for a judicial determination that the files be closed as against the von Kleist agnates, every further examination would thereby be prevented, since no judgment can be given in a dispute which no longer exists.

This question must, however, be answered in the affirmative and to the disadvantage of the applicant.

The treatment of the matter is governed by § 21 of Title 20 of the Code of Procedure, which provides that, if during the course of proceedings the plaintiff renounces the proceedings but not the claim itself, the defendant shall be at liberty to require the plaintiff either to continue the proceedings or to renounce the claim.

The title concerning diffamation and preclusion proceedings is to determine the further procedure to be followed.

The abundance of legal controversy produced by the brief concluding reference in this provision is sufficiently well known.

Some maintained that the reference was entirely incomprehensible because Title 32 of the Code of Procedure contained nothing applicable to the present case. They therefore adhered all the more firmly to the word “continue” and demanded that proceedings once commenced must proceed immediately and that a plaintiff who had once openly asserted his adverse claim could not withdraw from the matter at will.

This view was developed in several ministerial rescripts, beginning with that of 21 November 1818, in which it was considered an “unnecessary prolixity” to require the defendant to bring a new diffamation action on his own part.

The opponents of this view, however, found that Title 32 of the Code of Procedure was by no means as devoid of assistance in the present case as had been asserted.

In support of their position, they explained that the title concerning provocations provided the defendant with sufficient means of obtaining clarity from the plaintiff:

First, by directly asserting that the plaintiff possessed no such claim as alleged and, by thus entering upon the merits and assuming the role of plaintiff in the principal matter, bringing a negative action extending to the right itself under § 2 of Title 32;

or, second, by bringing only a preliminary action, namely the diffamation action itself under § 3, thereby compelling the opposing party to appear as plaintiff in the subsequent principal proceedings concerning the basis of the alleged right.

The defendant would thereby obtain the considerably more convenient role of defendant and, in particular,

shift the burden of proof from himself.

The highest court has now recognised this latter opinion as correct in its plenary decision of 3 May of the present year.

It cannot, however, be applied in its full generality to the case now requiring decision.

The normal case presupposed is one in which a person brings an action upon a claim and, during the first instance, renounces the proceedings.

The defendant is then not to be entitled to insist upon continuation or resumption of proceedings formally ended by the plaintiff's renunciation of the litigation. Instead, he must either appear as plaintiff in a diffamation action of his own or bring an action upon the principal matter and establish that the plaintiff does not possess the claim asserted by him.

This applies only to an ordinary action in which the plaintiff alleges that a particular claim belongs to him—for example, that he has a right to demand 1,000 thalers under a loan or purchase money arising from the sale of an estate.

It does not apply at all to provocation proceedings. In such proceedings, the applicant does not allege that he has something to demand, but that his opponent has no right to demand anything from him.

He does not seek to acquire a financial advantage for himself, but merely to secure the undisturbed enjoyment of his property and protect himself from procedural harassment by the opposing party.

From the procedural point of view, moreover, the defendant cannot be granted the choice which §§ 2 and 3 of the law governing provocation proceedings undoubtedly provide:

“He may, however, also choose the path of diffamation,” says § 3 at the place cited.

The defendant is certainly free to appear as plaintiff in the principal matter and demand that it be determined against the opposing party that the latter has no further claim against him under the loan or purchase transaction and must provide him with a receipt.

He is, however, unable to pursue the second course which the law is required to leave open to him.

For the defendant in the first diffamation proceedings, it is impossible to cause one diffamation to be followed by another diffamation directed against the withdrawal of the first.

The first provocation is an exercise of the applicant's free will; he cannot therefore be legally compelled to express that free will.

It is furthermore founded upon the assertion that the plaintiff is entitled not to a right but to freedom from the opposing party's claim.

The application in a second provocation, in which the former person challenged would appear as plaintiff, could only read:

“that the person challenged be required himself to provoke the applicant, so that the latter may prosecute his alleged rights, and that, should he fail to appear, he be precluded by the corresponding provocation.”

Such a provocation would be of little assistance to the defendant, if only because exclusion from a right which is alleged to belong not to the person challenged but to the applicant cannot be conceived.

The plenary decision of 3 May of the present year must therefore be regarded as not having been given for the present case, which concerns the withdrawal of a diffamation already instituted.

It appears impermissible to abolish the legally established alternative concurrence of two actions—the diffamation action and the principal action—and to reduce a person possessing these two alternative remedies to only one.

Even were it considered that the plaintiff cannot be denied the right to withdraw his provocation even in provocation proceedings, that right finds its natural limit in the equally unquestionable rights of the opposing party.

The matter does not depend solely upon the question raised at the conclusion of the record:

“Can the provocation be withdrawn or not?”

Rather, that question must be considered in connection with the remainder of the text.

The persons challenged from the von Kleist family who attended the hearing did not content themselves with making the counter-application:

“that the applicant Neitzke be required to continue the proceedings with them.”

Instead, they submitted a complete application for revocation entering upon the merits:

“that their feudal rights in the von Kleist share of the estate of Pumlow be reserved to them and that the court grant them a reasonable period within which to bring an action on that account.”

Just as the plenary decision of the highest court permits the defendant, by way of counterclaim, to demand that the plaintiff's claims be declared invalid, the persons challenged cannot be prevented, once they have learned that the applicant intends to leave the question unresolved by unilaterally requesting that the files be closed, from themselves taking a step toward resolution of the matter.

They may demand that the courts be opened to them and that they be given access to a judicial decision upon the question—which is undoubtedly important to them—whether their feudal rights still possess any validity.

This must be permitted all the more because the applicant expressly demands that they be dismissed with this application.

The persons challenged thus take up the matter at the point at which the applicant wished to leave it unresolved.

Nor is there any substantive objection to their application.

There is no obstacle to reserving their feudal rights, since those rights are certified by the certificate from the Feudal and Succession Registers, and they themselves offer to assert them by action within a period to be fixed by the court.

The applicant's counter-application—“that effect be given to the withdrawal of the provocation”—is incompatible with this, since the matter is not to be laid aside but advanced toward decision.

He must therefore be dismissed with that application.

Since an examination of the subject matter of the dispute is thus possible, it is first necessary to separate from among the von Kleist agnates those with whom even proceedings merely concerning the institution of feudal claims are legally prohibited.

All claimants to feudal rights who have not been entered in the Feudal and Succession Registers must here be dismissed as lacking standing in the matter.

The course followed by Pomeranian feudal legislation readily shows that the rights of agnates have increasingly been subjected to more definite regulation and to certain formal restrictions.

In order to establish toward the public whether an estate was subject to the feudal relationship—which was all the more necessary in Pomerania because the alienation of fiefs to persons outside the family holding the fief was permitted—and to provide greater security for credit secured upon land, it was ordained as early as the beginning of the previous century that feudal rights were to be entered in public instruments.

Two formally distinct systems of recording can clearly be distinguished: that of the Mark of Brandenburg and that of Pomerania.

The system of the Mark regards the recording of feudal relationships as an appendix to the mortgage register. The mortgage register is therefore also made the repository of the feudal relationships affecting the particular property subject to the fief.

The predominant conception is thus one based upon the property itself. The agnates are therefore entered in the second section of the register under "Restrictions upon Disposition."

This was established in the Mortgage Ordinance, Title 1, § 51; retained in the General Law Code, Part I, Title 18, §§ 290 et seq., and in the Code of Procedure, Title 51, § 158; and continued in the recently enacted Act of 15 May of the present year concerning the facilitation of dispositions involving fiefs in the Electoral Mark.

The other system of recording, that of Pomerania, is personal.

It proceeds from the principle that feudal relationships can be fully understood in their entirety only if a special collection of records arranged according to families is devoted to them.

This has the advantage that the entire family holding can be surveyed completely at one time.

It may therefore be necessary to note in the mortgage register that a property is a fief of a particular family, in order to impress upon a purchaser or mortgage creditor the necessity of observing the precautions required when an outsider purchases a Pomeranian fief estate or grants credit upon it.

Occasional reference has also been made to the notices concerning persons entitled to feudal rights which appear in mortgage registers, as in § 2 of the Pomeranian Feudal Compulsory-Sale Ordinance of 11 May 1839.

No decisive weight has, however, been attached to them, particularly because the scattered comments assembled under the "Description of the Estate" in the mortgage registers were frequently so disconnected and fragmentary that, instead of clarifying the existing uncertainty, they often merely increased it.

In Pomerania, therefore, the only instruments of substantial importance in establishing feudal relationships are those maintained by the Feudal Court at Stettin under the names "Homage and Succession Registers" and "Tables of Vassals," since only in them was a continuous history of the feudal relationships within the individual families intended to be found.

Nevertheless, owing to the imperfection of the system and particularly the absence of compulsory measures requiring that all feudal transactions relating to the families concerned be brought to the attention of the feudal authority, even these registers could not fully accomplish their purpose.⁹⁴⁶

Many estates were allodified by grace through Royal rescripts; subsequent enfeoffments had occurred in relation to other fief estates; and in both cases the Feudal Chancery had either not been informed or had not been informed completely.

Furthermore, under the principles then prevailing, any feudal agnate who merely demonstrated his entitlement to the same shield and helmet could at any time attack and disturb the third-party possessor of a fief in his apparently secure and carefully protected possession.

All these circumstances produced the most urgent need to bring to an end a condition which, as time passed, increasingly threatened and undermined both the security of possession and credit secured upon land.

⁹⁴⁶ This assertion is not entirely correct in its general form and is at least inapplicable to the so-called "new fiefs."

The rescript of 1 November 1783, the precursor and preparatory measure for the Mortgage Ordinance of 20 December of the same year, was intended as a measure dictated by the public welfare to remedy this situation.

It was the first to subject to fixed rules the judicial procedure by which a third-party possessor could, through a public summons, obtain the preclusion of persons entitled to feudal rights and the allodification of an estate.

Under Sections III and V of that rescript, which subsequently received several additions and explanations, every outside possessor of a Pomeranian fief estate, except in the case of a compulsory sale, was permitted to summon the persons entitled to feudal rights for the purpose of their preclusion and the allodification of the estate.

He was required to obtain from the Feudal Chancery a certificate from the Homage and Succession Registers identifying the agnates who had registered their feudal rights.

A member of the family holding the fief was examined under his feudal obligation concerning the contents of that certificate.

The agnates thus identified—the known persons by individual summons and the unknown by edictal summons—were called upon to register their feudal rights in compliance with the formalities prescribed by the Code of Procedure. Should they fail to appear, the loss of all their feudal rights in the estate concerned was pronounced.

Following this regulation of procedure, the Crown took the initiative in another respect to provide greater substantive security for existing possession.

By the General Instrument of Allodification of 16 February 1787, the Pomeranian fiefs were released from the relationship with the feudal lord in such manner that they retained their feudal character only within the family of the vassals themselves.

At the same time, that instrument contained a promise of a definitive formal regulation of the feudal system for the many possessors of fiefs who did not belong to the family holding them.

The agnates and jointly enfeoffed members in Farther Pomerania were to be obliged to notify the Feudal Chancery of their feudal and succession rights, substantiate them, and cause them to be entered in the Feudal and Succession Registers, on pain of the disadvantages to be fixed by the future Feudal Constitution (§ 12, No. 3).

The plenary decision of the Royal Supreme Tribunal of 9 December 1839 had opened to a third-party possessor outside the family holding the fief the possibility of temporarily excluding agnates upon whom the succession had not yet devolved.

The Act of 11 July 1845 concerning the Pomeranian Feudal and Succession Registers, enacted in fulfilment of the aforementioned promise, was intended to give that possessor the means of definitively excluding persons entitled to feudal rights.

It thereby prepared the way for conversion into free property and dissolution of the feudal relationship, as guaranteed by Article 40 of the Constitution of 31 January 1850 and now by Article 2 of the Act of the 5th of the present month.

By logical interpretation, six distinct chapters can be clearly identified in the Act of 11 July 1845:

The concluding section, § 16, concerns the territory to which the Act applies.

Sections 1–6 determine the authority which is to maintain the improved Feudal and Succession Registers and establish the obligation of agnates to register their feudal rights and cause them to be entered in those

registers. Section 6 dispenses sons whose fathers have caused themselves to be entered in the registers from the obligation to obtain an entry of their own until the fathers have died.

Sections 7–10 threaten all agnates not entered in the registers, when a later disposition is challenged, with the loss of all their feudal rights, regardless of whether the fief was alienated under an irrevocable or merely revocable title, subject to their recourse against the alienating possessor under § 9.

In this connection, § 10 also decides the celebrated controversy of Pomeranian feudal law as to whether a member of the family holding a fief may possess a family fief under an allodial title.

Section 14 is connected with §§ 7–10, which look only to the future. It attaches the same adverse consequences for the past to failure to register feudal rights by 1 January 1848 within the extended period granted.

This was established by the judgment of the Royal Supreme Tribunal of 11 April 1851 in the nullity proceedings in **von Herzberg v. Mix** concerning Groß Herzberg.

Section 11 applies these principles of substantive law to the formal treatment of feudal matters:

Paragraph 1 applies to matters of non-contentious jurisdiction, namely legal transactions.

Paragraphs 2–4 apply to proceedings, particularly public summonses of agnates for the purpose of identifying persons possessing a nearer right under the Act of 28 November 1826, and for the purpose of a necessary compulsory sale under the Compulsory-Sale Ordinance of 11 May 1839.

In all cases, participation or summons of the feudal agnates appearing from the certificate of the Feudal Chancery shall suffice.

Sections 12 and 13 concern the deletion of persons entitled to feudal rights from the registers and the issue of certificates from those registers.

Finally, § 15 concerns the costs of the initial registration up to 1 January 1848.

In applying these principles to the present case, it must be noted that the von Kleist share of Pumlow, Share A, was exchanged by contract of 14 February 1704 by Hans Christoph von Blanckensee for the Neumark estate of Klützkow.

The other allegedly allodified share, Share B, formerly a von Krankspar and now a von Rahmel fief, was purchased by contract of 29 December 1752 from Anton Christian von Blanckensee by the three brothers von Rahmel—Hereditary Master of the Kitchen Casper Friedrich, Ensign Henning Christian, and Anton Ernst, who consented to the transaction—for 950 thalers.

From the Act of 11 July 1845, summarised above, the following conclusions must be drawn for the present proceedings in view of the circumstances:

1. Public-summons proceedings under the rescript of 1 November 1783 no longer exist in the sense that a judgment can pronounce a general preclusion of unknown agnates and a special preclusion of agnates summoned by name.

As regards the von Krankspar and von Rahmel agnates, whose families are moreover probably extinct,⁹⁴⁷ the certificate of the Royal Court of Appeal dated 6 September 1851 shows that none of them applied to the Feudal Court for the registration of their feudal rights.

By contrast, the von Kleist agnates listed under Nos. 1–44 caused themselves to be entered in the registers by 1 January 1848 or by the date upon which the certificate was issued.

⁹⁴⁷ The von Krankspar family became extinct during the first years of the seventeenth century; the von Rahmel family approximately twenty years ago.

The alienation involving the von Kleist share occurred as early as 1704, and that involving the von Krankspar and von Rahmel share in 1752.

Both alienations therefore fall under § 14 of the Act of 11 July 1845.

Agnates who failed to cause their rights in one or the other share of Pumlow to be entered in the register by 1 January 1848 can, as a general rule, no longer be heard with any alleged feudal rights.

To a certain extent, the Act follows the course already adopted by earlier substantive feudal legislation.

Until the General Instrument of Allodification of 12 February 1787 was issued, only special allodification granted by the feudal lord in individual cases existed.

From that time onward, there was a general allodification of all fiefs with respect to the relationship with the feudal lord. This absorbed the earlier special allodification and made it unnecessary thereafter.

The situation is similar under the new preclusion procedure.

The allodification procedure differs from preclusion in that the former results from an act of grace by the feudal lord, while preclusion is a punishment for the negligence of an entitled agnate or, if no such agnate exists, the natural consequence of the extinction of the feudal rights when the entitled agnates disappear under § 12.

There is, however, a similarity between the two areas of law in that a general preclusion by operation of law is now possible.

Consequently, general preclusion of unknown agnates by judgment is no longer required. The register alone determines who is to possess a right to participate in the matter.

For the judge, to whom these registers constitute the sole authoritative source for recognising feudal rights under § 11, the legal maxim applies: **quod non est in actis, non est in mundo**—what is not in the records does not exist.

Two forms of preclusion must therefore be distinguished:

General preclusion. Under the clear provisions of §§ 7, 8, 10, and 14, the judge is to take no account of persons who have not even caused themselves to be entered in the Feudal Registers, whether they have died and therefore possess neither physical nor legal existence, or whether they were so negligent that they failed to comply with the legislature's admonition and with the period extended in their favour until 1 January 1848.

These agnates do not exist for the opposing party and therefore do not exist for the judge.

Special preclusion. An agnate has passed through the first stage and caused his feudal rights to be registered. Nevertheless, in response to a provocation issued against him, he does not consider it appropriate to appear at the appointed hearing to register his feudal rights.

He must then, as formerly, be precluded by judgment.

The substantive legal provisions discussed above explain why paragraphs 2–4 of § 11—which might have been expected also to contain a provision concerning proceedings under the rescript of 1 November 1783—make no mention of that procedure, but refer only to public summonses under the Cabinet Order of 28 November 1826 and the Compulsory-Sale Ordinance of 11 May 1839.

Only the latter two procedures now retain the character of true public-summons proceedings and fall under §§ 157 et seq. of Title 51 of the Code of Procedure.

Public-summons proceedings under the rescript of 1 November 1783 have entirely lost their significance.

They no longer fall under Title 51 of the Code of Procedure but under Title 32.

In every provocation, the applicant must substantiate the assertion of the adverse claim and attach the documents required for that purpose under Title 32, § 5. In this respect, a feudal provocation no longer differs from any ordinary provocation.

The certificate from the registers establishes, first, the standing of the persons challenged as the proper defendants and, second, provides evidence of the assertion of the adverse claim.

Under certain circumstances, a person challenged may indeed be summoned by edict if neither his life nor his place of residence is known to the applicant or can otherwise be ascertained.

This is not, however, peculiar to feudal provocations but applies to all proceedings without exception under Title 7, § 12 and §§ 42 et seq. of the Code of Procedure whenever it is impossible to bring the summons to the defendant's attention in another manner.

If the life and place of residence of all agnates listed in the feudal certificate are known, there is therefore no reason to proceed by an otherwise unnecessary edictal summons.

Such summonses had previously been issued only upon application by the proprietors of the burdened estate because there was no statutory provision concerning the deletion of notices of feudal rights from the mortgage register and no plenary decision of the Royal Supreme Tribunal interpreting the Act of 11 July 1845.

These legal rules apply equally to principal proceedings concerning the matter itself and to preliminary diffamation actions, since the Act makes no distinction between them.

It can therefore no longer be pronounced in the present proceedings that the von Krankspar, von Rahmel, and other unknown agnates are to be precluded from their feudal rights.

It was not the court but the legislature itself which, by the Act of 11 July 1845, deprived them of legal existence because they had failed to register their feudal rights by 1 January 1848 and thereby generally precluded them.

A person already precluded by the legislature cannot again be challenged by someone interested in the existence of his alleged rights, nor can the court preclude him by judgment.

A person can be excluded only from a right which he may possibly still possess, not from one which has already clearly ceased to exist.

With regard to the agnates just mentioned, therefore, the judgment could state only that they were to be regarded as legally precluded.

The representative of the applicant did not even submit, in the alternative, an application for the special preclusion of those von Kleist agnates whose names were established by the certificate, who were summoned, but who failed to appear at the hearing.

At the conclusion of the hearing, he contented himself with requesting the preclusion of the absent persons entitled to feudal rights, expressly excluding the von Kleist agnates. The judgment can therefore decide nothing concerning them.

There remain finally only the agnates listed under III and IV in the operative part of the judgment.

Those listed under IV possess standing as proper defendants, and any rights which they may possess must be reserved for subsequent prosecution by action, as they have offered to do.

By contrast, the same demand made by the cousins von Kleist named under III cannot be granted, namely that they be permitted to prosecute their alleged feudal rights against landowner Neitzke.

They are:

the two sons of the landowner Theodor von Kleist of Schmenzin;

the five sons of the landowner Albert von Kleist of Warnin;

and the three sons and two grandsons of the landowner Friedrich von Kleist of Dubberow.

Their fathers, or respectively their grandfather, are permitted to continue prosecuting the feudal rights appearing from the certificate.

With regard to the descendants themselves, however:

2. The principle must be maintained that sons and more remote descendants who have not been entered in the registers are not entitled to appear as plaintiffs or defendants in feudal proceedings of any kind for as long as their fathers or more remote ascendants entered in the register assume the role of a party in the proceedings.

