

# The phenomenon of magical treasure hunting as an example for the definition of religious norms in the 18<sup>th</sup> century

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Volume 38, Number 1, Fall 2020

Le bien, le beau, le bon : les normes construites, transformées, transgressées

URI: <https://id.erudit.org/iderudit/1078676ar>

DOI: <https://doi.org/10.7202/1078676ar>

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Publisher(s)

Cahiers d'histoire

ISSN

0712-2330 (print)

1929-610X (digital)

[Explore this journal](#)

Cite this article

Michalke, A. (2020). The phenomenon of magical treasure hunting as an example for the definition of religious norms in the 18<sup>th</sup> century. *Cahiers d'histoire*, 38(1), 57–77. <https://doi.org/10.7202/1078676ar>

Article abstract

*The phenomenon of magical treasure hunting experienced a phase of high popularity in the Holy Roman Empire of German Nation in the early modern period. The applied magical practices were just one part of the wide magical spectrum of that time. In fact, many of them were closely connected to Catholic liturgy. This article will, based on a case study from Bamberg, examine whether or how Catholic doctrine was distinguished from those magical practices and by whom. Furthermore, it will analyse the attitude of clergy and secular people towards magic in order to gain hidden treasure. The study of magical treasure hunting illustrates exemplarily the fight against popular piety and superstition in the XVIII<sup>th</sup> century.*

## The phenomenon of magical treasure hunting as an example for the definition of religious norms in the 18<sup>th</sup> century

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**ABSTRACT** *The phenomenon of magical treasure hunting experienced a phase of high popularity in the Holy Roman Empire of German Nation in the early modern period. The applied magical practices were just one part of the wide magical spectrum of that time. In fact, many of them were closely connected to Catholic liturgy. This article will, based on a case study from Bamberg, examine whether or how Catholic doctrine was distinguished from those magical practices and by whom. Furthermore, it will analyse the attitude of clergy and secular people towards magic in order to gain hidden treasure. The study of magical treasure hunting illustrates exemplarily the fight against popular piety and superstition in the XVIII<sup>th</sup> century*

**RÉSUMÉ** *Le phénomène de la chasse au trésor magique a connu une phase de grande popularité dans le Saint-Empire romain germanique au début de la période moderne. L'usage pratique de la magie n'était qu'une partie du large spectre superstitieux de l'époque. Beaucoup de ces pratiques étaient en fait étroitement*

*liés à la liturgie catholique. Cet article, basé sur une étude de cas de Bamberg, examinera si la doctrine catholique s'est réellement distinguée de ces actions et dans un tel cas, comment et par qui. De plus, cette étude analysera l'attitude du clergé et des laïcs à l'égard de la magie afin d'en tirer des trésors cachés. En examinant la chasse au trésor magique, il est possible d'illustrer de façon exemplaire la lutte contre la piété populaire et la superstition au XVIII<sup>e</sup> siècle.*

In 1775, a group of people tried to dig up hidden treasures in the area of Bamberg, which belonged to the Holy Roman Empire of German Nation (HRE).<sup>1</sup> Following the ideas about treasures of that time, they applied magical practices. When their quest was revealed, the local authorities started a court trial against them. The prime subject, a baker named Joseph Mueller, was accused to be the initiator of this project.<sup>2</sup> Further interrogations uncovered a treasure hunting network of more than twenty people and around ten different locations of presumed treasures.

It is the only documented case for Bamberg, but in the Holy Roman Empire of German Nation the phenomenon of treasure hunting experienced a peak phase in the 17<sup>th</sup> and 18<sup>th</sup> century. These activities are documented through a great number of trial records and scholarly papers.<sup>3</sup> Historical studies have shown that there was a widespread common understanding of treasures and the ways to achieve them. Indeed, many of the court trials show similar characteristics. In the contemporary historiography superstition, magic and the phenomenon of treasure hunting are discussed with regard to their influence on society, religion

1. Bamberg is located in the region of Upper Franconia in Bavaria.

2. City Archive Bamberg, Bürgerbücher, B7, n° 9, p. 127.

3. Thomas Johann Schultzen, *Des Teuffels Berg-Werck/ oder hoechstnoethiger / und in Gottes Wort gegründeter Unterricht / Was von den Schatz-graben / und Geld-suchen zu halten sey*, Wittenberg, Matthaeus Henckel Universitäts Buchdruck, 1670; Francisci de Cordua, *Schriftt-und Vernunftmaeßige Gedancken vom Schatz-graben und Beschwerung der Geister*, Hamburg, Zacharias Schorken, 1716.

and science. For instance, Margarethe Ruff provides a chronological overview over the significance of magic in Europe in the early modern times.<sup>4</sup> Ruff therefore takes a look at the different applications of magic in people's everyday lives. She shows how strongly magical ideas and practices were integrated into the early modern world and which ways of acting derived from them for the life of the population. Christoph Daxelmüller has dealt extensively with the history of magic, treating treasure hunting as the last expression of magical practices before the Enlightenment.<sup>5</sup> Euan Cameron however focuses on the concept of superstition by tracing the genesis and further development of that term from the late Middle Ages to the eighteenth century.<sup>6</sup> All of those works illustrate the interdependence of superstition and religion in that time, but they have a very broad area of investigation. For the study of southern Germany, the publications of Eva Labouvie and Johannes Dillinger should therefore be mentioned.<sup>7</sup> Labouvie concentrates on folk magic in the rural areas of the Saar region whereas Dillinger gives a comprehensive insight in the motives, rites and legal regulations of treasure hunting in Württemberg. Another direct approach to the topic of treasure hunting comes from Thomas Adam.<sup>8</sup> In his essay on treasure hunting and necromancy in southern Germany, he outlines the social conditions of treasure hunters based on court trials. Considering the historical research it seems apparent that forms of magic, other than witchcraft and wizardry, have hardly

4. Margarethe Ruff, *Zauberpraktiken als Lebenshilfe. Magie im Alltag vom Mittelalter bis heute*, Frankfurt/Main, Campus-Verlag, 2003.

5. Christoph Daxelmüller, *Zauberpraktiken. Eine Ideengeschichte der Magie*, München, Artemis & Winkler, Zürich, 1993.

6. Euan Cameron, *Enchanted Europe. Superstition, reason and religion, 1250–1750*, Oxford, Oxford University Press, 2010.

7. Eva Labouvie, *Verbotene Künste. Volksmagie und ländlicher Aberglaube in den Dorfgemeinden des Saarraumes (16.-19. Jahrhundert)*, St. Ingbert, Röhrig, 1992; Johannes Dillinger, *Magical treasure Hunting in Europe and North America. A History*, New York, Palgrave Macmillan, Houndmills, 2012; Johannes Dillinger (dir.), *Zauberer-Selbstmörder-Schatzsucher. Magische Kultur und behördliche Kontrolle im frühneuzeitlichen Württemberg*, Trier, Kilomedia, 2003.

8. Thomas Adam, "‘Viel tausend gülden lägeten am selbigen orth’. Schatzgräberei und Geisterbeschwörung in Südwestdeutschland vom 16. bis 19. Jahrhundert," *Historische Anthropologie* n° 9 (2001), pp. 358–383.

been used to explain the establishment of religious norms. Thus, this article aims to address this issue. Especially since it is particularly striking that religious objects and Catholic priests played an essential role in the majority of the treasure hunts.

Both, the treasure hunt and the official actions against it display the difficulties of determining religious norms. Furthermore, they illustrate how the boundaries between Catholic doctrine and superstition were set and where they intertwined. One of the main concerns of the authorities was to establish a normative regulation of the use of ecclesiastical elements, such as prayers, chalices and wafers and to prevent the participation of priests, whereas treasure hunters and even parts of the clergy perceived their involvement in treasure hunts as religiously justified. Additionally, the secular court aimed to punish fraud and illegal enrichment. Based on the example of the trial against treasure hunting in Bamberg in the year 1776, the following article will examine how catholic religious norms were discussed between authorities, clergy and laypersons.<sup>9</sup> The complication in setting those norms mostly lay in the fact, that treasure hunting was practiced throughout all parts of the population and that a clear definition of superstition in contrast to religious doctrine was missing.

The first part of the article will address the way how the court of Bamberg dealt with the term of superstition and what actions were taken in order to enforce norms against magical treasure hunting. Since the authorities relied to a great extent on catholic priests to spread the interdiction of magical treasure hunting in their sermons, the second part will expound what role the priests played in magical treasure hunting and how the clergy itself explained their participation in it. Finally, the article will analyse the group of lay treasure hunters and their argumentation in front of the court.

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9. The trial records are kept in the state archive of Bamberg: StABa, Hochstift Bamberg, Zent- und Fraischgericht, n° 172. In order to give a better orientation, the date of the interrogation is always given at the end of the quotation.