There is no contradiction in the Act of 11 July 1845 in this respect.

Section 6 obliges sons whose fathers are entered in the Feudal and Succession Registers to cause themselves to be entered only after the deaths of their fathers.

This provision constitutes a favourable extension for sons entitled to feudal rights, since under the previous rule—§ 120 of the draft Pomeranian Provincial Law—sons who were no longer under paternal authority were summoned in public-summons proceedings involving the agnates and were therefore logically required to appear in order to preserve their rights.

The General Law Code, Part I, Title 18, §§ 293–294, likewise dispensed only sons under paternal authority from the otherwise necessary entry of their rights in the mortgage register.

Sections 8 et seq. of the Act of 11 July 1845 now provide that only agnates entered in the Feudal and Succession Registers are entitled to challenge dispositions involving fief estates, while § 11 provides that only those agnates are to be summoned.

This provision is so unconditional and categorical that sons and more remote descendants of fathers already entered in the registers cannot be permitted to participate in proceedings unless they themselves are entered.

The consequences of failure to obtain an entry are, admittedly, different for such sons from those arising from negligent failure to obtain an entry by a fatherless and independent agnate.

In the latter case, there can be no doubt that the agnate is precluded by the Act as a punishment for his neglect.

A son whose father is entered suffers no disadvantage from the absence of an entry in his own name.

If a person is obliged to perform an act only at a time prescribed by law, no adverse consequence can affect him because he did not perform it at an earlier time than that fixed by law.

The legislature clearly proceeded here from the legal unity of the registered father with his sons and from their representation by him.

Pomeranian feudal law requires a son to answer for the acts of his parent, but assists him in return by permitting his father to represent him where it is necessary to protect the rights of the line descending from that father.

This is demonstrated particularly by the participation only of the heads of the families holding the fiefs, and not their descendants, in family compacts disposing of Pomeranian fiefs under the Declaration of 11 July 1845.

Only the registered father therefore possesses standing as a proper defendant, not his unregistered sons.

The substantive and procedural standing of the relevant line descending from him is concentrated in the

father.

Without imposing upon unregistered sons of registered fathers the loss of any feudal rights which may have belonged to their fathers, the court is nevertheless unable, in view of the precise wording of § 8 of the Act of 11 July 1845, to admit those sons.

They must therefore be dismissed with their application that their feudal rights be reserved and that a period be fixed for their prosecution by action.

Neither a dismissal for the present nor a declaration that the registration of their rights is to be regarded as accomplished through the admission of their fathers under IV is required for the preservation of any feudal rights they may possess.

First, the opposing party has made no application for a declaration that their feudal rights have been lost.

Second, under the wording of the Act, proceedings are to be conducted exclusively with the registered agnates, so that the sons themselves do not exist before the court.

Where, by contrast, both father and son are entered in the register—as is the case with Captain of Horse von Kleist and his two sons under IV.1 of the operative part, and also with Major General von Kleist under IV.6 and his son, Lieutenant von Kleist, mentioned under IV.7—there is no objection to admitting both to the litigation now beginning, even though it cannot yet be determined which feudal rights may be exercised by a registered Pomeranian agnate whose father, likewise entered in the Feudal Register, is still living.

The same applies to landowner von Kleist of Wendisch Tychow and his son Ewald under IV.19 and 20. The latter's registration is included in that of the former.

Finally, the decision concerning costs had to be made in accordance with § 3, No. 2, of Title 23 of the Code of Procedure and § 9 of the Fees Act of 10 May 1851.

718a. (previously 725)

1853. Cöslin. 1 February.

In the Name of the King!

In the matter of the estate owner August Ferdinand Neitzke of Pumlow, petitioner and appellant, against the following agnates of the von Kleist family, namely:

1. Cavalry Captain Carl August Bogislav von Kleist of Damen and his two sons Franz Gottfried Joseph Albert and Rudolph Oswald Brunow, brothers von Kleist,
2. Captain Adolph Arminius Leopold von Kleist at Ehrenbreitenstein,
3. the estate owner and First Lieutenant Theodor Leopold Friedrich von Kleist at Schmenzin,
4. Lieutenant Maximilian Leopold von Kleist of the 19th Infantry Regiment at Brieg,
5. Lieutenant Christian Ewald Leopold von Kleist of the 1st Foot Guards Regiment at Potsdam,
6. retired Major General Wilhelm Hans Friedrich von Kleist at Stargard,
7. Lieutenant Rudolph Heinrich Reimer von Kleist of the 2nd Infantry Regiment at Colberg,
8. retired Lieutenant Wilhelm Heinrich Dietrich von Kleist at Stettin,
9. District Administrator Anton Tamm Gneomar Constantin von Kleist of Nemitz,
10. the estate owner Leopold Felix Gustav Albert von Kleist of Warnin,

11. Court Master of the Hunt Major Wilhelm Bogislav von Kleist at Tzernowitz near Guben,
12. District Administrator Gustav von Kleist at Kollochau near Herzberg,
13. Captain Louis Christoph Heinrich Carl Werner von Kleist at Gawesen and Sosten,
14. Bureau Assistant Johann Leopold Helmuth Aurel von Kleist at Cammin,
15. Chief President Hans Hugo von Kleist-Retzow at Coblenz,
16. Major Franz Ludwig Carl von Kleist of the 26th Infantry Regiment at Magdeburg,
17. the estate owner Friedrich Wilhelm Otto von Kleist of Klein-Dubberow,
18. Major Carl Ludwig Kleist von Bornstädt at Hohenauen,
19. the estate owner Eduard Heinrich Erdmann von Kleist at Wendisch Tychow,
20. the estate owner Ewald Heinrich Erdmann Bogislav von Kleist of Dubbertsch,

respondents and appellees, the Civil Senate of the Royal Court of Appeal at Cöslin, at its session of 1 February 1853, in which the following participated:

Doctor von Möller, President,

von Böhn, Privy Judicial Councillor and Councillor of the Court of Appeal,

von Teschen, Heineccius, Jonas, Councillors of the Court of Appeal,

has adjudged

that

the judgment of the Royal District Court at Belgard of 8 June of the previous year, ad II and IV, is to be amended to the effect that the declaration of the estate owner Neitzke withdrawing the citation proceedings instituted by him against the agnates entitled to feudal rights in his estate of Pumlow, particularly in its shares A. and B., for the purpose of their preclusion and the conversion of Pumlow into allodial property, shall be allowed to stand with respect to the feudal agnates of the von Kleist family who are also interested therein; and that, as a consequence, the reservation for the appellees of feudal rights in the von Kleist feudal share of the estate of Pumlow, and the obligation imposed upon the latter to bring an action against the petitioner for the exercise of their feudal rights within three months on pain of preclusion, shall be deemed disposed of; that, as regards the costs of the first instance, the provision of the said judgment shall remain in force, but that, in addition to its own extrajudicial costs, each party shall bear one half of the judicial costs of the appeal.

As a Matter of Law.

Reasons!

The noble estate of Pumlow, situated in the district of Belgard, is divided into the shares Pumlow A. and Pumlow B.; according to the entry in the mortgage register, the former is for the most part an old von Kleist fief, while the latter was originally a von Kranksparn fief and subsequently a new von Rahmel fief.

The registered owner of both shares, the estate owner August Ferdinand Neitzke, pursuant to Rescript No. IV of 1 November 1783, cited the von Kleist, von Kranksparn and von Rahmel agnates, for the purpose of modifying those shares, to assert their feudal rights on pain of being barred from them. A few days before the hearing fixed for 31 March of the previous year for the declaration of the said rights, however, he withdrew the citation proceedings in respect of the von Kleist agnates. Notwithstanding this, those members of the family listed in the caption as appellees under Nos. 1 to 20 expressly declared their feudal claims to the von Kleist share of the estate of Pumlow, disputed Neitzke's right to withdraw the citation proceedings unilaterally, since they had already acquired rights through those proceedings, and applied:

That such rights be reserved to them by judgment and that a definite period be granted to them for their enforcement.

The petitioner opposed this application and requested a decision

allowing his declaration that he wished to withdraw the citation proceedings in respect of the von Kleist agnates to stand.

He maintained that he was free to withdraw the citation proceedings before feudal claims had actually been declared by the respondents, and that no valid declaration of that kind could have been made because he had already withdrawn the proceedings before the hearing fixed for that purpose. He also expressly denied that the von Kleist agnates possessed any feudal rights whatsoever in Pumlow. By its judgment of 8 June of the previous year, ad II and IV, delivered without a preceding oral and public hearing, the District Court at Belgard reserved to the von Kleist agnates named in the caption all their feudal rights, to be enforced within three months on pain of preclusion; it dismissed the petitioner's above application and imposed upon him all the costs, apart from an amount to be paid by several respondents whose claims had been dismissed.

Pursuant to § 21, Title 20, Part I of the General Judicial Code, the judge of first instance considered the petitioner not entitled to withdraw the citation proceedings, because he could be compelled by his opponents to continue the proceedings. Alternatively, the general principles according to which, in similar cases, the defendant may either compel the plaintiff, by means of an action of diffamation, to prosecute his claim, or may himself appear as plaintiff in a negatory action, were said not to apply to citation proceedings, particularly because, by the nature of the matter, the petitioner could not be compelled by an action of diffamation to prosecute the claim asserted by him, and because it appeared inadmissible to curtail the right of election granted to every defendant by §§ 2 and 3, Title 32, Part I of the General Judicial Code. Furthermore, in the alternative, the aforementioned application of the von Kleist agnates should have been considered as a counterclaim.

The petitioner appealed against this judgment. He complained that his repeatedly mentioned application had been dismissed, although, pursuant to § 42, Title 9, and § 19, Title 20, Part I of the General Judicial Code, it should instead have been granted; and he also objected to the reservation pronounced ad IV.

At the hearing in the second instance he further asserted, as a ground of nullity, that the said decision had not been preceded by a public and oral hearing.

This last ground of challenge, had it been capable of consideration at all, should have been raised during the first procedural hearing that took place, pursuant to § 6 of the Ordinance of 14 December 1833. Upon closer examination, however, it does not appear to have any legal foundation.

The public summons of unknown agnates to exercise their feudal rights, to which the legislature for that very reason also assigned a place in Title 51 of the Code of Procedure, §§ 157 and 158, is essentially a species of claims adjudication proceeding and, like the latter, is subject, under the unequivocal provision of § 29 of the Ordinance of 21 July 1846, to the procedure prescribed by the General Judicial Code.

Where special proceedings arise in such a claims adjudication matter and are suitable for separate hearing, they may indeed be dealt with under the provisions of the Ordinances of 1 June 1833 and 21 July 1846. The question whether such a case exists, however, depends more or less upon judicial discretion, and in no event can the Royal District Court at Belgard be reproached with having violated an essential procedural provision if it did not regard⁹⁴⁸ the present dispute as such a special proceeding in itself, but instead decided it simultaneously and in a single judgment together with the citation of the other persons

⁹⁴⁸ The manuscript has the uncertain supplementary reading "ansah?" ("regarded?").

entitled to feudal rights.

Even were the new procedural provisions alone to be regarded as governing citation proceedings, the omission of a public and oral hearing before the deciding judge cannot be considered a ground of nullity, because nowhere does the law prescribe that this must otherwise be the consequence.

Section 5 of the Ordinance of 14 December 1833 and the supplementary provision of Article 3 of the Declaration of 6 April 1839 enumerate the cases which, under § 4, No. 2 of the first-mentioned Ordinance, constitute a violation of essential procedural provisions and give rise to nullity, while Instruction No. 11 of 7 April 1839 expressly provides that a violation of procedural provisions shall result in the annulment of the judgment challenged on that ground only when one of the cases listed in § 5 of the Ordinance of 14 December 1833 and in the additions made thereto by the Declaration exists. The present case is not mentioned there, although § 18 of the Ordinance of 1 June 1833 would, in the alternative, have afforded sufficient opportunity to do so. Moreover, the statutory provisions enacted in this respect following the promulgation of the Ordinance of 21 July 1846, § 11 of which abolished the parties' previously permissible waiver of a public and oral hearing—particularly the Ordinance of 7 April 1847, § 32 of the Ordinance of 2 January 1849, Article 93 of the Constitutional Charter of 31 January 1850 and, with reference to the latter, Supplementary Article XI of the Act of 26 April 1851—do indeed prescribe, in general, that hearings in civil proceedings before the deciding court shall be public and oral, but do not attach to the failure to comply with this requirement the consequence that the proceedings are null and void.

As regards the merits of the matter, the reasoning of the court below cannot be accepted. Although, under § 21, Title 20, Part I of the General Judicial Code, the defendant may be entitled to compel a plaintiff who, in the course of the proceedings, abandons those proceedings but not his claim either to continue the proceedings or to renounce the claim itself, the concluding provision of the cited statute already makes sufficiently clear the meaning to be assigned to the word “continue.” Here, as in the case of the plaintiff's tacit notice of litigation under § 42, Title 9, Part I of the General Judicial Code, the defendant is referred to Title 32 of the same Code and may accordingly either appear as plaintiff in the principal matter and establish the invalidity of the claim asserted by his opponent, or choose the course of an action of diffamation. That title, however, contains no provisions stating how a person who has withdrawn an action already pending could be compelled to continue the proceedings. From this alone it follows that a mere application by the defendant to compel the continuation of the proceedings cannot be considered. Rather, the words “continue the proceedings” can only be understood to mean the continuation of the matter generally pending between the parties, which may also be effected by bringing a new action.

Since the Privy Supreme Tribunal, at its plenary session of 3 May of the previous year, also recognised this general procedural principle as correct—Decisions, Volume 23, page 20—there is no reason why it should not likewise apply to citation proceedings.

The court below considered that this question should be answered in the negative because the institution of citation proceedings was entirely a matter of discretion, because no one could, by the nature of the matter, be compelled to institute them by means of an action of diffamation, and because the respondents would therefore be deprived of the right of election set out in §§ 2 and 3, Title 32 of the Code of Procedure.

This view cannot in general be accepted unconditionally as correct, since, once citation proceedings have been instituted, the petitioner has thereby asserted certain claims, so that a case of diffamation exists. It is still less applicable here because, at the hearing held on 31 March of the previous year, the estate owner Neitzke expressly declared, notwithstanding the contrary entry in the mortgage register, that the von Kleist agnates possessed no feudal rights in Pumlow, and thus asserted the allodial character of that estate. The respondents are therefore precisely in a position to compel him, by bringing an action of diffamation, to prove his assertion.

Furthermore, although there is in itself no objection to the court of first instance treating the repeatedly mentioned counter-application of the von Kleist agnates as a counterclaim, that counterclaim collapses of itself once, as shown above, the petitioner is held entitled to withdraw the citation proceedings, since, in the absence of an action, the bringing of a counterclaim was no longer permissible.

Finally, there can be no legal doubt that the principles generally governing citation proceedings must also be applied where the agnates are publicly summoned for the purpose of preclusion in respect of a Pomeranian fief, since the Pomeranian feudal laws, and particularly the Rescript of 1 November 1783, contain no exceptional provisions. For the same reason, the contention of the von Kleist agnates that, through the institution of the citation proceedings, they had acquired rights which had not previously existed is untenable and lacks any legal foundation.

The question whether, and up to what point in time, the withdrawal of citation proceedings involving the public summons of families entitled to feudal rights is permissible over the objection of the latter, where the judicial sale of a Pomeranian fief is concerned, has already been discussed repeatedly for legislative purposes. Both of the old Pomeranian Provincial Judicial Colleges at Stettin and Cöslin, as well as the delegates of the families entitled to feudal rights who assembled at Stettin in 1841, declared themselves in favour of the permissibility of withdrawing such citation proceedings. The first two differed only as to the point in time up to which such withdrawal should be regarded as permissible, and the commission's record of deliberations of the latter, dated Stettin, 18 November 1841, expressly states in justification of this view:

that it is self-evident that the agnates cannot, merely through the summons to exercise their feudal rights, acquire any right to the fief; rather, a right to the fief becomes an actuality for the agnate only when a particular legal relationship has arisen between the petitioner and the agnate. The latter occurs only when either the agnate has actually been awarded, by a final and binding decision, the authority to exercise the feudal right concerned, or complete agreement has been reached as to the price at which, and the other conditions under which, the agnate may take possession of the fief, and that agreement has also been expressed in the form prescribed by law, that is, in writing.

In cases of voluntary alienation and citation proceedings such as the present one, the College has always declared itself in favour of the permissibility of withdrawing the citation proceedings, particularly:

a) in 1822, in the matter of Captain von Blumenthal of Varzin against the von Massow family concerning the exercise of their feudal rights in the estates of Succow, Lanto and Klein Quesdow; cf. Act. general. Tit. V. No. 55, fols. 65 ff.; and

b) in 1840, in the matter of the estate owner Knop against the von Podewils agnates concerning the exercise of their feudal rights in Schwarzin.

The reliance upon the three concurring decisions delivered in the citation proceedings of Mrs von Puttkammer against the von Puttkammer agnates concerning the exercise of their feudal rights in the estates of Grunwalde, Loben and Ponickel—by the Royal Higher Provincial Court here on 14 June 1842, the Royal Chamber Court on 29 September 1843 and the Royal Privy Supreme Tribunal on 2 November 1844—is misplaced. In that case the petitioner did not withdraw her citation proceedings against the entire von Puttkammer family, but only in respect of those agnates of that family who had appeared; with regard to the absent members of the von Puttkammer family, however, she demanded their preclusion. The courts named considered the latter incompatible with the principle of the decision of the Legislative Commission of 2 August 1782.—Rabe Collection, Volume I. 7, page 159.

Moreover, in the judicial sale of a Pomeranian fief, the Royal Supreme Tribunal also declared permissible the withdrawal of the judicial sale and of the citation proceedings against the agnates instituted as a consequence thereof, even against an agnate who had already successfully established the right to exercise

the beneficium taxae, where the assessed feudal value had not yet been determined. This occurred in the Stettin case of von Sydow against von Sydow (S. 140 rep. 1844), in the judgment of 8 March 1844. Accordingly, although the judgment of the first instance had to be amended in favour of the appellant as regards the merits of the matter, his complaint concerning the costs had nevertheless to be dismissed and the said decision confirmed in that respect, because, as the party who had initiated the entire proceedings, he should properly have borne all the costs of the first instance, whereas the costs of the second instance were to be apportioned, as was done, pursuant to § 6, Title 23, Part I of the General Judicial Code and § 9 of the Act of 10 May of the previous year.

(L. S.) v. Moeller.

Decision.

The conformity of the foregoing copy with the original is hereby certified.

Belgard, 29 November 1870.

Royal District Court, First Division.

Annotations:

[1] The manuscript has the uncertain supplementary reading “ansah?” (“regarded?”).

719.

1853. 21 September.

Imperial Russian decree of the Governing Senate to the Courland Committee of the Knighthood, No. 6329, concerning the title of Baron borne by the noble families of Courland and recognising that title for the von Kleist family.

From a copy of the translation authenticated by the Courland Committee of the Knighthood.

Order of His Imperial Majesty, the Autocrat of All the Russias, issued by the Governing Senate to the Courland Committee of the Knighthood.

By order of His Imperial Majesty, after hearing the report of the Courland Committee of the Knighthood dated 21 March 1853, No. 353, by which, in compliance with the Senate Ukase of 10 October 1852, it submitted to the Senate:

1. a list, under Letter A, of those noble families of Courland which had been entered in the Courland Register of Nobility before the union of Courland with the Russian Empire and were subsequently styled Barons in ukases, rescripts, and other public instruments; and

2. a list, under Letter B, of those Courland families which, by virtue of Imperial and Royal letters of grace, may claim the dignity of Baron, namely the von Blomberg, von Taube, and von Nolken families;

the Governing Senate has resolved as follows:

On 21 March of the present year, under No. 353, the Courland Committee of the Knighthood submitted to the Governing Senate two lists of the families which, in the Committee's opinion, are entitled to bear the title of Baron.

The first list names the families which were entered in the Register of Nobility before the union of Courland with Russia and which base their entitlement upon the annotation to Point 3 of the Appendix to Article 53, Volume IX, Seventh Continuation, and upon the Imperially confirmed opinion of the Council of State of 11 June 1852 interpreting that provision.

Among the documents cited in the second column of the list as evidence that the title of Baron was actually borne are residence and travel passports, documents issued by various persons and authorities, daily orders in the civil administration, and similar instruments.

The Governing Senate does not consider any of these documents sufficient to prove the use of the title of Baron, since, according to the express wording of the aforementioned opinion of the Council of State, they do not belong to the ukases, rescripts, or public acts required by law.

The Senate therefore cannot share the opinion of the Committee of the Knighthood that the title of Baron belongs to the following eight families: von Bagge, Derschau, Klüchtzner, Schlippenbach, Seefeld, Stromberg, and Wettberg, since they have produced no evidence of their actual use of the title other than the aforementioned documents, which do not satisfy the statutory requirements.

Proceeding next to examine the entitlement of those families whose members are styled Barons in instruments bearing the Imperial signature, in ukases and service certificates, in patents of rank and orders, and in daily orders of the military administration, the Governing Senate has found that the Committee recognises the right to the title of Baron in certain families whose members were styled Barons in documents issued after the promulgation of the Imperially confirmed regulation of 7 March 1833.

The Imperially confirmed resolution of the Committee of Ministers of 18 November 1830 had, however, directed that the nobles of the Baltic Governments should be required to produce direct documentary proof of their entitlement to the title of Baron.

Since the nobility of Courland regarded this requirement as highly burdensome for its members, it submitted a petition to the highest authority requesting its abolition.

After examining this petition, the Committee of Ministers took into consideration:

1. that many ancient families, convinced of their entitlement to bear the title of Baron because they had enjoyed all the rights and privileges of Barons, had borne that title from ancient times;
2. that they based this entitlement upon local privileges confirmed by all the rulers of Russia;
3. that Our Government itself had, in many acts, rescripts, ukases, and other documents, given this title to the ancient families of the local nobility;
4. that, if it were now adopted as a rule that written proof must be produced and that all families unable to produce it should be forbidden to bear the title of Baron, the oldest and most distinguished families of the Baltic Governments would lose that title together with certain persons who had assumed it only in more recent times.

Accordingly, by the Imperially confirmed resolution of 7 March 1833, it was determined:

1. that those ancient noble families which, at the time of the union of the Baltic Provinces with Russia, were already entered in the local registers of noble families and had been styled Barons in ukases, rescripts, and other public acts should be permitted to bear the title of Baron;
2. that all other persons not belonging to the ancient nobility of those Governments should be forbidden to style themselves Barons, even if one of them had been styled Baron in an ukase or rescript.

This provision was incorporated into the annotation to Point 3 of the Appendix to Article 53, Volume IX, Seventh Continuation of the Digest of Laws, and was explained, with regard to the meaning of the required public acts, by the Imperially confirmed opinion of the Council of State of 11 June 1852.

Upon comparing the opinion of the Courland Committee of the Knighthood with these statutory provisions, the Governing Senate has found that the Imperially confirmed resolution of 1833 exempted the ancient nobility of the Baltic Provinces from producing direct evidence specifically because they had always borne

the title of Baron and because the Government itself had from ancient times styled the old nobles Barons. It was therefore established as a condition for recognition of the ancient families that they must have been styled Barons in ukases, rescripts, and public acts.

Those who could not prove by such instruments that the title had been borne from ancient times were already forbidden in 1833 to bear the title of Baron.

According to the clear meaning of this law, therefore, all families which cannot prove that they bore the title of Baron before the promulgation of the regulation of 1833 are not entitled to it, even if they were subsequently styled Barons in ukases, rescripts, and public acts.

They had borne such titles unlawfully and, under Article 53 of Volume IX of the Digest of Laws, acquired no right to the title merely because they had been styled Barons not only in service documents but also in Imperial commands.

When the list now submitted by the Courland Committee of the Knighthood is compared with those prepared by the same Committee in 1839 and 1841, it appears that the Committee now regards as entitled to bear the title of Baron certain families which were not included in the earlier lists.

For example, the Committee is now of the opinion that the von der Recke family should be recognised as Barons, although it cites as proof of the use of that title only one instrument, namely the patent for the Order of St Anne, Third Class, issued on 17 July 1847 to Lieutenant Baron von der Recke.

Accordingly, the von der Recke family—which under the law of 1833 was not permitted even then to assume the title of Baron and which the Committee of the Knighthood itself recognised in 1839 and 1841 as a family not to be entered in the list of Barons—would now be entitled to that title merely because one member of the family had continued to style himself Baron without proving his lawful claim to it.

Finally, if the opinion of the Committee of the Knighthood were regarded as legally valid, it would also have to be established for the future that, whenever any member of the ancient nobility of the Baltic Provinces was styled Baron, his entire family would thereby become entitled to the title, although it had never previously borne it.

For all these reasons, the Governing Senate regards as legally unfounded the opinion of the Courland Committee of the Knighthood concerning the entitlement to the title of Baron of the families von Bönninghausen-Budberg, Grotthuß, Haaren, Oelsen, Rahden, Recke, Hohenastenberg-Wigandt, and Nolde.

By contrast, it regards as well founded the determination of the Courland Committee of the Knighthood that the following families should be entered in the list of Barons:

von Ascheberg and Ascheberg-Kettler, Behr, Bistram, Bolschwing, Holtey, Brunnow, Buchholz, Düsterloh, Engelhardt, Fircks, Fölkersahm, Pfeilitzer-Franck, Hahn, Heyking, Holstinghausen-Holsten, Howen, Keyserling, Kleist, Klopman, Knabenau, Schmiesing-Korff, Lieven, Maltiz, Manteuffel-Szöge, Medem, Offenber, Rönne, Ropp, Rosenberg, Orgies-Rutenberg, Osten-Sacken, Saß, Schilling, Hamm-Schöppingk, Stempel, Thiesenhausen, Tornauw, Vietinghoff-Scheel, and Lüdinghausen-Wolff.

It has therefore directed that the submitted list be accepted for information and observance with respect to the aforementioned families.

Proceeding next to examine the list in which the Courland Committee of the Knighthood entered three families which bear the title of Baron by virtue of grants made to their ancestors by sovereign rulers, the Governing Senate finds that an ancestor of the von Nolken family was elevated to the dignity of Baron by Emperor Alexander I of blessed memory and that this dignity was recognised by the former Heraldry Office. Their entitlement therefore requires no further examination.

With respect, however, to the von Blomberg and von Taube families, since they do not base their

entitlement upon entry in the Register of Nobility and use of the title of Baron before the incorporation of the province, but upon a grant of that title, they are required, according to the clear wording of the law—the annotation to Article 53, Volume IX, Seventh Continuation—to produce proper evidence of their entitlement to the title of Baron in accordance with the general rules.

The foregoing determination shall be communicated by order to the Courland Committee of the Knighthood, with instructions to inform those families whose entry in the list of Barons has been declared legally unfounded by the Governing Senate that they may no longer style themselves Barons.

The Committee shall at the same time be instructed to submit to the Governing Senate:

with respect to the Barons von Buttlar, the original patent granting the rank of Councillor of State to Ernst von Buttlar on 19 February 1760;

with respect to the Barons von den Brincken, the original patent issued on 16 May 1830 to Baron Joseph von Brincken upon his appointment as a forester at Mitau;

and, with respect to the Barons von Funck, information as to the state of which Prussian Second Lieutenant Wilhelm von Funck is a subject and, should he be a Russian subject, whether he possesses the Government's permission to enter foreign service.

The Committee will receive a further decision in due course concerning the baronial rights of the von Mirbach and Simolin families.

21 September 1853.

For execution.

M. Rentern, Member of the College of the Master of Heraldry.

Mitrofanov, Secretary.

Baikov, Assistant Secretary.

720.

1857. Berlin. 15 June.

Family compact concerning an alteration to the Kleist von Bornstedt⁹⁴⁹ fideicommiss of Hohennauen ordered by the testament of Major Carl Ludwig Kleist von Bornstedt dated 10 March 1843. (No. 714.)

From a copy of the draft.

The knightly estate of Hohennauen, First Share, in the Rhinow territory of the West Havelland District, entered in Volume IV, page 193, of the mortgage register of the Royal District Court at Rathenow, was dedicated as a perpetual family fideicommiss within the family of Franz Otto von Kleist, the appointed heir, and his brothers substituted for him, Carl Ludwig von Kleist and Jacob Friedrich von Kleist, by the testament of Lieutenant General Hans Ehrenreich von Bornstedt and his wife Johanne Sophie Friedrike, née von Quast, dated at Hohennauen on 21 February 1797 and published on 6 October 1802.

Following the death of Franz Otto von Kleist, the fideicommiss estate was possessed by Major Carl Ludwig Kleist von Bornstedt, who died on 11 September 1854.

In his testament dated 10 March 1843 and published on 13 October 1854, he directed that the following property from his allodial estate:

⁹⁴⁹ III. 648, brothers 647, 651

a. his share in the former Neuemann peasant holding at Hohennauen, together with the brickworks and the substantial day-labourer's house erected upon it;

b. the hereditary leasehold right in the parsonage lands at Hohennauen;

being properties which he had already used in conjunction with the fideicommiss, should be permanently united with it and should, together with all burdens and dues resting upon them, pass to each successive possessor of the fideicommiss.

The aforementioned testator associated a family foundation with this enlargement of the fideicommiss by imposing upon its possessor the obligation to pay an annual annuity of 520 thalers and directing that this annuity should benefit the children of former possessors of the fideicommiss.

The more detailed provisions concerning which members of the family are entitled to participate in the annuity and the order in which they become entitled to it are contained in the aforementioned testament.

That testament appointed as curators of the family foundation the eldest male member of the family entitled to receive the annuity at the relevant time and the person then administering the jurisdiction associated with the fideicommiss estate of Hohennauen, and it determined their rights and duties.

Since patrimonial jurisdiction has meanwhile been abolished, it has been approved that, in place of the respective court administrator at Hohennauen, the office of curator of the family foundation shall be transferred to the respective presiding officer of the judicial authority at Rathenow or to a member of that judicial authority appointed by its respective presiding officer.

The execution of a family compact is required both for this amendment to the family foundation and for the implementation of the aforementioned testamentary provisions concerning the enlargement of and charge upon the family fideicommiss.

All members of the von Kleist family entitled to participate in the execution of the family compact have therefore unanimously resolved:

1. The properties which, under the testament of Major Carl Ludwig Kleist von Bornstedt, are to be added to the fideicommiss estate of Hohennauen, First Share, shall be united with that fideicommiss estate and shall pass together with it to each successive possessor of the fideicommiss.

With respect to these properties, the possessor shall have all the rights belonging to him as possessor of the fideicommiss estate and shall, in return, be subject to all the restrictions to which he is subject as possessor of that estate.

In addition, the possessor of the properties added to the fideicommiss shall possess and assume all the rights and obligations conferred or respectively imposed upon him by the testament of Major Carl Ludwig Kleist von Bornstedt.

The inclusion of the added properties shall be recorded in the mortgage register of the fideicommiss estate of Hohennauen, First Share, and their status as appurtenances shall be entered upon their respective mortgage-register folios.

2. Consent is given to the entry of the annual annuity of 520 thalers payable by the possessor of the fideicommiss as a real charge upon the fideicommiss estate of Hohennauen, First Share, and upon the two properties added to it.

3. The curatorship transferred by the testament of Major Carl Ludwig Kleist von Bornstedt to the respective court administrator at Hohennauen is transferred to the respective presiding officer of the judicial authority at Rathenow or to a member of that judicial authority appointed by its respective presiding officer.

Berlin, 15 June 1857.

1857. Sanssouci. 20 July.

Royal grant to the von Kleist family of the right to present a member for appointment to the House of Lords.

From a copy.

Upon the report of 2 July of the present year, I hereby grant, pursuant to § 4, No. 3, of the Ordinance of 12 October 1854, the right of presentation to the House of Lords to the Pomeranian von Kleist family.

In accordance with My decree to the Ministry of State dated 7 July 1855, I direct that the election of the member to be presented by this family shall be conducted by all members of the family—provided that the provisions of the aforementioned decree do not exclude them—who possess a knightly estate within the Prussian State. Where an estate is held jointly by several proprietors, each shall have one vote.

You shall arrange whatever further measures are required.

The submitted schedule is returned herewith.

Sanssouci, 20 July 1857.

Frederick William.

von Westphalen.

To the Minister of the Interior.

1858. Berlin. 9 March.

Statute of the von Kleist family concerning the exercise of its right of presentation to the House of Lords.

From the original.

Whereas His Majesty the King has graciously granted to the von Kleist family, pursuant to § 4, No. 3, of the Ordinance of 12 October 1854 concerning the formation of the First Chamber and in accordance with the Supreme Decree addressed in this matter to the Royal Ministry of State on 20 July 1857, the right to present one member for appointment to the House of Lords, the members of the family entitled under the Supreme provisions to participate in the election have, in grateful recognition of the Supreme confidence demonstrated by this grant and mindful of the faithful fulfilment of the duties associated with this right, agreed upon the following resolutions.

§ 1.

Only those members of the family capable of holding a fief who possess the qualifications for membership of the House of Lords required by § 7 of the Ordinance of 12 October 1854 concerning the formation of the First Chamber shall be entitled to participate in the election of the person to be presented.

It shall, however, be sufficient for them to have attained the age of twenty-five years.

Possession of a knightly estate within the Prussian State shall also be required. Where an estate has several joint proprietors, each shall exercise one vote.

§ 2.

The right of presentation shall remain suspended for as long as there are fewer than three members entitled to participate in the elections.

The participation of at least three entitled members shall be required for an election to be valid.

§ 3.

Only members of the family association who possess the qualifications for membership of the House of Lords required by § 7 of the Ordinance shall be eligible for presentation.

Should a member be granted a hereditary or personal right to a seat in the House of Lords, that fact shall not exclude him from participation in the election.

§ 4.

The following procedure shall be observed at the election:

1. The election of a member of the von Kleist family to be presented to His Majesty the King for appointment to the House of Lords shall be conducted by an absolute majority of votes.

The person elected must receive more than half of the votes cast or exactly half of them, provided that those votes include the vote of the oldest member of the electoral assembly.

Should the oldest member himself be among those who have received an equal number of votes, the deciding vote shall be that of the next oldest voter who is not personally involved in the decision.

2. If the votes are divided among several persons in such manner that none has received an absolute majority, the two persons who received the greatest number of votes shall proceed to a runoff election.

3. If the votes are equally divided among three or more persons, a preliminary ballot shall be held among them to determine the two persons who are to proceed to the runoff.

If the second ballot produces no different result from the first, the ballot shall be repeated once more. If the votes remain divided in the same manner, the two oldest persons among those who received an equal number of votes shall proceed to the runoff.

4. If one person has received a plurality of the votes, but several others have received the same number of votes immediately below him, a further preliminary ballot shall be held in accordance with the procedure prescribed under No. 3 to determine which of them shall proceed to the runoff with him.

5. In all preliminary ballots held solely to determine the two persons who are to proceed to the runoff, a plurality of votes shall be decisive.

6. The persons proceeding to the runoff shall abstain from voting in it.

7. Votes shall be cast by secret ballot. The two youngest members shall collect the ballot papers and shall subsequently open them jointly with the election commissioner.

8. At the election meeting, to which those entitled to vote shall be summoned at least six weeks in advance, the election commissioner shall first produce the certificates proving service of the invitations. The fact that this has been done shall be expressly recorded in the minutes of the election.

9. In order to permit persons who, because of illness, their official position, or some other cause, are prevented from personally exercising at the election meeting the right to vote in the presentation to the House of Lords graciously granted to the von Kleist family, they shall also be permitted to cast their votes by written submission to the election commissioner or by granting a power of attorney to a member of the family entitled to vote.

10. Where a person chooses to vote in writing, the ballot paper shall be sent under seal to the election commissioner and shall not be opened by him until the election meeting.

The document must be signed in the voter's own hand and bear the impression of his coat-of-arms seal.

If no absolute majority is obtained in the first election and a runoff becomes necessary, submitted ballot papers shall count only if the person named upon them is participating in the runoff.

11. A power of attorney must be granted in a document signed in the principal's own hand and bearing the impression of his coat-of-arms seal. It shall be produced to the election commissioner at the election meeting.

In cases of doubt, the electoral assembly shall decide upon its validity.

No person acting as representative may cast more than two votes on behalf of others. Three votes, including his own, shall therefore be the greatest number over which any one person may exercise control.

§ 5.

A Family Board consisting of three members of the family and two substitutes shall be elected in accordance with the procedure established in § 4. Members of the von Kleist family who do not possess landed estates may also be elected to the Board.

The Board shall elect its chairman from among its own members and shall also determine the order in which the other two Board members shall represent the chairman.

The chairman's first duty shall be to maintain and determine the list of family members entitled to vote.

For this purpose, every member of the family shall notify him when his entitlement begins or ceases.

If such notice has not been given, the family member concerned shall have only himself to blame if he is not invited to an election, and an election held without his having been invited shall not be invalid for that reason.

The chairman shall also be free to satisfy himself, by whatever means he considers appropriate, that each family member is entitled to vote.

Any doubts concerning such entitlement shall be decided by the electoral assembly.

The chairman of the Family Board or, should he be prevented from acting, his representative, shall conduct the election proceedings and issue the necessary invitations.

§ 6.

A Family Assembly shall be held annually to deliberate and adopt resolutions upon general family affairs.

All members of the family capable of holding a fief may participate, but only in person. Only those who have attained their majority shall possess a vote.

Motions or proposals to be considered and decided must be submitted to the Family Board in writing, with reasons so far as possible, at least six weeks in advance.

The chairman of the Board or his representative shall likewise preside over the Family Assembly, for which no special invitation shall be issued.

The Family Assembly shall be entitled to assess an annual contribution for family purposes of up to twenty-five thalers upon each family member entitled to participate in elections to the House of Lords and to have that contribution collected by the Family Board.

Resolutions of the Family Assembly shall be adopted by a simple majority. In the event of an equality of votes, the chairman shall have the deciding vote.

Absent members shall be bound by the resolutions of those present.

§ 7.

The Family Board shall be free to convene extraordinary Family Assemblies. Invitations shall be issued through public newspapers selected by the Board.

§ 8.

The Family Assembly shall be entitled to adopt amendments to the Statute by a majority of at least two thirds of the votes and, through the Family Board, to apply for their Supreme confirmation.

Read, approved, and signed.

Berlin, 9 March 1858.

H. v. Kleist-Retzow of Kieckow.

v. Kleist-Nemitz.

Kleist v. Bornstädt.

v. Kleist-Warnin.

L. Count Kleist-Zützen.

v. Kleist-Retzow of Groß Tychow.

v. Kleist-Drenow.

v. Kleist-Jeseritz.

H. v. Kleist of Groß Dubberow.

v. Kleist-Camissow.

v. Kleist-Reinfeld.

Baron v. Kleist-Collochau.

v. Kleist-Glinke.

v. Kleist-Schmenzin.

v. Kleist-Tychow.

v. Kleist-Damen.

v. Kleist-Rauden.

Count Kleist-Werchau.

Ewald Count Kleist-Tzschernowitz.

I accede to the foregoing Statute subject to the reservation

that all resolutions or amendments to the Statute adopted pursuant to §§ 6, 7, and 8, whether adopted in my presence or absence, shall bind me only if and insofar as they receive my express approval.⁹⁵⁰

Count Kleist von Nollendorf-Knauten.

723.

1858. Berlin. 9 March, and 1860. Berlin. 6 March.

Extract from the proceedings of the fourth and fifth von Kleist Family Assemblies concerning the establishment of a family foundation for family members in need.

From the original.

Proceedings held at Berlin on 9 March 1858.

⁹⁵⁰ This reservation was subsequently withdrawn in a separate letter.

With reference to § 6 of the Statute, Chief President von Kleist-Retzow This reservation was subsequently withdrawn in a separate letter.⁹⁵¹ submitted the following motion:

That the annual contribution of 25 thalers mentioned therein should henceforth be collected from every member of the family owning landed property, subject to the proviso that every member should remain free to participate by making a higher contribution and that members not owning landed property should likewise be permitted to make voluntary contributions.

All expenses and other charges necessary for family purposes should be paid from these contributions. Thereafter, priority should be given to supporting widows and daughters who may be in need.

Anyone who pays capital into the foundation, or has already done so, may, should he so desire, reduce his annual contribution by five thalers for every 100 thalers of capital paid. The owners of knightly estates who are present hereby at the same time undertake to pay the aforementioned annual contribution of twenty-five thalers.

The funds already collected for the foundation shall be combined with this fund, and the entire administration shall be conducted by the Family Board. The Board shall present its accounts to each Family Assembly, which shall grant it a discharge.

This proposal was adopted as a resolution.

Proceedings held at Berlin on 6 March 1860.

The Assembly unanimously expressed the view that, as a general rule, the fund should not be used to support impoverished fathers of families, or only in very exceptional cases.

In addition to supporting widows and orphans left behind, its purpose should be to provide the sons of family members in need with the education and equipment necessary for a suitable profession.

723a.