## AUTHORITIES AND THE CONCEPT OF SUPERSTITION

Treasure hunting and the unintentional discovery of treasures have been juridically regulated since the Antiquity, but most of the time the aim was to clarify the claim on the find and not to prevent it. The historian Ernst Eckstein presented fundamental studies on the legal regulations of treasure hunts in German-speaking territories, in which he discussed the genesis of the claims of the authorities on discovered goods.<sup>10</sup> His analysis showed that the legislation in the early modern period concerning treasures was strongly based on the Roman law. Already the *Codex Theodosianus*<sup>11</sup> and the following *Codex Iuris Civilis*<sup>12</sup> had established the legal foundations. In the Middle Ages, Frederick II (1194–1250) of the Hohenstaufen dynasty declared any treasure as property of the crown, whereas the *Sachsenspiegel* only granted that everything which was hidden deeper in the ground than a plough could reach to the Emperor.<sup>13</sup> Apart from those exclusive rights shared demands between the landowner, the finder and the state were also common.<sup>14</sup> In the 18<sup>th</sup> century some legal experts, such as the jurist and historian Johann Peter von Ludewig, started to protect private property by granting the full treasure to the landowner.<sup>15</sup> Nevertheless, exclusive rights of the

10. Ernst Eckstein, "Das Schatz- und Fundregal und seine Entwicklung in den deutschen Rechten," *Mitteilungen des Instituts für Österreichische Geschichtsforschung*, vol. 31, 1910, pp. 193–244.

11. Cod. Theod. 10.18.3 (Valentinian II, 390 AD): "Eos, qui suadente numine vel ducente fortuna thesaurus, reppererint, repperitis laetari rebus sine aliquot errore permittimus". Those regulations apply for treasures that were found on one's own property. See also: Cod. Theod. 10.18.1 and 10.18.2. For a digitalised version visit: <http://ancientrome.ru/ius/library/codex/theod/tituli.htm>. (page consulted on 25 January 2021).

12. Cod. Just. 1, 4, 10, 15. For a digitalised version visit: <https://droitromain.univ-grenoble-alpes.fr/>. (page consulted on 25 January 2021).

13. Dillinger, *Zauberer–Selbstmörder–Schatzsucher*, p. 223.

14. Johannes Dillinger, Petra Feld, "Treasure-hunting. A magical motif in law, folklore, and mentality, Württemberg, 1606–1770," *German History*, vol. 20, n° 2 (2002), p. 162.

15. Johann Peter von Ludewig, *Johann Peter von Ludewigs gelehrte Anzeigen, in alle Wissenschaften, so wol geistlicher als weltlicher, alter und neuer Sachen, welche vormals denen wöchentlichen hallischen Anzeigen einverleibet worden, nunmehr aber zusammen gedrucket und mit einem vollständigen Register versehen*, Halle, E. Schneider, 1743, p. 767: "Worinnen dann die Eigenthümer von dem Landes–Herrn auch nicht wohl zu beeinträchtigen seyn mögen".

authorities to the treasure still appeared in legal disputations. At this point, it was mostly argued that treasures were, just like plants and animals, natural resources and therefore property of the sovereign.<sup>16</sup> Finding, searching and sometimes keeping hidden goods was thus not forbidden from the outset.

The criminalisation of the act of treasure hunting rather resulted in the use of magic. In the 17<sup>th</sup> and 18<sup>th</sup> century, it was common belief that treasures were linked to demons and lost souls who were guarding the treasure and it had to be banished by using magic before any goods could be found. As a result, treasure hunters often applied magical practices. In the civil law of the duchy of Bavaria, the so-called *Codex Maximilianeus Bavaricus civilis* (1756), all claims expired when magic had been involved: "If, however, superstitious things were used here, one would not only fall into malefic punishment, but the portion that one would otherwise have had would be lost and would fall to the royal treasury."<sup>17</sup> Furthermore, equal legislation can be found in the *Codex Theresianus* (1753) of the Austrian Empire and its precursor the *Tractatus de iuribus incorporalibus* (1679) or the *General State Laws of the Prussian States* (1794). The Emperor of the HRE, Joseph II followed these regional legal documents and, therefore, prohibited treasure hunt in combination with "superstitious words."<sup>18</sup> All of these regulations granted the treasure

16. Christoph Georg Jargow, *Einleitung zu der Lehre von den Regalien oder Maiestätischen Rechten eines Regenten, und sonderlich der Chur- und Fürsten des heil. Römischen Reichs Teutscher Nation*, Johann Andreas Berger and Jacob Bödner, Rostock and Weimar 1757, p. 49f: "Die Gueter, welche keinem zugehoeren (a), sind diejenigen, welche vom Anfang der Welt nicht unter eines Menschen dominio gewesen, und von niemand occupiert sind, dahin rechnet man die Sachen [...] liegende Erbschaften, Schaetze, etc. [...] Daher gehoeren zu die Regalia minora [...] auch alle Schaetze."

17. Mark Danzer (dir.), *Das bayerische Landrecht vom Jahre 1756 in seiner heutigen Geltung*, München, Schweitzer, 1894, p. 75, § 4: "Gebraucht man sich aber etwa gar abergläubischer Dinge hierunter, so verfällt man dadurch nicht nur in malefizische Strafe, sondern der Anteil, welchen man sonst dabei gehabt hätte, gehet verloren und kommt dem Fiskus zu" Translated by the author.