Register

of those members of the von Kleist family

who are of age and are currently known to the Family Board.⁹⁵²

A. The Family Board

1. Hans Hugo von Kleist-Retzow, former Chief President, of Kieckow and Klein Crössin near Groß Tychow in Pomerania. (Brother of C.10; cousin of B.1.)
2. von Kleist, Lieutenant General at Cologne.
3. Gustav von Kleist, District Councillor, of Collochau near Herzberg. (Uncle of C.9; brother of C.29; father

⁹⁵¹ III. 710

⁹⁵² The list was printed in Belgard. It bears no date. It is reasonable to assume that it is connected to the application for approval of the statutes. One of the most prominent estate owners, Count Kleist vom Loß (No. 7), died on January 2, 1860; the list was therefore compiled prior to that date. Based on the family history compiled over the subsequent 25 years, the individuals on the list can be positively identified, with the exception of four: Nos. 46, 49, 60, and 75. No. 54 is the nephew, not the son, of No. 53. No. 59 is the brother of Nos. 19 and 20. Consequently, No. 19 might be listed again under No. 60. No. 51 was included erroneously, as he was an illegitimate son. The list omits the Rhenish branch and the Bornthin-Danish branch—each with two family members—as well as a significant number of Baltic Kleists.

of No. 62.)

Substitutes

4. Anton von Kleist, retired District Councillor, of Nemitz near Panknin in Pomerania.
5. Ewald von Kleist, Chamberlain, of Wendisch Tychow, Dubbertsch, and Priddargen near Schlawe in Pomerania.

B. Commission for the publication of the family history

1. Adolph von Kleist, Actual Privy Councillor at Berlin. (Cousin of A.1.)
2. Ludwig von Kleist, retired Major at Halle.
3. Albert von Kleist, retired First Lieutenant, of Warnin near Groß Tychow in Pomerania.

C. All family members in Prussia

I. Those owning knightly estates

1. Hans Hugo von Kleist-Retzow. (See A.1.)
2. Gustav von Kleist. (See A.3.)
3. Anton von Kleist. (See A.4.)
4. Ewald von Kleist. (See A.5.)
5. Albert von Kleist. (See B.3.)
6. Hermann Heinrich Ferdinand Leopold Count Kleist von Nollendorf, retired District Councillor and Cathedral Canon, of Knauten near Preußisch Eylau. (Father of No. 27.)
7. Wilhelm Bogislav Count Kleist vom Loß, Master of the Royal Hunt and retired Major, of Werchau, Juchow, and Raddatz; resident at Dresden. (Father of Nos. 8, 28, and 63.)
8. Ewald Count Kleist vom Loß, of Tzschernowitz near Guben. (Son of No. 7.)
9. Heinrich Leopold Count von Kleist, retired First Lieutenant, of Zützen, Gersdorf, and Sageritz near Golßen in Lower Lusatia. (Nephew of No. 2; brother of Nos. 30–32.)
10. Ferdinand Carl von Kleist-Retzow, Hereditary Master of the Kitchen of Farther Pomerania and retired Lieutenant Colonel, of Möthlow; resident at Groß Tychow in Pomerania. (Brother of No. 1; father of No. 11.)
11. Hugo von Kleist-Retzow, Lieutenant in the 5th Landwehr Hussar Regiment, of Groß Tychow in Pomerania. (Son of No. 10.)
12. Theodor von Kleist, member of the House of Lords, of Schmenzin near Bublitz. (Brother of Nos. 33–35.)
13. Otto von Kleist, retired Captain of Horse, of Camissow and Natztow near Belgard in Pomerania. (Cousin of No. 14.)
14. Hermann von Kleist, of Drenow and Kowalk near Groß Tychow. (Cousin of No. 13; brother of Nos. 37, 39, and 74; father of No. 36.)

15. August von Kleist, retired Captain of Horse, of Damen near Polzin in Pomerania. (Father of No. 40; uncle of Nos. 16, 17, and 41.)
 16. Rudolph von Kleist, retired Major, of Klein Dubberow; resident at Jeseritz near Polzin. (Brother of Nos. 17 and 41; nephew of No. 15.)
 17. Hermann von Kleist, of Groß Dubberow near Belgard. (Brother of Nos. 16 and 41; nephew of No. 15.)
 18. Georg von Kleist, retired District Councillor, of Reinfeld near Leesen in West Prussia. (Father of No. 42; father-in-law of No. 43.)
 19. Kleist von Bornstädt, Lieutenant in the 3rd Landwehr Hussar Regiment, of Hohennauen near Rathenow. (Brother of No. 20.)
 20. Carl Ludwig Kleist von Bornstädt, Lieutenant in the 6th Cuirassier Regiment, of Nassen-Glienke near Ratzebuhr in Pomerania. (Brother of No. 19.)
 21. Louis Wilhelm von Kleist, of Ruschütz near Stolp in Pomerania.
 22. Otto Heinrich von Kleist, of Sietkow near Belgard.
 23. Hans von Kleist, of Lantzen near Neustettin in Pomerania.
- Nos. 21–23 are under the guardianship of von Krockow of Rumske near Stolp.

II. Those not owning knightly estates

24. von Kleist, Lieutenant General. (See A.2.)
25. Adolph von Kleist, His Excellency. (See B.1.)
26. Ludwig von Kleist, retired Major. (See B.2.)
27. Hermann Count Kleist von Nollendorf, Government Referendary at Potsdam. (Son of No. 6.)
28. Wilhelm Count von Kleist, at Juchow near Neustettin. (Son of No. 7; brother of Nos. 8 and 63.)
29. Xaver von Kleist, Chamberlain at Raddatz near Neustettin. (Brother of No. 2.)

30. Ewald von Kleist, Lieutenant in the Guards Dragoon Regiment.
31. Oscar von Kleist, Lieutenant in the 5th Cuirassier Regiment.
32. Bogislav von Kleist, Lieutenant in the 1st Cuirassier Regiment.
33. Adolph von Kleist, retired Major at Coblenz.
34. Ewald von Kleist, Captain in the 1st Foot Guards Regiment.
35. Max von Kleist, Captain in the 19th Infantry Regiment at Breslau,
presently seconded to Schrimm.
36. Edmund von Kleist, at Drenow near Groß Tychow in Pomerania. (Son of No. 14.)
37. Heinrich von Kleist, retired Lieutenant Colonel at Düsseldorf. (Father of No. 38; brother of Nos. 14, 39, and 74.)
38. Waldemar von Kleist, Second Lieutenant in the 28th Infantry Regiment. (Son of No. 37.)
39. Leonhard von Kleist, District Court Actuary at Cammin. (Brother of Nos. 14 and 37.)
40. Rudolph von Kleist, at Rauden near Polzin. (Son of No. 15.)
41. Werner von Kleist, Lieutenant. (Brother of Nos. 16 and 17; nephew of No. 15.)
42. Georg von Kleist, First Lieutenant in the 5th Cuirassier Regiment at Glogau, presently seconded to Gurau. (Son of No. 18.)
43. Feodor von Kleist, Major. (Son-in-law of No. 18.)
44. Ewald von Kleist, Major in the 20th Landwehr Infantry Regiment at Berlin.
45. Hugo von Kleist, Forestry Inspector at Preußisch Holland.
46. Reinhold von Kleist, Lieutenant in the 5th Artillery Regiment.
47. Albrecht Philipp von Rüchel-Kleist, in the 2nd Guards Uhlan Regiment at Berlin.
48. Wilhelm Heinrich Dietrich von Kleist, retired Lieutenant at Stettin.
49. Rudolph von Kleist, retired First Lieutenant at Stargard in Pomerania.
50. Rudolph Heinrich Reimer von Kleist, Lieutenant in the King's Regiment at Stettin, seconded as adjutant at Anklam.
51. Ferdinand von Kleist, retired Captain at Breslau.
52. Gustav von Kleist, retired Major at Colberg.
53. A. von Kleist, Major and garrison artillery officer at Wesel. (Father of No. 54.)
54. von Kleist, Second Lieutenant in the 1st Infantry Regiment at Königsberg. (Son of No. 53.)
55. von Kleist, formerly at Moholz, at Görlitz.
56. Hermann von Kleist, Second Lieutenant in the King's Regiment at Stettin.
57. von Kleist, Second Lieutenant in the 1st Dragoon Regiment.
58. von Kleist, First Lieutenant and Adjutant in the Naval Battalion at Danzig.
59. von Kleist, Lieutenant in the 10th Hussar Regiment at Aschersleben, seconded to the Military Riding

} Brothers of ad 9,
Nephews of ad 2 and 28.
953

} Brothers of ad 12.

⁹⁵³ Instead of nephew at 28, correctly at 29 (2017)

School.

60. von Kleist, retired Lieutenant, formerly in the same regiment.

D. Family members abroad

I. In Austria

61. von Kleist, of Tipplesgrün near Neudeck, Ellenbogen District, Kingdom of Bohemia.

62. Gustav von Kleist, First Lieutenant in the 8th Cuirassier Regiment, Prince Carl of Prussia, at Ofen. (Son of No. 2.)

II. In Saxony

63. Bogislav Kleist vom Loß, Chamberlain and Privy Councillor of Legation, of Hirschstein; resident at Dresden. (Son of No. 7.)

III. In Russia

64. Dietrich von Kleist-Keyserlingk, of Gawesen near Libau, holder of the majorat.

65. von Kleist, of Kerklingen and Dobelsberg near Frauenburg, holder of the majorat.

66. von Kleist, of Zerxten.

67. von Kleist, of Lambertshof.

68. Ludwig von Kleist, Bank Councillor at Mitau.

69. Adam von Kleist, District Captain at Bauske.

70. Constantin von Kleist, Chief Captain at Jacobstadt.

71. von Kleist, Governorate Forestry Director and Colonel at Mitau.

72. Alexander von Kleist, Senior Councillor at Mitau.

73. Countess von Kleist, of Groß-Autz and Sirmeln.

E. Family members who have fallen into complete destitution

74. Wilhelm von Kleist, labourer at Flötenstein.

75. Friedrich von Kleist, labourer at Naugard.

Ancestor in the sixth generation—correlation: running number—genealogical number

II. 5—Rheinfeld: 18–214, 42–231; Wend. Tychow: 4–236; Dubberow-Schmenzin: 16–238, 17–237, 41–239; Jeseritz: 15–221, 40–243.

II. 11—Tzschernowitz: 7–205, 8–223, 28–224, 63–222; Zützen: 2–209, 9–226, 29–208, 30–228, 31–227, 32–229, 62–230, 73–225.

III. 4—Schönau: 58–800.

III. 5—Susten-Gawesen: 64–802, 69–803; Abgulden: 71–683; Kerklingen: 65–813, 67–816, 70–817, 72–688; Zerxten: 66–834, 68–698; Niesky: 55–556; Zatkow: 44–840, 22–924; Groß Tychow: 10–709, 11–843, 25–706; Kieckow: 1–710; Redel: 61–716.

III. 8—Kowalk: 50–858; Schwellin: 26–739, 24–740, 45–860; Stavenow: 6–746, 27–861, 51—not entered, son of 497, 56–885; Alt-Schmenzin: 12–751, 33–750, 34–753, 35–752; Nemitz: 3–762; Camissow: 13–766; Drenow: 14–768, 36–872, 37–767, 38–871,

39–770, 73–771; Segenthin: 19–773, 20–774, 47–779, 52–784, 59–775; Garbnicken: 53–883, 54–957a.

III. 10—Warnin: 5–889, 43–796, 57–891; Kieckow: 48–659.

1859. Berlin. 16 May.

Sovereign confirmation of the Statute of the von Kleist family concerning the exercise of the right granted to it to present a member for appointment to the House of Lords.

From the original.

In the Name of His Majesty the King

We, William, by the Grace of God Prince of Prussia and Regent, hereby make known and declare that We have been pleased to grant Our supreme confirmation to the Statute agreed upon by the von Kleist family concerning the exercise of the right granted to it, pursuant to § 4, No. 3, of the Ordinance of 12 October 1854, to present to Us one of its members for appointment to the House of Lords of the Diet of the Monarchy, which Statute was executed at Berlin on 9 March 1858 and is attached hereto in the original.

This confirmation is granted subject to the proviso that the annual payments to be assessed under § 6 may be collected only as voluntary contributions or pursuant to an obligation separately assumed by the individual concerned.

In witness thereof, We have executed this instrument of confirmation with Our own hand and caused it to be furnished with the Royal seal.

Given at Berlin on 16 May 1859.

William, Prince Regent.

(L. S.) Flottwell.

725. (now 718a)

725a.

Alphabetical register and address book of members of the nobility owning knightly estates in the Prussian states

Edited by K. Fr. Rauer, Berlin 1857, pp. 108, 110–112.

Only estates situated outside Pomerania are listed here. The estates in the Province of Pomerania appear in the following register under 725b.

Wilhelm Bogislav Count von Kleist vom Loß, Master of the Royal Hunt and retired Major.

Werchau and Knippelsdorf, Schweinitz District.

Leopold Count von Kleist,⁹⁵⁴ Lieutenant. Elevated to the rank of Count on 20 October 1840.

Zützen, a majorat; Gehrsdorf and Sageritz, Luckau District.

The Counts von Kleist-Zützen, minors.

Beesgen with Döbern and Tschernowitz, Guben District.

Schenkendorf, a fideicommiss, Luckau District.

Lazisk, Pless District.

Herrmann Count Kleist von Nollendorf, retired District Councillor and Cathedral Canon.

⁹⁵⁴ Eduard II. 207, † 1852, son Heinrich Leopold II. 226

Knauten, Preußisch Eylau District.

Gustav Baron von Kleist, Royal District Councillor.

Kollochau II, Schweinitz District.

von Kleist, retired Captain and District Councillor.

Reinfeld, Karthaus District.

von Kleist, General at Königsberg.⁹⁵⁵

Jagsal, a rent-paying estate, Schweinitz District.

Hedwig von Kessel, widow of a Director of the Credit Institute, née von Kleist.⁹⁵⁶

Ober-Glauche (1640), Trebnitz District.

von Kleist-Bornstedt, retired Lieutenant.

Hohennauen I and IV, a majorat, West Havelland District.

Ferdinand von Kleist-Retzow, retired Lieutenant Colonel and Hereditary Master of the Kitchen in Farther Pomerania.

Möthlow, West Havelland District.

725b.

Register of the owners of knightly estates in the Province of Pomerania who, on 1 January 1862, possessed estates qualifying them for representation in the Provincial and District Diets

Source: *Registers and Lists of the Pomeranian Knighthood from the Fourteenth to the Nineteenth Century*, edited by Robert Klempin and Gustav Kratz.

Abbreviations: * = old possession; L = fief; A = allodial property.

II. District of Belgard

von Kleist

21. The heirs of Captain of Horse Otto Johann Wilhelm.—*Camissow, allodial property, 2,607 Morgen; *Natztow, allodial property, 2,279 Morgen; inherited in 1860.

22. Rudolf Oswald Bruno, Lieutenant.—*Damen A, B, and C, allodial property, 7,467 Morgen; inherited in 1860.

23. Hermann Carl August Otto.—*Drenow, fief, 3,479 Morgen; inherited in 1841.

24. Carl Alexander Siegfried Rudolf, retired Major at Jeseritz.—*Klein Dubberow with a share in Boissin, fief, 5,754 Morgen; inherited in 1855.

25. Leontine von Kleist, widowed von Treskow, née von Manteuffel, wife of No. 24.—Jeseritz, allodial property, 2,759 Morgen; inherited in 1849.

⁹⁵⁵ Unidentified. The 1839 handbook for the Province of Saxony lists a Fräulein von Kleist—associated with the knighthood of the Schweinitz district—as the owner of the Jagsal knight's estate.

⁹⁵⁶ Hedwig, † 1856, daughter of III. 610

26. Carl Friedrich Otto Anton Hermann, retired Lieutenant, brother of No. 24.—*Groß Dubberow, fief, 3,726 Morgen; inherited in 1855.

27. Theodor Leopold Friedrich, retired Major and member of the House of Lords by presentation of the ancient and established landed property of the Duchy of Cassubia.—*Schmenzin, fief, 13,500 Morgen; inherited in 1849.

28. Louis Wilhelm Ferdinand Carl, brother of No. 56 in the District of Stolp and No. 42 in the District of Neustettin.—*Sietkow, fief, 3,531 Morgen; inherited in 1861.

29. Leopold Felix Gustav Albert, retired First Lieutenant.—*Warnin, fief, 4,123 Morgen; inherited in 1845.

von Kleist-Retzow

30. Hans Hugo, former Chief President and member of the House of Lords by presentation of the von Kleist family.—*Kieckow, allodial property, 3,779 Morgen, inherited in 1844; *Klein Crössin A, fief, and B, allodial property, together 1,988 Morgen, purchased in 1854.

31. Carl Friedrich Jürgen Hugo, Lieutenant, nephew of No. 30.—Groß Tychow with Johannisberg, allodial property, 12,223 Morgen; taken over from his father in 1859.

VIII. District of Fürstenthum

von Kleist

54. Ewald Erdmann Heinrich Bogislav, Chamberlain, of Wendisch Tychow; see No. 25 in the District of Schlawe.—Dubbertsch A and B, allodial property, acquired in 1826; Priddargen, allodial property, purchased in 1840; together 8,000 Morgen.

XV. District of Neustettin

Count von Kleist vom Loß

39. Wilhelm Conrad Johann.—Juchow, allodial property, 2,150 Morgen; *Schneidemühl, allodial property, 1,110 Morgen; *Falkenhagen, allodial property; *Gissolk, allodial property, 1,677 Morgen; *Kucherow, allodial property, 1,357 Morgen; *Zamenz, allodial property; *Raddatz, fief, 4,664 Morgen; *Ober-Pankow, fief, 580 Morgen; *Bramstädt, fief, 480 Morgen; *Neuendorf, fief, 600 Morgen, inherited in 1860. He owns the last four jointly with his three brothers.

von Kleist

40. Ludwig Carl, Lieutenant.—*Nassen-Glienke, fief, 1,321 Morgen; inherited in 1861.

41. Otto Heinrich Rudolf, brother of No. 28 in the District of Belgard and No. 56 in the District of Stolp.—*Lantzen, allodial property, 2,920 Morgen; inherited in 1861.

XX. District of Rummelsburg

von Kleist

18. Carl Wilhelm Heinrich, Lieutenant at Aschersleben.—*Pöppelhof, fief; inherited in 1854.

XXIII. District of Schlawe

von Kleist

24. Anton Tam Gneomar Constantin, retired District Councillor and deputy to the Pomeranian Provincial Diet.—*Nemitz, fief, 3,768 Morgen; held since 1838.

25. Ewald Erdmann Heinrich Bogislav, Chamberlain and retired First Lieutenant.—*Wendisch Tychow, fief, 8,722 Morgen; inherited in 1856. See No. 54 in the District of Fürstenthum.

Ladendorff

31. Eugen Andreas, Lieutenant.—Rattaick, von Kleist fief, purchased in 1857.

Wilke

48. Friederike Charlotte Sophie, widowed Councillor Wilke, formerly widowed Baroness de l'Homme de Courbière, née von Kleist.—Wusseken, allodial property; purchased in 1819. See No. 106 in the District of Stolp.

XXIV. District of Stolp

von Hanstein

45. Henriette Renate Charlotte, widowed Captain's wife von Hanstein, née von Kleist.—Kuhnhof, allodial property; inherited in 1855.

von Kleist

56. Hans Ludwig Berndt Otto, a minor, brother of No. 28 in the District of Belgard and No. 42 in the District of Neustettin.—*Ruschitz, fief, 3,500 Morgen; inherited in 1861.

Wilke

110. Friederike Charlotte Sophie, widowed Councillor Wilke, formerly widowed Baroness de l'Homme de Courbière, née von Kleist, of Wusseken; see No. 48 in the District of Schlawe.—Groß Silkow, allodial property; inherited in 1852.

Upon the report of the 27th of last month, I permit District Councillor von Kleist⁹⁵⁷ Collochau of the

Schweinitz District, in continuation of his petition of 26 September of last year, personally to continue using the title of Baron, and I approve that no formal diploma shall be issued concerning this act of grace.

The Herald's Office shall inform the petitioner accordingly.

Babelsberg Palace, 13 September 1862.

Signed: William.

To the Minister of the Royal House and the Herald's Office.

727.

1863. Wusseken. 4 August, and 1868. Cöslin. 8 May.

Establishment of the fideicommiss of Wusseken near Schlawe

Since death is certain for everyone, although the time of its arrival is uncertain, I hereby declare my last will. I have no compulsory heirs, nor am I restricted in disposing of my estate by any earlier reciprocal testament.

I. I appoint as my universal heir my nephew Ewald von Kleist,⁹⁵⁸ presently the third and youngest son of my brother, retired District Councillor and Captain George von Kleist of Reinfeld in the District of Carthaus in West Prussia.

Should he be unable or unwilling to become my heir, I substitute for him his legitimate male descendants; for them I substitute the second son of my brother, Robert von Kleist, presently tenant of the Crown domain of Moerten near Osterode in East Prussia; for him, his legitimate male descendants; for the latter, my godson George von Kleist, eldest and at present only son of my brother's eldest daughter, Rosamunde von Kleist, married to Feodor von Kleist, Lieutenant Colonel and commander of the 1st Pomeranian Uhlan Regiment No. 4; and finally, for him, his legitimate male descendants.

II. I dedicate my knightly estate of Wusseken in the District of Schlawe as a perpetual fideicommiss for the noble von Kleist family, together with all its appurtenances, rights, and privileges, in such manner that, from the time of my death, it shall possess and permanently retain the character of a family fideicommiss estate.

The livestock, field, and agricultural inventories belonging to me and present upon the estate at the time of my death, together with the supplies of fodder and grain, shall be added to the fideicommiss.

The fideicommiss shall be governed by primogeniture; that is, succession shall take place by lines according to the right of the firstborn, so that throughout all generations the firstborn son and his legitimate descendants shall exclude the younger brothers and all other relatives.

I call to possession of the fideicommiss:

in the first line, my universal heir Ewald von Kleist and his legitimate male descendants;

in the second line, the aforementioned Robert von Kleist at Moerten and his legitimate male descendants;

and in the third line, my likewise aforementioned godson George von Kleist and his legitimate male descendants.

Wusseken shall not become allodial property in the hands of the last possessor of the fideicommiss called under these provisions. Rather, that possessor shall be obliged to select a male successor from the von Kleist family. The fideicommiss shall again descend to that successor's legitimate male descendants according to the rules of primogeniture until the last person entitled is once more required to select a successor.

⁹⁵⁸ Testator II. 198, brother 214, nephews 235, 232, godchild III. 892, his father 796

Should the last possessor of the fideicommiss be unwilling or unable to select a successor, or should he die before exercising the right of selection, he shall be succeeded by his nearest male relative from the von Kleist family; among several relatives equally near in degree, by the eldest, and thereafter by that person's legitimate male descendants.

With respect to the beneficial ownership belonging to him, each possessor of the fideicommiss shall have the rights and duties prescribed by law.

The mortgage-bond debts charged upon Wusseken shall be discharged through the amortisation funds of the Provincial Credit Association. Those funds shall be used for no other purpose and, in particular, shall never be paid to the possessor.

I hope that all my dear successors will willingly comply with this disposition, and I most sincerely wish and implore for all of them the blessing of the all-gracious God.

III. I bequeath my estate of Groß-Sillkow in the District of Stolp to its present tenant, Mr Reinhold Neumann, subject to the following conditions and obligations, which I hereby impose upon him:

1) As soon as Mr Reinhold Neumann, as legatee, enters into ownership of the estate of Groß-Sillkow, the tenancy existing under the various lease agreements concluded between us shall cease entirely.

Mr Neumann shall then also be unable to demand repayment from my heirs of the 10,000 thalers which he paid to me as security under our latest lease agreement. He must furthermore renounce all claims arising from rights, compensation, or the like which he may possess against me or my heirs under our tenancy relationship at the time of my death.

2) Mr Neumann shall further assume as his own debt, from the date upon which ownership passes to him, the 4,625 thalers in mortgage bonds charged upon Groß-Sillkow and shall pay the interest upon them.

3) From the same date, he shall also pay annual interest at four per cent, in half-yearly instalments, upon 20,000 thalers and shall cause this capital to be entered upon the estate of Groß-Sillkow immediately after the aforementioned 4,625 thalers in mortgage bonds, in two claims of 10,000 thalers each, one of which shall have priority over the other.

Provided that the interest is paid promptly, neither my heirs nor the legatees shall be entitled to call in these capital sums for as long as Mr Neumann or one of his descendants possesses Groß-Sillkow. More precise provisions concerning the capital sums themselves are made below.

4) In addition, Mr Neumann shall assume 9,375 thalers as his own debt from the date upon which ownership passes to him and shall pay interest upon it annually at five per cent in half-yearly instalments.

He himself may give notice of repayment at any time upon six months' notice. Provided, however, that the interest is paid promptly, only 5,000 thalers of these 9,375 thalers may be called in from him after five years, and only after a further five years may the remaining 4,375 thalers be called in.

Mr Neumann shall likewise cause these 9,375 thalers to be secured by mortgage upon Groß-Sillkow, with priority immediately following the aforementioned 20,000 thalers.

5) Finally, Mr Neumann shall convey to Mr von Gostkowsky of Wendisch-Plassow in the District of Stolp, or to whoever possesses Wendisch-Plassow at the time when Mr Neumann acquires Groß-Sillkow, the allotment of woodland belonging to the latter estate and situated in the Wobeser Forest, to the extent to which Mr von Gostkowsky has already used it for several years and subject to the same charges under which I presently possess it.

Should Mr Neumann die before me, I bequeath this legacy, subject to the same conditions, to his nearest legal heirs.

IV. I dedicate the 10,000 thalers to be entered upon Groß-Sillkow in the next available priority as a von Kleist monetary fideicommiss, and the 10,000 thalers to be entered with priority immediately following it as a von Dizelsky family monetary fideicommiss.

I call first to the enjoyment of the von Kleist monetary fideicommiss my godson Ewald von Kleist,⁹⁵⁹ eldest and at present only son of my brother's second daughter, Jenny von Kleist, married to Naval Captain von Kleist at Danzig.

I call first to the von Dizelsky fideicommiss Hermann von Dizelsky, third son of my youngest niece, Clementine von Dizelska, married to Lieutenant Colonel von Dizelsky of Mersin in the District of Lauenburg.

With respect to the order of succession and the transfer of the fideicommiss from the last person entitled in the family of Ewald von Kleist or Hermann von Dizelsky to a collateral line, everything established concerning the fideicommiss of Wusseken shall apply to these two monetary fideicommissa.

For as long as Groß-Sillkow remains in the possession of Mr Neumann or one of his descendants, the persons entitled shall not be permitted to call in the capital sums.

Should Groß-Sillkow be alienated to an outsider, the capital shall be invested elsewhere in accordance with the statutory provisions. In particular, the expectant successors shall be consulted.

From the revenues of the von Kleist monetary fideicommiss, Miss Laura von Beauvais, who has already been my careful and faithful assistant for seventeen years, shall, if she is still residing with me at the time of my death, receive seventy thalers annually in half-yearly instalments for as long as she lives, whether she marries or not.

After her death, the possessor of this fideicommiss shall also receive these seventy thalers.

From the revenues of the von Dizelsky fideicommiss, the eldest daughter of my deceased sister, Adeline, née von Dizelska, widowed Major's wife von Roß, shall receive one hundred thalers annually in half-yearly instalments for as long as she lives.

After her death, the possessor of the fideicommiss shall also receive these one hundred thalers.

V. The capital of 5,000 thalers which the legatee Mr Reinhold Neumann must pay five years after my death I bequeath to the legitimate nephews and nieces, or respectively their children, of my late husband, Councillor Wilke, proprietor of the knightly estate of Groß-Sillkow, as follows:

- 1) To the children of his brother Ernst Wilke, who is still living and was formerly proprietor of the estate of Rath-Damnitz in the District of Stolp: 700 thalers, in equal shares.
- 2) To the children, or respectively the grandchildren, of his deceased eldest sister, who was married to the mill owner Friedrich at Putzig: 700 thalers, in equal shares.
- 3) To the children of his second deceased sister Caroline, formerly married to the merchant Raschke: 700 thalers, of which the son, who is presently still serving as a Royal non-commissioned officer, shall receive 500 thalers, and his sister Pauline 200 thalers.
- 4) To the children of his third deceased sister Jakobine, who was formerly married to the landowner Schuffert: 600 thalers, in equal shares.
- 5) To the children of his deceased eldest half-brother Hermann Wilke: 700 thalers, of which the eldest son shall receive 400 thalers and his remaining siblings bearing the name Wilke shall receive 300 thalers in equal shares.

⁹⁵⁹ III. 896, Vater 800

- 6) To the children of his deceased second half-brother Eduard Wilke: 700 thalers, in equal shares.
- 7) To the children of his half-sister Pauline, who is still living and is married to the schoolmaster Albrecht at Brueskow in the District of Stolp: 700 thalers, in equal shares.
- 8) For as long as the fathers of the children named under Nos. 3 and 4, Raschke and Schuffert, remain alive, one half of the interest upon the respective capital shall be paid to them annually and deducted proportionately from the children according to their ages.
- 9) After the foregoing provisions, 200 thalers remain. These shall be received by Mr Franz Schmidt, merchant at Schlawe, in consideration of his faithfully and kindly undertaking to collect the interest and forward it to the persons concerned.

The capital of 4,375 thalers which Mr Reinhold Neumann must repay ten years after my death, and upon which he must until then pay interest at five per cent, I bequeath to the nephews and nieces, or respectively their children, of my late husband Major Baron von Courbière, as follows:

- 1) To the eldest son of retired Captain René Baron von Courbière: 1,000 thalers, but only in the event that the Courbière fideicommiss should in future pass to the son of its present beneficiary, retired Lieutenant Colonel Baron Wilhelm von Courbière at Düsseldorf.

Should, however, this fideicommiss pass after the latter's death to retired Captain René von Courbière, I bequeath the said 1,000 thalers to the son of the aforementioned retired Lieutenant Colonel von Courbière.

- 2) To Friederike von Courbière, presently the youngest daughter of retired Lieutenant Colonel Wilhelm von Courbière: 1,000 thalers.
- 3) To Johanna Baroness von Boenigk, only daughter of the widowed General's wife Baroness von Boenigk, née von Kamptz: 1,000 thalers.
- 4) To the widowed Mrs von Unger, Bertha, née von Lesczinska: 500 thalers.
- 5) To Miss Marie von Velten, daughter of Captain's wife von Velten, Caroline, née von Kamptz, at the salt depot at Schwusen in Silesia: 500 thalers.
- 6) To Miss Hedwig von Boenigk, only daughter of the widowed Lieutenant Colonel's wife von Boenigk at Halle: 500 thalers.
- 7) With respect to the remaining deficiency of 175 thalers, my universal heir of Wusseken shall supplement the sum of 500 thalers intended for Miss Hedwig von Boenigk, both as to the annual interest and ultimately as to the capital. He shall also arrange for the collection of the interest from Mr Reinhold Neumann of Groß-Sillkow and forward it to the persons concerned.

VI. I reserve the right to supplement this testament by informal written instruments. They shall be valid if signed by me in my own hand.

I hereby expressly revoke all my earlier testamentary dispositions which predate this testament.

Signed:

Friederike Charlotte Sophie, née von Kleist,
widowed Baroness von Courbière and Wilke, of Wusseken in the District of Schlawe.

4 August 1863.

Proceedings before the Royal Court of Appeal at Cöslin on 8 May 1868.

At the hearing appointed for today by the order of 28 March of the present year for the formal declaration of the fideicommissa established by Councillor's widow Wilke, formerly widowed von Courbière, Friederike Charlotte Sophie, née von Kleist, the following persons appeared:

- 1) Mr Ewald Otto von Kleist, proprietor of the knightly estate of Wusseken near Schlawe;
- 2) Councillor of Justice Hillmar, producing a power of attorney dated the 5th of the present month from First Lieutenant Hermann von Dizelsky.

Both are personally known and legally competent to dispose of their rights.

The remaining persons who had been summoned had not appeared by twelve o'clock.

The testament of the widowed Mrs Wilke, Friederike Charlotte Sophie, née von Kleist, published on 3 December 1866, was read to Mr Ewald Otto von Kleist insofar as it contained the fideicommissary provisions concerning the knightly estate of Wusseken in the District of Schlawe. He declared:

I acknowledge that the testament which has been read to me, published on 3 December 1866, was executed by my father's sister, Friederike Charlotte Sophie von Kleist, who died on 30 November 1866 and who was married first to Baron von Courbière and thereafter to Councillor Wilke. I accept the fideicommiss bequeathed to me therein, subject to all the conditions contained in the testament.

I do not have with me an authenticated inventory of the livestock, field, and agricultural equipment and supplies belonging to the estate of Wusseken on the date of the founder's death, but I am prepared to submit it subsequently if required.

In order to remove any doubt as to whether the fideicommiss established by the testatrix with the knightly estate of Wusseken and its appurtenances produces the net income required under § 51, Part II, Title 4 of the General Law Code, I hereby add to the fideicommiss my half-peasant holding No. 10, situated at Wusseken, and subject it to all the conditions and restrictions contained in Section II of my aunt's aforementioned testament concerning the fideicommiss established with the knightly estate of Wusseken.

In particular, the fideicommissary order of succession established therein shall also govern half-peasant holding No. 10 at Wusseken.

I now request confirmation of the fideicommiss established for me, my descendants, and the other designated members of the von Kleist family, and I expressly consent:

that the fideicommissary character be recorded upon the mortgage-register folio of peasant holding No. 10 at Wusseken, or that this folio be closed and the holding added to the knightly estate of Wusseken.

Read aloud, approved, and signed.

Ewald von Kleist.

Actum ut supra.

Boehmer, Councillor of the Court of Appeal.

Hannemann, Civil Recording Clerk.

The foregoing documents agree word for word with the engrossed copy contained in our records and are hereby officially issued.

The family fideicommiss established for the von Kleist family by Councillor's widow Wilke, Friederike Charlotte Sophie, née von Kleist, in her testament published on 3 December 1866, and in the proceedings of 8 May of the present year, is hereby confirmed.

Issued under seal and signature.

Cöslin, 27 June 1868.

Royal Court of Appeal.

Signed: von Kitzing.

1867. Ems. 10 July.

Authenticated Copy

Upon the report of 1 July of the present year, I hereby grant My confirmation to the addition to the Statute concerning the exercise of the right of presentation to the House of Lords granted to the von Kleist family, which addition was unanimously adopted at the von Kleist Family Assembly on 15 March 1866 and formulated in the record of its proceedings. The said Statute was granted sovereign confirmation on 16 May 1859.

Ems, 10 July 1867.

Signed: William.

Signed on behalf of the Minister of the Interior:

von Mühler.

To the Minister of the Interior.

Certified as a true copy:

Maetske, Chancery Councillor.

Proceedings held at Berlin on 15 March 1866.

Present:

President von Kleist, His Excellency.

General von Kleist, His Excellency.

Chief President von Kleist-Retzow.

von Kleist—Warnin.

Count Kleist—Tzschernowitz.

Count Kleist—Juchow.

von Kleist—Hohennauen.

Major von Kleist—Halle.

Major von Kleist—Stolp.

von Kleist-Retzow—Tychow.

Lieutenant Colonel von Kleist—Berlin.

Captain of Horse Ewald von Kleist—Gebersdorf.

Captain of Horse Bogislav von Kleist.

Chief Forester von Kleist—Frankfurt an der Oder.

Lieutenant von Kleist of the Life Grenadier Regiment.

The family members listed in the separate attendance register appeared at the Family Assembly appointed for today.

Upon the motion of its chairman, and in consideration that ..., the Family Assembly unanimously resolves that the following paragraph shall be added to the Family Statute:

“The Family Assembly shall elect a Council of Honour consisting of at least three members, to which the chairman of the Family Assembly, or his representative, shall be added.

“The Council of Honour shall possess the right to admonish members of the family.

“Upon the application of the Council of Honour, the Family Assembly may exclude a member of the family from participation in the rights granted to the family by the Supreme Order of 20 July 1857 and by the Family Statute granted Supreme confirmation on 16 May 1859, if that member is not acknowledged as possessing unimpaired honour, or if his manner of life and conduct are inconsistent with the dignity of the family.

“Where an investigation has been instituted against a member of the family, or for other important reasons, the exercise of these rights may also be temporarily prohibited.

“Resolutions of this kind must be adopted by a majority of two thirds of the members present at the Family Assembly convened for that purpose and shall require Supreme confirmation in order to be valid.”

Read, approved, and signed:

von Kleist-Bornstädt.

Count Ewald Kleist—Tzschernowitz.

Count Wilhelm Kleist—Juchow.

H. von Kleist-Retzow—Groß Tychow.

Reichel von Kleist.

B. von Kleist.

L. von Kleist—Halle.

Adolph von Kleist—Stolp.

E. von Kleist—Gebersdorf.

H. von Kleist-Retzow—Kieckow.

von Kleist—Warnin.

729.

No. 114 of the Notarial Register for 1868.

Proceedings held at Berlin on 18 June 1868 at 11:30 a.m.

Upon request, the undersigned Karl Friedrich Drews, Councillor of Justice and Notary residing at Jägerstraße 61a in Berlin and practising within the district of the Royal Chamber Court, had gone to the Hôtel de Rome in order to draw up a notarial record of the deliberations and resolutions of the Family Assembly of the von Kleist family convened today.

The following persons appeared at this Family Assembly:

I. On behalf of the Family Board:

- 1) the retired Chief President, Mr von Kleist-Retzow of Kieckow, residing at Kieckow, as chairman;
- 2) the retired District Councillor, Mr Anton von Kleist of Nemitz, residing at Nemitz;
- 3) the Royal Chamberlain, Mr Ewald von Kleist of Wendisch Tychow, residing at Wendisch Tychow;
- 4) the retired District Councillor, Count Ewald von Kleist of Tzschernowitz, residing at Tzschernowitz.

II. The following members of the Family Assembly:

- 5) the manorial estate proprietor, Mr Albert von Kleist of Warnin, residing at Warnin;
- 6) the manorial estate proprietor, Count Leopold von Kleist of Zützen, residing at Zützen;
- 7) the manorial estate proprietor, Count Wilhelm von Kleist of Juchow, residing at Juchow;
- 8) Major and manorial estate proprietor Rudolph von Kleist of Klein Dubberow, residing at Klein Dubberow;
- 9) Major Ludwig von Kleist, residing at Halle;
- 10) the manorial estate proprietor Hugo von Kleist-Retzow, residing at Groß Tychow;
- 11) Captain of Horse Ewald von Kleist of Gebersdorf, serving in the 1st Guards Dragoon Regiment and as Adjutant to His Royal Highness Prince George of Prussia, residing here in Berlin;
- 12) retired Major Adolph von Kleist, residing at Stolp;
- 13) Captain of Horse Bogislav von Kleist of the Royal Guards Cuirassier Regiment, residing here in Berlin;
- 14) the manorial estate proprietor Otto Friedrich Erdmann von Kleist-Bornstädt, residing at Hohennauen;
- 15) Royal Forestry Director Hugo Ewald von Kleist, residing at Frankfurt an der Oder.

All the appearing parties are personally known to the Notary and legally competent to dispose of their rights.

The Family Assembly adopted the following

Foundation Charter

concerning the Family Foundation of the von Kleist family.

Introduction

The Statute of the von Kleist family dated 9 March 1858 was approved by the Supreme Cabinet Order of 16 May 1859.

Pursuant to § 6 of that Statute, the family has accumulated a family fund through annual contributions for family purposes. To this fund have been added the 1,000 thalers which the late Actual Privy Councillor von Kleist assigned to it in shares of the Charitable Building Association, subject to the condition that the principal remain invested in such shares and that only the dividends accruing from them be used.

The total amount of this fund is presently approximately 1,500 thalers. Under the Act of 4 March 1867 concerning the abolition of the old Pomeranian fiefs, the allodification sums fixed therein are intended for a foundation for the benefit of the family which previously held the fiefs. It is in the interest of the whole family that these sums should be combined with the existing family fund to form a single foundation, and it may confidently be expected that the agnates entitled thereto will consent.

To make this possible, the Family Assembly of 18 June 1868 has adopted the following Statute for the family fund. After it has received confirmation, the members of the family entitled to participate may present it, in the proceedings concerning the application of the allodification sums prescribed by § 20 of the Act of 4 March 1867, as the Statute to be established for the foundation to be formed from those sums.

The Family Assembly hereby authorises the following three members of the family, as members or substitutes of its Board, all of whom belong to the judicial district of the Court of Appeal at Cöslin:

- 1) retired Chief President von Kleist-Retzow of Kieckow;
- 2) retired District Councillor von Kleist of Nemitz;
- 3) Chamberlain Ewald von Kleist of Wendisch Tychow;

to make formal acknowledgment of the following Foundation Charter in the name of the persons appearing and of the family.

Section I

Purpose of the Foundation and Entitlement to Its Benefits

§ 1.

The purposes of the Foundation are:

- a) to defray the costs of publishing the family history;
- b) to cover expenditures which become necessary for other family purposes and which have been approved by the Family Assembly either generally or in a particular case;
- c) to provide the necessary assistance for the education appropriate to their station, or for entry into a profession appropriate to their station, particularly military or civil service, of those sons of members of the family who require such assistance;
- d) to support widows and daughters of family members who are in need;
- e) in exceptional cases, also to support family members themselves who are in need.

§ 2.

All family members of irreproachable character who would be capable of holding a fief under the feudal law presently in force, together with their widows and daughters, shall be entitled to the benefits of the Foundation.

§ 3.

In order to facilitate the necessary proof, a genealogical table of the family shall be published and maintained as part of the family history.

Every family member shall notify the Family Board of every marriage, birth, and death occurring within his family or among his ancestors within the following three months and shall submit the necessary authenticated certificate.

Should he fail to do so, he shall have only himself to blame if he is excluded from the benefits of the Foundation until the necessary evidence has been produced. In addition, he shall incur, for the benefit of the Foundation, a contractual penalty of five thalers for each such case.

Section II

The Foundation Fund

§ 4.

The Foundation fund shall consist:

- a) of the capital already accumulated;
- b) of the contributions paid by family members pursuant to § 6 of the Family Statute of 9 March 1858;
- c) of extraordinary contributions made to it, whether by family members during their lifetimes upon especially fortunate family occasions, by testamentary disposition, or otherwise;
- d) of the allodification sums assigned to it in execution of § 20 of the Act of 4 March 1867.

§ 5.

Of the capital already accumulated under § 4(a), at least 10,000 thalers shall be preserved as an inviolable principal fund which may not be encroached upon.

All allodification sums⁹⁶⁰ accruing to it under § 4(d), together with all contributions under § 4(c) for which the donor has not expressly made some other provision, shall be added to this inviolable capital.

The contributions now paid pursuant to § 4(b) shall cease when the Foundation fund has increased to 50,000 thalers.

Section III

Administration and Application of the Foundation

§ 6.

Subject to the provisions of this Charter and under the supreme supervision of the Family Assembly, the Foundation and its fund shall be administered by the Family Board together with its substitutes, acting as the Board of Curators.

Under the Statute of 9 March 1858, the Family Board consists of three members. With the addition of its two substitutes, the Board of Curators therefore consists of five members.

The participation of three members shall be required for resolutions:

- a) concerning the investment at interest or calling in of capital sums; and
- b) concerning the application of the Foundation fund under this Section III.

For all other matters, any number of members appearing in response to the chairman's invitation shall constitute a quorum.

Resolutions shall be adopted by majority vote. In the event of an equality of votes, the chairman shall have the deciding vote.

The Board may entrust ordinary current business, with the exception of the matters specified under letters a and b, to one of its members.

§ 7.

The Family Board presently consists of:

the retired Chief President von Kleist-Retzow of Kieckow as chairman;

District Councillor von Kleist of Collochau as his first deputy;

and retired District Councillor von Kleist of Nemitz as his second deputy.

The two substitutes of the Board, and thus the additional members of the Board of Curators, are presently:

Chamberlain von Kleist of Wendisch Tychow;

and retired District Councillor Count von Kleist of Tzschernowitz.

§ 8.

The chairman of the Family Board, or his deputy, shall represent the Foundation without restriction in all its transactions with third parties and public authorities.

By virtue of this Charter, he is authorised, in the name of the Foundation:

to lend, call in, and collect capital sums;

to conduct legal proceedings;

to receive judgments;

⁹⁶⁰ Amended based on amortization amounts; see Deed 730. (2017)

to apply for executions, compulsory administrations, and compulsory sales and to represent the Foundation in such proceedings;

to submit bids in the name of the Foundation at auctions and bidding hearings and apply for an award to the Foundation, or consent to an award to third parties;

to conclude settlements and agreements;

to submit disputes to arbitration, even with a waiver of all judicial hearing;

to take oaths for the Foundation, waive oaths, or accept them as having been taken;

to receive money and property, including from judicial depositories, and issue receipts therefor;

to assign rights and claims with or without warranty;

to renounce rights or waive them;

to conclude contracts of every kind, including contracts concerning the acquisition, alienation, encumbrance, or mortgage of real property;

to grant credit for purchase money;

to consent to and apply for entries and cancellations in mortgage registers;

and to authorise another member of the Board or a third party to carry out individual transactions.

Transactions executed by the chairman of the Family Board or his representative shall be legally valid and binding upon the Foundation.

As against third parties or public authorities, it shall not be necessary to prove that, in cases in which a resolution of the Family Board or the Family Assembly may be required for the particular transaction, such a resolution has actually been adopted.

§ 9.

The authority of the chairman of the Family Board or his representative shall be established by producing the record of the Family Assembly concerning the election of the Board and the Board's subsequent election of its chairman and regulation of his representation.

The records shall be drawn up or authenticated by a court or notary.

§ 10.

The members of the Board of Curators shall administer the Foundation without remuneration.

Only unavoidable cash expenses shall be paid in advance from the Foundation fund. Reimbursement of travelling expenses shall not be included among such expenses.

§ 11.

The duties of the Board of Curators shall principally include:

- a) ensuring the secure and most advantageous possible investment of the Foundation capital;
- b) collecting incoming revenues and paying the necessary expenditures;
- c) deciding upon applications for support from the family fund in accordance with this Statute and the general provisions adopted for that purpose by the Family Assembly;
- d) presenting annual accounts concerning the administration of the Foundation fund to the Family Assembly.

§ 12.

Support may be granted in the form of a loan only in exceptional cases and only where assistance

corresponding to the purposes of the Foundation and necessary for the preservation of the family member concerned can be provided by no other means.

Even then, the loan shall be granted only subject to substantial amortisation.

§ 13.

The capital of the Foundation may be invested only:

a) upon mortgage of real property situated within the country and providing security suitable for ward funds, or lent to family members owning landed property within the amount approved by the Provincial Credit Association.

Where a loan is granted within the final third of the valuation approved by the Provincial Credit Association, annual amortisation shall be stipulated at the same time;

b) in securities upon which the Prussian Government pays or guarantees the interest, or in Pomeranian mortgage bonds.

§ 14.

Only by resolution of the Family Assembly shall it be permissible:

a) to acquire real property, unless such acquisition becomes necessary in consequence of a compulsory sale in order to preserve a claim secured upon that property under § 8;

b) to alienate real property.

§ 15.

The Family Assembly shall determine the details concerning the place and manner in which the Foundation fund and the documents belonging to it are to be kept.

§ 16.

By resolution of the Family Assembly, a current account may be opened for the Foundation with a bank or banking house for the collection of its revenues, the payment of its obligations, and the administration of its surpluses and funds, insofar as no other provision has been made concerning them under §§ 12 and 13.

In such a case, the bank or banking house shall submit a detailed annual account to the Foundation and, in addition to liability with its own assets, shall furnish appropriate security.

§ 17.

The Board of Curators shall submit annual accounts concerning the fund and its administration to the Family Assembly for examination and discharge.

In the case provided for in § 16, however, the account submitted by the bank shall serve as the account for the funds administered by it.

§ 18.

The Family Assembly shall convene and adopt resolutions in accordance with §§ 6 and 7 of the Family Statute of 9 March 1858, taking into account the Supreme Order of 10 July 1867.

§ 19.

Whether the personal or financial circumstances of family members and their relatives for whom the benefits of the Foundation are requested justify a grant or support from it; the amount, terms, and conditions upon which it is to be paid; whether the resources of the fund are sufficient in view of its anticipated growth; and, where necessary, the order in which grants shall be made, shall remain within the free discretion of the family, acting through the bodies appointed for that purpose under this Statute.

No family member shall possess any claim which he may otherwise assert, pursue by legal action, assign, alienate, or transmit by inheritance.

Section IV

General Provisions

§ 20.

Recourse to the courts shall likewise be excluded for all other claims which members of the von Kleist family might seek to derive from this Foundation.

The decision of the Family Assembly shall constitute the final instance in such matters.

The persons asserting such claims, together with their descendants, ancestors, and siblings, may not participate in that Family Assembly or attend its deliberations.

§ 21.

Amendments to the Foundation may, upon a resolution adopted by two thirds of the voting members present at the Family Assembly, be submitted by the Board of Curators to His Majesty the King for approval.

§ 22.

Should the number of voting members of the family diminish to such an extent that the Foundation can no longer be administered in accordance with this Statute, His Majesty the King is requested graciously to appoint as many other suitable persons as may be required, for as long as a sufficient number of members of the family itself is not again available.

§ 23.

The Foundation may be dissolved only by a unanimous resolution of a Family Assembly expressly convened for that purpose.

For its validity, such a resolution, including the manner in which it is to be carried out, shall require the Supreme confirmation of His Majesty the King.

§ 24.

Should the entire von Kleist family become extinct without the Foundation having been dissolved under § 23, His Majesty the King is requested graciously to confer the Foundation, either as a whole or in parts and under the same statutory principles, under the name:

von Kleist Family Foundation

upon one or more noble Pomeranian families which are descended from daughters of the von Kleist family or are connected with it through marriage to its daughters, and which have rendered particularly faithful services to His Majesty, His Royal House, or the fatherland.

The three family members authorised to make formal acknowledgment of the foregoing Foundation Charter are hereby likewise authorised, should the competent authorities require amendments to the Statute, to consent to them in the name of the family.

After this Charter has been confirmed by the Court of Appeal at Cöslin, the Family Assembly instructs the Board most humbly to petition His Majesty the King graciously also to grant His Supreme confirmation of the Foundation Charter.

The family members present hereby expressly reaffirm the resolution already adopted at the preceding Family Assembly:

that they assign to the present family fund the rights accruing to them under the Act of 4 March 1867 in the

sums payable for the allodification of the individual fiefs;

and that they undertake, in each individual case, to vote accordingly and to use every permissible means to ensure that all entitled persons do the same and that the allodification sums are assigned to the existing family fund upon the basis of the Statute adopted today.

The Family Assembly renews the authority granted to the Family Board to investigate and pursue the rights of the family and of the agnates under the Act of 4 March 1867 in relation to all estates affected by it, together with the power granted to the Board to delegate that authority to an attorney.

The Board reports upon the steps already taken for that purpose and informs the Family Assembly of the opinions prepared by the attorney Stettin concerning the estates of Mandelatz, Pumlow, Zarnekow, and Quesdow.

The family members present agree that the allodification of those estates may be accepted in return for payment to the family fund of the allodification sums to be agreed upon. They likewise approve the steps taken with respect to Pumlow in order to preserve the feudal character of Pumlow A.

There being no further business, the chairman closed the Family Assembly at 3:30 p.m.

The foregoing record was then read aloud to the appearing parties in the presence of the following witnesses to the instrument:

1) private secretary Rudolph Schwedler;

2) servant Albert Salpeter;

both residing here in Berlin, personally known to the Notary, and legally competent.

It is hereby certified that neither they nor the Notary are affected by any of the circumstances which, under §§ 5–9 of the Act of 11 July 1845, exclude participation in the transaction.

The appearing parties approved the record and signed it in their own hands.

H. von Kleist-Retzow—Kieckow.

von Kleist—Nemitz.

von Kleist—Tychow.

Ewald Count von Kleist—Tzschernowitz.

Royal retired District Councillor Albert von Kleist—Warnin.

L. Count von Kleist.

W. Count von Kleist—Juchow.

Rudolph von Kleist—Klein Dubberow.

L. von Kleist of Halle.

H. von Kleist-Retzow—Groß Tychow.

Ewald von Kleist—Gebersdorf.

Retired Major Adolph von Kleist.

Bogislav von Kleist.

Otto Friedrich Erdmann von Kleist-Bornstädt.

von Kleist.

It is certified that the foregoing proceedings actually took place as recorded; that the record was read aloud to the participants in the presence of the Notary and the witnesses; that it was approved by them and signed

in their own hands.

Carl Friedrich Drews.

Rudolph Schwedler.

Albert Salpeter.

The foregoing proceedings, entered under No. 114 in the Notarial Register for the year 1868, are hereby issued for the von Kleist Family Assembly.

Berlin, 18 June 1868.

Carl Friedrich Drews,

Councillor of Justice and Notary within the district of the Royal Chamber Court.

Engrossed copy for the von Kleist Family Assembly.

Delivered to retired Chief President von Kleist-Retzow of Kieckow.

730.

(Fifteen silver groschen in stamp duty have been charged as court costs.)

Proceedings held before the Royal Court of Appeal at Cöslin on 3 September 1868.

At the hearing appointed by yesterday's order for the formal acknowledgment of the von Kleist Family Foundation of 18 June of the present year, the following persons appeared:

- 1) the Royal retired Chief President, Mr von Kleist-Retzow of Kieckow;
 - 2) the Royal retired District Councillor, Mr Anton von Kleist-Nemitz of Nemitz;
 - 3) the Royal Chamberlain, Mr Ewald von Kleist-Tychow of Wendisch Tychow;
- all personally known and legally competent to dispose of their rights.

The notarial record of 18 June of the present year, submitted with yesterday's petition, was read aloud to them insofar as it concerned the Family Foundation to be established, whereupon they declared:

We hereby acknowledge that the instrument read aloud to us was executed at the von Kleist Family Assembly held in Berlin on 18 June of the present year, and, by virtue of the authority granted to us therein, we accept and acknowledge its contents in our own names and in the name of the von Kleist family.

We note that § 5 of the Statute contains a clerical error: it should read not "amortisation sums," but "allodification sums."

We request confirmation of the Family Foundation and that the communications concerning it be sent to me, Chief President von Kleist.

Read aloud, approved, and signed.

H. v. Kleist-Retzow.

v. Kleist-Nemitz.

von Kleist-Tychow.

Actum ut supra.

Böhmer, Councillor of the Court of Appeal.

Hannemann, Civil Supernumerary.

Issued under seal and signature.

Cöslin, 15 September 1868.

Royal Court of Appeal.

Kitzing.

Engrossed Copy

The

von Kleist Family Foundation

contained in the foregoing notarial instrument of 18 June 1868 and formally acknowledged before us in the preceding proceedings of the 3rd of the present month is hereby confirmed.

Issued under seal and signature.

Cöslin, 15 September 1868.

Royal Court of Appeal.

Kitzing.

I. 3721.

Confirmation of the von Kleist Family Foundation

We, William, by the Grace of God King of Prussia, Margrave of Brandenburg, Sovereign and Supreme Duke of Silesia and also of the County of Glatz, Grand Duke of the Lower Rhine and Posen, Duke of Saxony, Engern and Westphalia, of Geldern, Magdeburg, Cleve, Jülich, Berg, Stettin, Pomerania, the Cassubians and Wends, Mecklenburg and Crossen, Burgrave of Nuremberg, Landgrave of Thuringia, Margrave of Upper and Lower Lusatia, Prince of Orange, Neufchatel and Valangin, Prince of Rügen, Paderborn, Halberstadt, Münster, Minden, Cammin, Wenden, Schwerin, Ratzeburg, Moers, Eichsfeld and Erfurt, Count of Hohenzollern, Princely Count of Henneberg, Count of Ruppın, the Mark, Ravensberg, Hohenstein, Tecklenburg, Schwerin, Lingen, Sigmaringen and Veringen, Pyrmont, Lord of the lands of Rostock, Stargard, Lauenburg, Bütow, Haigerloch and Werstein, etc. etc.,

hereby declare and acknowledge that, upon the petition of retired Chief President von Kleist-Retzow, as head of the von Kleist family, We have been pleased to grant Our sovereign approval to the von Kleist Family Foundation established by the von Kleist family on 18 June 1868, formally acknowledged before the Court of Appeal at Cöslin on 3 September 1868, and confirmed by that court on 15 September 1868.

We accordingly approve and confirm the said Family Foundation, subject to Our rights and those of every third party.

In witness thereof, under Our own most exalted signature and with the addition of Our Royal seal.

Given at Berlin on 7 December 1868.

William.

Supreme Instrument of Approval of the von Kleist Family Foundation of 18 June 1868, confirmed on 15 September 1868.

A. Leonhardt.

731.

The following proceedings:

Proceedings held before the Royal Court of Appeal at Cöslin on 2 September 1870.

At the hearing appointed for the purpose of obtaining a family compact of the von Kleist family concerning the allodification of the estate of Zarnekow and the application of the von Kleist allodification sums in accordance with the Foundation Charter of 18 June and 7 December 1868, the following persons appeared:

1) Royal Chief President Hans Hugo von Kleist-Retzow of Kieckow, who declared that he was authorised to represent:

- a. Count Ewald Heinrich Erdmann Bogislav von Kleist of Wendisch Tychow;
- b. Major General Christoph August Victor von Kleist of Stettin, Commander of the 2nd Artillery Brigade;
- c. the heirs of Baron Ewald Friedrich Joseph Anton von Kleist, deceased at Forst am Rhein:
 - aa. Bernhard Heinrich Carl Ewald von Kleist, Secretary in the Intendant's Office at Hanover, who is of age;
 - bb. Friedrich Joseph Eugen von Kleist;
 - cc. Carl Werner Johann Nepomuck von Kleist;
 - dd. Carl Boromeus Maria Joseph Rudolph von Kleist.

The first is of age; the last three are under the guardianship of their brother named under aa and their mother Charlotte, née Heyden, at Forst am Rhein. He promised to produce the powers of attorney subsequently.

2) Albert Gustav Leopold Felix von Kleist of Warnin.

3) Retired Royal District Councillor Anton Tamm Gneomar Constantin von Kleist of Nemitz.

4) Count Conrad Adolph von Kleist of Schmenzin, authorised to represent:

- a. Count Ewald Conrad Friedrich August von Kleist of Tzschernowitz;
- b. Baron Dietrich von Kleist, holder of the majorat of Gawesen and Susten in Courland;
- c. Major Theodor Leopold Friedrich von Kleist at Stolp;

with the promise that he would produce his powers of attorney subsequently.

5) Rudolph Bruno Oswald von Kleist of Damen near Polzin.

6) Councillor of Justice Möllhausen, as authorised representative of:

- a. retired Major Franz Ludwig Carl von Kleist at Halle an der Saale, under a power of attorney dated 20 July of the current year;
- b. Captain of Horse and Squadron Commander Albrecht Philipp von Rüchel-Kleist of the 2nd Guards Uhlan Regiment at Berlin, under a power of attorney dated 22 June of the current year;
- c. Major Hans Ewald von Kleist;
- d. Captain of Horse Eduard Bogislav von Kleist of the Guards Cuirassier Regiment; both at Berlin, under a power of attorney dated 28 June of the current year;
- e. Paul Ewald Heinrich Theodor Georg von Kleist, a man of independent means at Stolp, under a power of attorney dated 30 June of the current year;
- f. Count Johann Wilhelm Conrad von Kleist of Juchow, under a power of attorney dated 4 July of the current year;
- g. Captain Otto Ernst Ewald von Kleist at Stralsund, under a power of attorney dated 6 July of the current year;
- h. Lieutenant Colonel Demetrius Georg von Kleist at Demmin, under a power of attorney dated 20 July of the current year;

- i. Robert Agathon von Kleist, a man of independent means at Reinfeld near Danzig;
- k. Major General Feodor Benno Constantin von Kleist at Frankfurt an der Oder, under a power of attorney dated 6 August of the current year;
- l. District Councillor Gustav Baron von Kleist of Collochau, under a power of attorney dated 18 August of the current year;
- m. Hermann Carl August Otto von Kleist, a man of independent means at Colberg, under a power of attorney dated 25 August of the current year;
- n. Otto Krockow, proprietor of the knightly estate of Rumbske, as guardian of Hans Ludwig Bernd Otto von Kleist, under a power of attorney dated 29 August and an authorisation dated 10 March of the current year;
- o. District Court Secretary Johann Leonhard Hellmuth Aurel von Kleist at Demmin, under a power of attorney dated 25 August of the current year;
- p. Major Adolph Arminius Leopold von Kleist at Stolp;
- q. Lieutenant Colonel Maximilian Leopold von Kleist at Stolp, under a power of attorney dated 27 August of the current year;
- r. Hereditary Master of the Kitchen Carl Ferdinand Friedrich von Kleist-Retzow of Groß Tychow, subject to subsequent production of a power of attorney.

7) District Deputy Carl Friedrich Otto Anton Hermann von Kleist of Groß Dubberow.

The public notice of 4 February of the current year was produced.⁹⁶¹

The persons present, with the exception of Councillor of Justice Möllhausen, whose powers of attorney were not issued for this purpose, first declared:

We consent that the fief estate of Zarnekow, situated in the District of Belgard and possessed by the landowner Keske, shall be released from the von Kleist feudal association as soon as the possessor has paid into the depository of the Royal District Court at Belgard six per cent of a feudal valuation of Zarnekow prepared in accordance with the Act of 4 March 1867.

We also expressly consent to the cancellation of the feudal character of the estate of Zarnekow in the mortgage register as soon as the aforementioned payment has been made.

The members of the von Kleist family present then adopted for themselves and their principals, and Councillor of Justice Möllhausen for his principals, the following second family resolution:

We hereby determine that the allodification sums which, in consequence of the Act of 4 March 1867, have been or will be paid into judicial deposit for von Kleist fiefs already converted, or still to be converted, into allodial property shall, in accordance with the von Kleist Family Foundation Charter of 18 June and 7 December 1868, be combined into a von Kleist Family Foundation and paid from the judicial depository to the Board of the von Kleist family designated in that Foundation Charter or constituted in accordance with it.

All of us present, as well as our principals, are heads of lines of the von Kleist family and have made the foregoing declaration in that capacity, insofar as we are entered in the Feudal and Family Register as entitled to von Kleist fiefs.

We further resolve that the six per cent of the feudal valuation to be paid into the depository for the allodification of the von Kleist fief estate of Zarnekow shall be transferred to the von Kleist Family

⁹⁶¹ Summons of unknown persons entitled to feudal rights, *Royal Prussian State Gazette*, 1870, p. 2052. (2018)

Foundation established by the Foundation Charter of 18 June 1868.

We further observe that the following persons were present at the establishment of the Family Foundation on 18 June 1868:

- 1) Count Leopold von Kleist of Zützen;
- 2) Major Rudolph von Kleist of Klein Dubberow;
- 3) Captain of Horse Otto Friedrich Erdmann von Kleist-Bornstädt of Hohennauen;
- 4) Royal Chief Forestry Officer Hugo Ewald von Kleist, now at Liegnitz;

who are in any event bound by the resolutions adopted there and, accordingly, today concerning the application of the allodification sums.

We have nothing further to add to our family resolutions and request:

that they be confirmed and that the engrossed copy be delivered to Chief President von Kleist.

We leave it to the Court to decide to what extent further examinations and the production of death certificates may still be necessary.

Finally, von Kleist of Groß Dubberow promised to produce the power of attorney of his brother, Captain of Horse Carl Friedrich Werner Rudolph von Kleist, on whose behalf he had also made the foregoing declarations.

Read aloud, approved, and signed.

H. von Kleist-Retzow. von Kleist-Warnin.

von Kleist-Nemitz. Count von Kleist-Schmenzin.

von Kleist-Damen. H. von Kleist-Groß Dubberow.

Möllhausen.

Actum ut supra.

Böhmer, Councillor of the Court of Appeal.

Hannemann, Recording Clerk.

Issued in documentary form under seal and signature.

Cöslin, 16 March 1874.

Royal Court of Appeal.

(L. S.) (Name)

Engrossed Copy

I. 1400.

(Fifteen silver groschen in stamp duty have been charged as court costs.)

The family compact of the heads of the lines of the von Kleist family contained in the foregoing proceedings issued by us and dated at Cöslin on 2 September 1870, concerning the application of the von Kleist allodification sums which, under the Act of 4 March 1867, have been or will be paid for von Kleist fiefs already converted, or still to be converted, into allodial property, to form a von Kleist Family Foundation in accordance with the Family Foundation Charter of 18 June and 7 December 1868, is now confirmed without reservation,

after the Court of Appeal, pursuant to the Act of 27 June 1875, was appointed by a rescript of the Ministry

of Justice dated 5 August 1875 as the common forum for the examination and confirmation of the family compacts concerning the Family Foundation to be formed, under § 20 of the Act of 4 March 1867, from the allodification sums of all abolished von Kleist fiefs; and after the heads of those lines of the von Kleist family which had not previously acceded to the family compact subsequently approved it.

Cöslin, 6 February 1877.

Royal Court of Appeal.

(L. S.) (Name)

Confirmation

I. 699.

(One mark and fifty pfennigs in stamp duty have been charged as court costs.)

732a.

See above No. 696a.

732b.

Royal Supreme Tribunal, First Senate. Sitting of 25 January 1873.

Archive of Legal Cases Decided by the Royal Supreme Tribunal, Vol. 88, Berlin 1873, p. 26.

von Kleist-Retzow⁹⁶² v. von Kleist⁹⁶³—Appeal on Grounds of Nullity.

Court of First Instance: District Court at Neustettin.

Court of Second Instance: Court of Appeal at Cöslin.

Right of revocation and beneficium taxae under Pomeranian feudal law.

a. Under Pomeranian feudal law, when the agnates are publicly summoned to exercise the right of revocation, every agnate may exercise that right immediately, irrespective of whether he has already been called to the succession.

B. Likewise, as against the possessor of a fief subjected to compulsory sale and his creditors, every expectant successor may immediately exercise the *beneficium taxae*, without prejudice to the rights of agnates standing nearer in the order of feudal succession.

Act of 11 July 1845 concerning the Feudal and Succession Registers in Old Hither Pomerania and Farther Pomerania, § 4; Ordinance of 11 May 1839 concerning proceedings in the compulsory sale of Pomeranian fief estates, § 7.

The grounds of judgment set out the facts of the case. The Supreme Tribunal dismissed the defendant's appeal on grounds of nullity for the following

Reasons:

The ancient von Kleist fief of Lanzen in Farther Pomerania, which remains within the ordinary course of feudal succession, has been placed under compulsory sale. The plaintiffs are entered in the Feudal and Succession Registers as persons entitled to feudal rights and succession in this estate and, at the hearing of

⁹⁶² III. 710.

⁹⁶³ III. 947.

20 July 1870, declared their intention to exercise the **beneficium taxae** under § 17 of the Act of 4 March 1867 (**Collection of Laws**, p. 366).

Their attorney, who also appeared as authorised representative of Hans von Kleist of Ruschütz, claimed for the latter priority over all other agnates in respect of the **beneficium taxae**, while reserving the right to state the grounds for his objection to the feudal valuation.

The possessor of the fief whose estate was subjected to compulsory sale generally disputed the feudal rights asserted.

The further proceedings were suspended under the Federal Act of 20 July 1870 until the end of the war. Thereafter, without any further hearing, the District Court at Neustettin adjudged on 25 November 1870, in the compulsory-sale proceedings concerning the fief estate of Lanzen:

1. that the feudal rights asserted by Chief President von Kleist and his three sons, by Hans von Kleist of Ruschütz, and by several other agnates were to be reserved; that the remaining agnates were to be declared to have forfeited their feudal rights; and that unknown claimants to rights in rem were not to be heard with any objections; and
2. that the fief estate of Lanzen was to be awarded to Hans von Kleist of Ruschütz for the feudal valuation of 41,886 Reichsthalers, 16 silver groschen, and 10 pfennigs.

Only the latter provision was appealed, and the appeal was brought only by the possessor of the fief. Hans von Kleist of Ruschütz alone was joined in the proceedings at second instance.

The Court of Appeal at Cöslin then adjudged on 23 May 1871 that the preclusion pronounced under No. 1 of the judgment at first instance, and the reservation of the feudal rights of the members of the von Kleist family named therein, were to remain in effect; and that the judgment was otherwise to be amended to the effect that Chief President von Kleist, his three sons, Hans von Kleist of Ruschütz, and three other named members of the von Kleist family were required, within three months after the judgment became final, to prove in the compulsory-sale files concerning Lanzen that they had commenced legal proceedings to enforce the feudal rights asserted by them, failing which perpetual silence concerning those rights would be imposed upon them.

This procedure requires no criticism, since only its factual elements are relevant to a complete assessment of the present appeal on grounds of nullity.

The parties acknowledge that they are bound by the final force of the appellate judgment of 23 May 1871. In consequence, the plaintiffs brought an action seeking an order that the defendant recognise their right to exercise the **beneficium taxae** in relation to the fief estate of Lanzen placed under compulsory sale by way of execution, by taking over that estate upon payment of its feudal valuation of 41,886 Reichsthalers, 16 silver groschen, and 10 pfennigs.

The defendant was ordered accordingly by the concurring judgments of the previous instances.

His appeal on grounds of nullity returns to the facts set out above. Because his objection of preclusion was rejected, he challenges the appellate judgment of 6 July 1872 on the freely reviewable ground that it violated the principles of finality and *res judicata*—the **exceptio rei judicatae**—under §§ 65 and 66 of the Introduction to the General Judicial Ordinance and § 1, Part I, Title 16, of the same Ordinance.

This complaint, however, fails with its factually incorrect premise that the judgment of 23 May 1871, which is alleged “at the same time to involve eventual preclusion,” had already become final on 30 July 1871 and that the present action was not filed with the court within three months thereafter.

The compulsory-sale files show—as the court at first instance had already determined without challenge—that the judgment in question was not served upon the plaintiffs until 12 August 1871. The

period for registration therefore did not expire until 23 September 1872, and the action presented to the trial court on 24 November 1871 complied with the three-month period.

The notion of eventual preclusion as an immediate effect of the judgment becoming final, which the appellant has not developed more fully, also lacks all logic where the period is fixed not by the calendar but by reference to an event of uncertain date.

Moreover, the judgment of 23 May 1871 clearly shows that it by no means intended to have the effect attributed to it by the appellant.

The warning in the operative part of the judgment, employing the auxiliary verb in the subjunctive and reading “failing which perpetual silence concerning those rights would be imposed upon them,” expresses this with complete intelligibility, although not with perfect grammatical correctness.

The grounds of judgment remove all possible doubt, for they state:

“The proceedings are governed by §§ 12 and 24 et seq., Part I, Title 32, of the General Judicial Ordinance and § 4 of the Act of 28 November 1826 (*Collection of Laws*, p. 120), under which the claimants to feudal rights must be granted a period within which to bring an action enforcing those rights, on pain of perpetual silence”;

and:

“The judge conducting the compulsory sale is not to enter upon a substantive examination of the feudal claims of those who appear,”

but is:

“to confine himself to precluding the persons entitled to feudal rights and the claimants to rights in rem who have failed to appear, and to fixing the aforementioned period for those who have asserted their rights.”

The court therefore had no intention whatever of giving its judgment the effect of eventual preclusion of the feudal rights of the expectant successors who had appeared.

Such an effect would also stand in irreconcilable contradiction to the confirmation in the operative part of the first judgment insofar as it expressly reserved their feudal rights.

The complaint directed against the same ground of decision, alleging violation of §§ 1, 3, and 5 of the Act of 11 May 1839, § 5, No. 3, of the Ordinance of 14 December 1833, and §§ 26–30, Part I, Title 32, of the General Judicial Ordinance, is thereby deprived of the indispensable factual foundation. It therefore requires no separate refutation.

2. The appellant challenges the rejection of the objection to the plaintiffs’ standing to sue and, respectively, to the prematurity of the action—the **actio nondum nata**—as a violation of § 7 of the Ordinance of 11 May 1839 (*Collection of Laws*, p. 167), § 4 of the Act of 11 July 1845 (*Collection of Laws*, p. 474), and the following proposition of law:

“The plenary decision of 9 December 1839 also applies where the agnates have been summoned as required by law under §§ 1 and 2 of the Ordinance of 11 May 1839.”

All these objections are founded upon the undisputed fact, also established by the appellate court, that none of the plaintiffs, but rather Hans von Kleist of Ruschütz, the brother of the present possessor of the fief, is the nearest expectant successor to the fief of Lanzen.

They are also based upon the legal opinion that, even where a fief is subjected to compulsory sale, the right to exercise the **beneficium taxae** is governed by the order of succession in such manner that it may always be enforced by action only by one person, namely the agnate standing nearest in the order of feudal succession.

The appellate court regards this opinion not merely as incorrect, but also rejects the objection because:

“the plaintiffs demand from the defendant only recognition of their right, which is entirely independent of the rights of other agnates.”

The statement of facts in the appellate judgment also records:

“The defendant opposed the application because the plaintiffs had not proved their feudal relationship to him, the person whose estate was subjected to compulsory sale.”

The appellate court therefore regards the plaintiffs as entitled to sue also because their action seeks merely recognition of a right arising from their expectancy to the fief and because the defendant had even disputed their status as agnates.

This independent ground of decision has not been challenged at all and is therefore in itself sufficient to uphold the judgment.

The grounds of nullity asserted are, moreover, untenable in themselves.

It is not initially clear from the appeal why the appellant considers § 4 of the Act of 11 July 1845 concerning the Feudal and Succession Registers in Old Hither Pomerania and Farther Pomerania to have been violated.

He attempts to justify his contention that mere entry as an agnate is insufficient to establish entitlement to exercise the **beneficium taxae** solely from § 7 of the Ordinance of 11 May 1839 concerning proceedings in the compulsory sale of Pomeranian fief estates, which contains no provision concerning the Feudal and Succession Registers.

At a later point, referring to the plenary decision of 9 December 1839, he observes that § 4 of the Act of 11 July 1845 had changed nothing in that respect, because it merely contained a procedural provision governing the court’s examination of the registration made by an agnate.

The objection therefore appears to relate not to the evidentiary effect of the Feudal and Succession Register in establishing the plaintiffs’ status as expectant successors to the fief, but to the question whether the register establishes their standing to assert the substantive right forming the subject of the action, namely the **beneficium taxae**.

Understood in this manner, however, the complaint is without subject matter, because the appellate court infers from § 4 cited above nothing more than that, by virtue of their entry in the Feudal Register, the plaintiffs must be regarded as expectant successors to the fief of Lanzen until the contrary is proved.

This is placed beyond all doubt by the entire content of the Act. Consequently, even had the appellant intended by this objection to disprove the plaintiffs’ status as expectant successors, the objection would likewise be unfounded.

The allegation that § 7 of the Ordinance of 11 May 1839 was violated is also mistaken. That provision presupposes that the person entitled to the fief who is both entitled and willing to take over the estate has already been identified.

Moreover, the appellate court did not derive its ground of decision concerning the right to sue from that section, but from the entire content of the Act in conjunction with the general principles of Pomeranian feudal law.

Nor can the final objection mentioned above succeed.

Admittedly, no material objection arises from the formulation of the allegedly violated proposition of law, although it treats the plenary decision as though it were a statute and an inviolable foundation.

Its unmistakable meaning is nevertheless clear: the legal principle recognised in the plenary decision of 9

December 1839 is also to govern where agnates have been summoned in the compulsory sale of a Pomeranian fief estate.

The correctness of this proposition cannot be accepted.

The plenary decision itself reads:

“A provocation of the agnates permissible under Pomeranian feudal law for the exercise of the right of revocation does not confer upon an agnate who appears, but upon whom the succession has not yet devolved, any right to revoke the fief” (*Decisions*, Vol. 5, p. 87; Precedent No. 755; *Collection of Precedents*, Vol. I, p. 101).

That decision has already been opposed on substantial grounds—Zettwach’s Opinion V (*Journal of the Ministry of Justice* for 1850, p. 346); von Wilmowski, *Pomeranian Feudal Law*, p. 100.

It is also irrelevant in itself to the present dispute, even when its grounds are considered, because it concerned the entirely different case in which, with respect to a fief already outside the course of feudal succession, an *extraneus possessor* had voluntarily obtained a summons of the agnates for the exercise of the right of revocation.

Even if the proposition allegedly violated by the court is understood to mean that, also in compulsory sales of fiefs, the agnatic right of revocation belongs exclusively and at all times to the person standing nearest in the order of feudal succession, the objection does not in any event correspond to the wording of the present case.

The present case concerns not the exercise of the right of revocation but the *beneficium taxae*—Zettwach, cited above, §§ 92 and 97; Wilmowski, cited above, p. 80.

The reasoning supporting the objection does, however, permit the interpretation that, under the conceptually inaccurate expression “right of revocation,” the appellant intended to contend generally that the exercise of both rights is made dependent by the Fief Compulsory-Sale Act of 11 May 1839 upon the order of succession, that is, upon proximity.

The incorrectness of this opinion with respect to the right of revocation has already been fully demonstrated in several decisions of the Supreme Tribunal, particularly the two judgments of the First Senate dated 22 May 1867 in the matters of *von Borke v. Müller and Others*.

Those judgments concerned an irrevocably alienated fief and applied the principle that, following such a summons, every agnate may exercise the right of revocation immediately, irrespective of whether he has already been called to the succession.

The grounds supporting that ruling also apply to the same question concerning exercise of the *beneficium taxae*.

They are essentially the following:

The whole purpose of the Ordinance of 11 May 1839 is to provide, through the summons of all persons entitled to the fief—including the most remote persons not yet called to the succession—a definitive settlement of the relationship between them and those holding rights in rem, by precluding agnates who fail to appear and, respectively, by fixing the takeover price for expectant successors who do appear.

A reservation of rights is incompatible with that purpose.

Rather, even before the compulsory sale is opened, all persons entitled to the fief are to be summoned, not merely to register possible future rights, but definitively to exercise their rights. Those who fail to appear lose their entitlement.

This preclusion constitutes an anomaly in relation to the principle that, where the *jus revocandi* cannot

yet have passed to the agnates because the alienating line still exists, the action has not yet arisen—**actio nondum nata**.

Section III of the rescript of 1 November 1783 states, however, that the Pomeranian feudal laws and customs recognise such an anomaly, according to the concordant acknowledgment of the courts and estates.

If this anomaly permits an agnate to be precluded from a right of revocation which has not yet passed to him, consistency requires that, in consequence of the summons issued for that purpose, he must also be entitled to enforce his right of revocation.

For this purpose, registration and reservation of his right might perhaps suffice.

In that manner, however, it would be impossible to accomplish the purpose pursued by the Ordinance of 11 May 1839: the definitive settlement of the relationships between all persons entitled to the fief, including the most remote, and those holding rights in rem.

The Ordinance makes no mention whatever of a mere registration and reservation of rights. Rather, it prescribes the summons of all agnates for the exercise of their rights.

By requiring all agnates to be summoned for the exercise of their rights, it declares that such exercise is permissible without any further condition.

The Ordinance of 11 May 1839 makes no distinction, concerning the effect of preclusion proceedings in compulsory sales, between fiefs which remain within the course of feudal succession and those which are outside it.

The foregoing reasons therefore apply equally to the question of proximity in relation to the **beneficium taxae**.

In addition, with respect to that right, an objection founded upon lack of proximity can have significance only in conjunction with a claim based upon succession or redemption and therefore, when raised by the person whose estate is subjected to compulsory sale, constitutes an **exceptio de jure tertii**.

Furthermore, even under the older Pomeranian feudal law, where a fief still within the course of feudal succession was to be sold on account of debts, the agnates had to be called upon to declare whether they wished to exercise the **beneficium taxae**—certificate of the Court of Justice at Stettin dated 12 March 1645; von Wilmowski, cited above, p. 57; Zettwach, cited above, § 111.

Indeed, under § 1, Title 26, of the Farther Pomeranian Feudal Constitution, this summons was already issued under threat of preclusion.

Such a sale resulted in the complete transfer of ownership to the purchaser and the extinction of the rights of the agnates.

The same consequences arise under the Compulsory-Sale Act of 11 May 1839 if no agnate exercises the **beneficium taxae**.

This agnatic right to take over the fief upon payment of its value as determined by the feudal valuation is described as a **beneficium**. It is essentially characterised as the measure and limit, in relation to the agnates, of the fief's liability for debts.

Following the abolition of rights of pre-emption and repurchase throughout Hither and Farther Pomerania by § 2, No. 6, and § 4 of the Act of 2 March 1850 (**Decisions**, Vol. 28, p. 501), it remained the final means of preserving a fief for the family when the estate was to be subjected to compulsory sale.

The effect attributed to a compulsory sale—the loss of all rights of the agnates in the fief—alone produces the unavoidable legal consequence that, as against the person whose estate is subjected to compulsory sale and his creditors, and without prejudice to the rights of agnates standing nearer in the order of feudal

succession, every expectant successor may immediately exercise the *beneficium taxae*.

He has no means of compelling the more closely entitled expectant successor to exercise that right, thereby preserving the fief for the family and protecting him from the loss of his own feudal right.

732c. (previously b)

No. 53 of the Notarial Register for 1877.

Proceedings held at Berlin on 28 February 1877.

Upon request, the undersigned Carl Friedrich Drews, Councillor of Justice and Notary within the district of the Royal Chamber Court, residing at Friedrichstraße No. 62 in Berlin, had gone to Unter den Linden No. 33 in order to draw up a notarial record of several resolutions adopted at today's Family Assembly of the von Kleist family.

The following persons were present:

- 1) retired Chief President von Kleist-Retzow, residing at Kieckow, Chairman of the Family Board;
- 2) Count Ewald von Kleist, proprietor of a knightly estate, residing at Tzschernowitz near Guben, member of the Family Board;
- 3) Major General Ewald von Kleist, residing at Mainz;
- 4) Hermann von Kleist, proprietor of a knightly estate, residing at Groß Dubberow;
- 5) Royal Chief Forestry Officer Hugo Ewald von Kleist, residing at Oppeln;
- 6) Count Leopold von Kleist, holder of the majorat, residing at Zützen;
- 7) Hugo von Kleist-Retzow, proprietor of a knightly estate, residing at Groß Tychow;
- 8) retired Major Adolph von Kleist, residing at Stolp;
- 9) Bernhard von Kleist, proprietor of a knightly estate, residing at Drenow;
- 10) Friedrich Wilhelm von Kleist of Wendisch Tychow, Attaché at the Foreign Office, residing here in Berlin;
- 11) Baron Adolph von Kleist, residing at Mitau in Courland;
- 12) Baron Heinrich von Kleist, residing at Seegen in Courland;
- 13) Hans Anton von Kleist-Retzow, student of law, residing at Kieckow;
- 14) Lieutenant Colonel Otto von Kleist, residing at Stargard;
- 15) Otto von Kleist-Bornstädt, proprietor of a knightly estate, residing at Hohennauen;
- 16) Count Conrad von Kleist, proprietor of a knightly estate, residing at Schmenzin;

all personally known to the Notary and legally competent to dispose of their rights.

After the Family Assembly, which had been convened in accordance with the Statute, had, as was acknowledged by all present, been constituted under the chairmanship of Chief President von Kleist, the following resolutions were adopted:

I.

In place of retired District Councillor Anton von Kleist-Nemitz, who had retired from the Family Board, Royal Chief Forestry Officer Hugo Ewald von Kleist, residing at Oppeln, the appearing party named under No. the appearing party5,

was unanimously elected by acclamation as a member of the Board, and he accepted the election.

II.

1) By the codicil of Captain Bogislav Heinrich von Kleist⁹⁶⁴ of Raddatz dated 9 April 1788 and published at Cöslin on 20 February 1790, a capital sum of 4,000 thalers was established. Its interest was to fall first to his widow, thereafter to the respective possessor of Raddatz, provided that he belonged to the von Kleist family, and subsequently, for his lifetime, to the eldest von Kleist residing in the Royal Prussian States or still serving His Majesty the King.

This situation has now arisen, and the 4,000 thalers have been paid by the purchaser of the estate of Raddatz at the compulsory sale into the depository of the District Court at Neustettin.

The bond issued at that time and delivered to the appointed curator of the fideicommiss, Director of the Provincial Credit Association von Kleist⁹⁶⁵ of Segenthin, appears to have been lost and has been publicly summoned.

After the death of Director of the Provincial Credit Association von Kleist, the von Kleist family was to elect a new curator by majority vote.

After these circumstances had been reported by the Chairman and the codicil of 9 April 1788 had also been read aloud, the Family Assembly unanimously resolved:

that the curatorship of this fideicommiss shall permanently be associated with and transferred to the Family Board.

2) Under the codicil, the eldest member of the family was on the first occasion to be ascertained through a public summons issued by the Court of Justice to all members of the von Kleist family known to the Feudal Chancery. On later occasions, the curator, together with two other members of the family, was to ascertain him by means of a notice published in one Berlin and one Stettin newspaper.

Since, under the laws now in force, the Feudal Chancery possesses very incomplete information concerning the composition of the family, whereas the family now possesses a complete genealogical table which is continuously maintained and which, by resolution of the family, is authoritative within the family, the Family Assembly unanimously resolved, subject to the approval of the Royal Court of Appeal at Cöslin:

that the curator, and therefore now the Family Board, shall also be entrusted with ascertaining the person who is presently first entitled.

3) It was further unanimously resolved:

The 4,000 thalers shall be invested in Pomeranian mortgage bonds bearing interest at four and one-half per cent, and the additional amount required for that purpose shall be borne by the Family Fund.

The bonds shall be marked as non-negotiable by the Board and deposited with the Reichsbank or the Seehandlung. The interest coupons shall be delivered every six months to the member of the family who has been ascertained to be the eldest.

The appearing parties request:

that one engrossed copy of these proceedings be delivered to retired Chief President von Kleist.

The foregoing record was then read aloud to the appearing parties in the presence of the following witnesses to the instrument:

⁹⁶⁴ IV. 64.

⁹⁶⁵ III. 522

- 1) Carl Schulze, waiter;
- 2) Gottfried Wolf, waiter;

both residing here in Berlin, personally known to the Notary, and legally competent.

It is hereby certified that neither they nor the Notary are affected by any of the circumstances which, under §§ 5–9 of the Act of 11 July 1845, exclude participation in the transaction.

The appearing parties approved and executed the record:

H. von Kleist-Retzow. E. von Kleist—Mainz. Count von Kleist—Schmenzin. Hugo Ewald von Kleist, Oppeln. H. von Kleist-Retzow—Groß Tychow. H. von Kleist. von Kleist—Drenow. Adolph von Kleist, retired Major. Leopold Count von Kleist. Otto von Kleist-Bornstädt. von Kleist-Zützen. Baron Adolph von Kleist of Mitau in Courland. Baron von Kleist. H. von Kleist-Retzow. Ewald Count von Kleist—Tzschernowitz. Otto von Kleist—Stargard in Pomerania.

It is certified that the foregoing proceedings actually took place as recorded; that the record was read aloud to the participants in the presence of the Notary and the witnesses; that it was approved by them and signed in their own hands.

Carl Friedrich Drews. Carl Schulze. Gottfried Wolf.

The foregoing proceedings, entered under No. 53 in the Notarial Register for the year 1877, are hereby issued in one engrossed copy for the von Kleist family.

Berlin, 28 February 1877.

(L. S.) Carl Friedrich Drews,

Councillor of Justice and Notary within the district of the Royal Chamber Court.

Engrossed Copy

for

the von Kleist family.

Statement of Costs

Value of the matter: over 60,000 marks.

Fees under § 20: 50 marks.

Witnesses: 1 mark.

Stamp duty: 1 mark 50 pfennigs.

Postage: —.

Travel expenses: 2 marks.

Total: 54 marks 50 pfennigs.

Notary Drews.

733.

Cöslin. 7 July 1877.

In reply to Your High Well-born's letter of 13 June 1877, and returning all the enclosures thereto, we inform you that we approve the resolution adopted at the von Kleist Family Assembly insofar as it transfers the curatorship of the von Kleist-Raddatz Foundation to the Family Board.

As soon as the public-summons proceedings have been concluded and no further obstacle remains to the delivery of the foundation capital, we intend to instruct the Royal District Court at Neustettin to release that capital. Unless it is otherwise lent upon a secure mortgage, however, it must, in accordance with the terms of the foundation, be used to purchase Pomeranian mortgage bonds.

It remains for Your High Well-born to notify us when no further obstacle exists to the payment of the special fund established with the foundation capital.

We must, however, adhere to our previous decision that the method prescribed in the instrument of foundation for ascertaining the eldest member of the family entitled to enjoy the interest from the foundation can be altered only by means of a formal family compact.

We must leave it to the consideration of the Family Board whether such a family compact is to be sought or whether the ascertainment is to be carried out in accordance with the instrument of foundation.

The instrument of foundation, namely the codicil of 9 April 1788, must be enclosed with any application made in either respect.

Royal Court of Appeal.

(Name.)

I. 2485.

To

the Royal retired Chief President

Mr von Kleist-Retzow

at

Kieckow.

Overview
of the Coats of Arms and Seals Illustrated

A. Coats of Arms of the von Kleist Family

Plate I. von Kleist. Ancestral coat of arms — Title page.

Plate II. Kleist von Bornstedt. Prussian grant of name and arms of 11 April 1803 — for No. 702, p. 675.

Plate III. von Rüchel, otherwise von Kleist (von Rüchel-Kleist). Prussian grant of name and arms in 1809 — for No. 704, p. 681.

Plate IV. Counts Kleist von Nollendorff. Elevation to the Prussian rank of Count on 3 June 1814 — for No. 706, p. 684.

Plate V. Counts von Kleist vom Loß. Elevation to the Prussian rank of Count on 21 January 1823 — for No. 709, p. 694.

Plate VI. Barons von Kleist. Elevation to the Prussian rank of Baron on 6 May 1831 — for No. 710, p. 696.

Plate VII. von Kleist-Retzow. Prussian grant of name and arms of 13 February 1839 — for No. 711, p. 698.

Plate VIII. Counts von Kleist of Zützen. Elevation to the Prussian rank of Count according to the right of primogeniture on 20 October 1840 — for No. 712, p. 699.

B. Seals of the von Kleist Family

Plate IX, 1–12. Plate XI, 1–20.

Plate X, 1–20. Plate XV, 1–14.

Of these seals:

Plate IX, 1, belongs after No. 75. Plate IX, 9, belongs to No. 347.

Plate IX, 2, belongs to Nos. 85 and 88. Plate IX, 10, belongs to No. 450.

Plate IX, 3, belongs to No. 94. Plate IX, 11, belongs to No. 454.

Plate IX, 4, belongs to No. 94. Plate IX, 12, belongs to No. 456.

Plate IX, 5, belongs to No. 212. Plate X, 12, belongs to No. 546.

Plate IX, 6, belongs to Nos. 266, 270, and 337. Plate XV, 1, belongs to No. 337.

Plate IX, 7, belongs to Nos. 266 and 337. Plate XV, 2, belongs to No. 337.

Plate IX, 8, belongs to No. 266. Plate XV, 5, belongs to No. 457.

C. Seals of Ancient Armorially Related Families

von Borcke — Plate XII, 1–9.

- von Böhn — Plate XII, 10 and 11.
 von Bulgrin — Plate XIII, 1–12 (fig. 12 belongs to No. 434); Plate XIV, 1 and 2.
 von Woedtke — Plate XIV, 3–8; Plate XV, 17.
 von Krankspar — Plate XIV, 9 and 10.
 von Butzke — Plate XIV, 11–13 (fig. 11 belongs to No. 434).
 von Meseritz — Plate XIV, 14–16.
 von Glasenapp — Plate XIV, 17.
 von Kamecke — Plate XIV, 18 and 19.
 von Reckow — Plate XIV, 20.
 von Lode — Plate XV, 15 and 16.

D. Coats of Arms of Ennobled Armorially Related Families

- von Kleist (elevated to the Prussian nobility on 8 October 1860) — Plate XV, 19.
 von Bredow (elevated to the Prussian nobility on 22 March 1856) — Plate XV, 20.

Explanatory Notes on the Plates of Coats of Arms and Seals

The majority of the seals illustrated here are preserved in the Pomeranian Provincial Archives (Plates IX, 1–12; X, 1, 4–13, 15, and 16; XII, 3–11; XIII, 1–8 and 10–12; XIV, 1–4, 9–11, and 17–20; XV, 8–10, 13, 15, and 16, etc.), in the Stargard Court Archives (Plates X, 14 and 17–20; XI, 1–4, etc.), and in the Old Pomeranian Feudal Archives (Plate XI, 5–12, 15, 17, etc.), all of them in Stettin. Only a few are preserved in archives elsewhere: in the Privy State Archives at Berlin (Plate XV, 1–7 and 17), in the Privy Archives at Königsberg in Prussia (Plate X, 2 and 3), in the Grand Ducal Mecklenburg General and Main Archives at Schwerin (Plate XII, 1), and in the Municipal Archives at Schlawe (Plate XIII, 9).

They were all drawn by me personally from the originals, with the sole exception of the two Königsberg seals, which were drawn by Mr von Mülverstedt, Provincial Archivist of the Province of Saxony; the Schwerin seal, which was made available through Mr Dr Lisch, Councillor of the Archives; and the Schlawe seal, which, together with Plate XIV, 14, and Plate XV, 12, was reproduced from illustrations in Parts IV and V of Bagmihl's **Pomeranian Book of Coats of Arms**. Finally, the original of the seal shown in Plate XII, 2, is no longer preserved in the Pomeranian Provincial Archives, and a drawing by Dreger was therefore used as its basis.

I drew several of the more recent seals (Plate XI, 14 and 18; Plate XIV, 5–8, 12, 13, 15, and 16, etc.) from originals which Pastor Ragotzky at Triglitz and First Lieutenant Baron von Ledebur of the 2nd Guards Regiment most kindly made available to me from their extensive collections. Individual examples were also drawn from specimens in my own collection and from impressions supplied by members of the von Kleist family.

The illustration in Plate XV, 11, was not taken from a seal, but from a funerary monument of the von Krummel family dating from 1615 and decorated with ancestral coats of arms, in the church at Dünnow in the District of Schlawe.

The coats of arms in Plate XV, 19 and 20, were designed on the basis of information kindly supplied personally by the gentlemen who had been elevated to the nobility.



*Kleist de Densin.
circa 1290.*



*Dubbeslaf Cleest.
armiger
1377. 1385*



*Olde Bispraw Kleist.
1402.*



*Junghe Bispraw Kleist.
1402.*



*Georgius Kleist.
Bugslai ducis secretarius.
1488.*



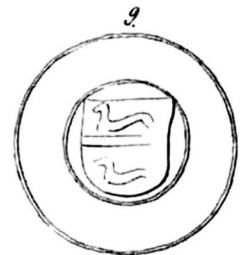
*Jurigen Kleist.
1493.*



*Peter Clest
1493.*



*Bisperow Clest
1493.*



*Mathias Klesth.
tho Damen
1504.*



*Dremes Kleist.
tho Lutken Voldekow.
1536.*



*Dremes Kleyst
tho Lutken Voldekow
1537.*



*Pribeslaus Kleist
Decanus ecclesie Aminensis.
1538.*



*Jacob Kleist
zu Luslin
1556*



*Carsten Kleist
zu Thichow
1556.*



*Valthin Kleist
auf Mothrin.
1556.*



*Pribslaff Kleist
zu Horrentin
Scholasticus zu Cammin
1556.*



*Pribslaff Kleist
zu Damen
1565*



*Lorenz Kleist
zu Damen
1565.*



*Marten Kleist
zu Dargen
1579.*



*Wilhelm Kleist
Hauptmann zu Belgard
1582*



*Marten Kleist
zu Dargen
1583.*



*Wilhelm Kleist
zu Pützow
Landvogt zu Stolp und Schlaw
1587.*



*Wilhelm Kleist
1590.*



*Magnus Kleist
zu Dubberow
1590.*



*Jacob Kleist
Hauptmann zu Neustettin
1590.*



*Ventz Kleist
zu Kowalek
1595.*



*Asmus Kleist
zu Damen.
1595.*



*Tonnies Kleist
zu Kowaleke
1598.*



*Philipp Kleist
zu Zaußkow
1599.*



*Otto Kleist
zu Multrin
1600.*



*Jochim Kleist
zu Zaußkow
1600.*



*Pribslaff Kleist
zu Multrin
1600.*



*Jochim Kleist
zu Voldekow
1606*



*Gunge Kleist
zu Tichom.
Radsuorwandter zu Stolp.
1605*



*Michel Kleist
zu Kowalke
1606*



*Jurge Kleist
zu Borgen
1606*



*Ewald von Kleist.
1668*



*Ewald Christian von Kleist
1743*



*Melchior Louis von Kleist
auf Diettersdorf
1699*



*Daniel Heinrich von Kleist.
1774*



*Richard Christian von Kleist
auf Radatz.
1774*



*Franz Heinrich von Kleist.
auf Schmenzin
1753*



*Peter Christian von Kleist.
auf Gr. Tichom.
1770*



*Johann Georg von Kleist.
auf Gr. Tichom.
1809*



*Christian Ewald von Kleist
auf Herklingen
1805*



?



*Leopold von Kleist
auf Tschernowitz.
1797*



*Marie Charlotte von Kleist
geb. von Retzow
1769*



*Anton Christian von Kleist
auf Nasfen Glienke
1773*



*Henning Alexander von Kleist
auf Radatz
1749*



*Freiherrn von Kleist.
Karländer Zweig
1860*



*Grafen von Kleist
(eigentl. Grafen von Kleist vom Los)
1860*



Domnus Borke.
1282.



N. Borke domticellus in Lobese
1297.
(nach Dregers Zeichnung)



Nicolaus Borke (senior)
miles
1337-1369.



Borke senior miles
1338.



Borke
1338



Hennynghus Borke
de Wanghern
1335



Jacobus Borke senior
residens in Strammele.
1354.



Vycke Borke
1376.



Borante Borke
manastych to Labeze
1436.



Arnd van deme Bone
to der Crona. 1426.



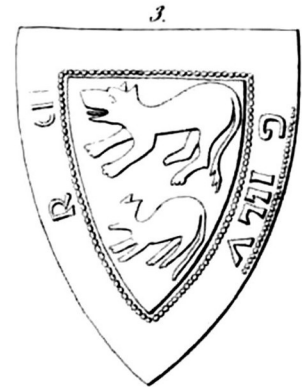
v. Bohn.
1644. Jahrh.



Bartus miles dictus niger.
1287.



*Paulus miles
filius militis Bartus nigri
dictus de Bulgeryn*
1309.



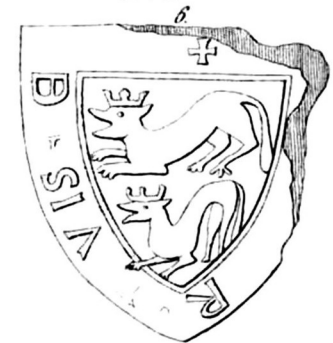
*Matheus miles
filius militis Bartus nigri
dictus de Bulgeryn*
1309.



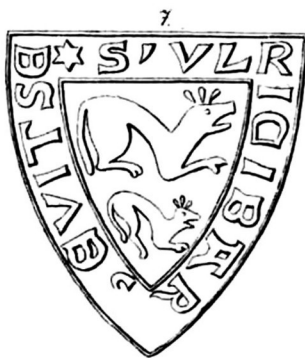
*Paulus miles
dictus Barthceonitz*
1335.



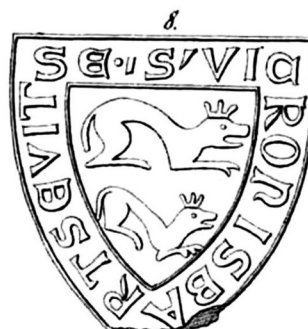
*Hennighus
filius Pauli militis
dicti Barthceonitz*
1335.



*Paulus
filius Hennighi*
1335.



*Vricas
filius Hennighi*
1335.



*Vicko
filius Hennighi*
1335.



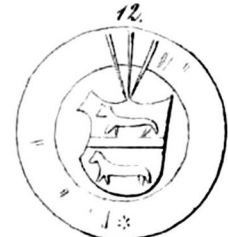
Hennynk Bulgrin
1409.



*Hennynck Bulgrin
to Thunom*
1494.



*Cristoffer Bulgrin
tho Wusszecken*
1521.



*Hennynck Bulgrin
tho Wusszecken*
1521.



Albertus Bulgrin.
1540.



Adrian Bulgrin
tho Thunow.
1549.



Syman Witeke.
1460.



Lex Wotke
tho Czyrkengse.
1548.



Joachim Woedtke
zu Woedtke
1573.



Joachim Woedtke
zu Zirkwitz
1586.



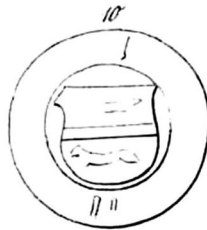
David Woedtke
1615.



F.L.v. Woedtke.
17^{te} od 18^{te} Jahrh.



Pavel Kranchspare
to Bulgrin
1510.



Pavel Kranchspare
to Sawessin.
1523.



Hans Buszke (Butzke)
to Buszke (Butzke).
1510.



Jochim Budtzke
zu Budtzke.
1587.



v. Butzke
Major bei v. Lichnowski
18^{te} Jahrh.



David Meseritz
1619.



v. Meseritz
18^{te} Jahrh.



v. Meseritz.
18^{te} Jahrh.



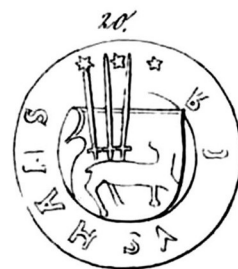
Peter Glaszenapp
to Manow.
1505.



Jasper Kameke
tho Strachemyn.
1521.



Lasarus Kameke
to Strachemyn.
1540.



Hans Rehow
to Gambin.
1536.



Tessen/ Clest
Compter to Okachan.
1500.



Bisperow Clest.
1500.



Jacob Kleyst.
1529.



Jochim Kleist.
1536.



Pribbeslaus Klesth
Decanus eccl. Caminensis
1538.



Mangnus Kleist.
1566.



Peter Kleist.
1566.



Ewalt Kleist
zu Vitxo.
1584.



Jacob Kleist
zu Vitxo.
1584.



Jochim Kleist
zu Vitxo.
1584.



Kleist.
1615.



Ewald Joachim von Kleist.
1699.



Werner von Kleist
zu Kl. Dubberow.
1706.



Hans Henning von Kleist
zu Dubberow.
1740.



Reichard Lode
zu Zuchen
1600.



Peter Lode
zu Zuchen
1600.



Alexius Wöitke.
1536.



von Grabowski.
(Zbiczwick)



von Kleist
Preuß. Adelsstand
vom 8 October 1860.



von Bredau
Preuß. Adelsstand
vom 22 März 1856.