18. N.N., *Sammlung aller k.k. Verordnungen und Gesetze vom Jahre 1740. bis 1780. Die unter der Regierung des Kaisers Joseph des II. theils noch ganz bestehen, theils zum Theile abgeändert sind, als ein Hilfs- und Ergänzungsbuch zu dem Handbuche aller unter der Regierung des Kaisers Joseph des II. für die k.k. Erbländer*

to the tax authorities as soon as superstitious elements had been involved. Those distinct laws only banned magical practices but did not outlaw treasure hunting a priori. In fact, some authorities themselves hired treasure hunters or at least granted permissions. For the territory of Württemberg, eleven requests for such a permission are recorded.<sup>19</sup>

In the ordinances quoted above treasure magic was associated with superstition which necessarily leads to the question of what the term superstition implied. The latter had been highly disputed throughout the early modern period, partly associated with a shift of meaning in the course of the Enlightenment. In general, the belief in magic routed strongly in the early modern society which means that treasure magic was just one part of the magical spectrum of that time. Besides wealth, people used it for protection, health, love or revenge. Invisible beings which were thought to inhabit the world formed the basis of that notion. This metaphysical idea originated in the Middle Ages and was based on the Aristotelian principles. As a result, people were convinced of achieving certain results by performing exact rituals. This demonology of the Middle Ages was transferred in the 16<sup>th</sup> and 17<sup>th</sup> century and lead to a distinction between evil and good spirits. According to that, superstition meant the contact with those evil creatures.<sup>20</sup>

When the witch trials and the discussions on witchcraft and sorcery began, also the term superstition was reconsidered. It lost its threatening dimension since it no longer referred to the contact with evil spirits, but to the failure of understanding the way the world and religion worked.<sup>21</sup> Whereas witches were accused of making pacts with the devil and were consequently perceived as a threat to mankind, the phenomenon of treasure hunting was never placed on the same level with them but

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*ergangenen Verordnungen und Gesetze in einer chronologischen Ordnung*, vol. 5, Wien, Johann Gehorg Mössle, 1786, p. 155: "abergläubischen Worten".

19. Dillinger, *Magical treasure hunting*, p. 120.

20. Cameron, *Enchanted Europe*, p. 247.

21. *Ibid.*, p. 249.



instead was perceived as superstitious. Hence, a differentiation between *real* magic and superstitious magical practices was established. Nevertheless, both kinds were prohibited. Still it remained problematic that magical beliefs were widespread, both in scholarly circles and folk cultures. It is only in the context of the Enlightenment that they eventually lost importance and were now often projected on the lower class as a form of exaggerated piety. Writers of that time even transformed the meaning of superstition into a matter of religion in general. However, efforts to clarify and even to erase the traditional metaphysical conceptions resulted in countermovements, especially amongst Catholics, that highlighted the existence of supernatural beings, such as demons.<sup>22</sup> Since the loss of that belief threatened the religious doctrine and even the existence of divine power.

During the trial the judges aimed to distinguish Catholic doctrine from superstition. In order to do so the court quoted a publication of the theologist and publisher Johann Gottlieb Mauken<sup>23</sup> who defines the term superstition as following: “Superstition means to search for supernatural power in such things that do not possess it.”<sup>24</sup> According to the argumentation of Mauken there are certainly objects or processes that involve a higher power. Considering the religiosity of that time, this distinction implies that supernatural power only exists within the ecclesiastical doctrine. The modern understanding defines superstition as a very polyvalent concept that subjectively means the “non-plausible in other’s statements or practices of faith.”<sup>25</sup> Both definitions include the struggle of religion to explain supernatural power and divinity in the boundaries of their doctrine and outlaw it as soon as it was not covered by their own beliefs.

22. *Ibid.*, p. 286.

23. Johann Gottlieb Mauken, *Ob das Geisterbannen und Schätze durch dieselben heben zu wollen, eine Sache sey, die ein Christ nicht unternehmen dürfe, ohne sich seiner Seligkeit dadurch verlustig zu machen?*, Schleiz, 1776. StABa, Hochstift Bamberg, Geheime Kanzlei, n°1753, 18<sup>th</sup> April: “Denn das heißt Aberglauben, wenn man eine übernatürliche Kraft in solchen Dingen sucht, darinn sie doch nicht zu finden ist”. Translated by the author.

24. *Ibid.*, The book of J.G. Mauken was added to the archival documents.

25. Friedrich Jaeger, *Encyclopedia of the early modern period*, vol. 1, Darmstadt 2012.

In the universal lexicon of Zedler of 1732 the term treasure is defined in a neutral way, whereas treasure hunters are described as cheaters that would mislead the foolish and simple-minded.<sup>26</sup> Hence, the main concern had to be to protect the people from their gullibility and to erase the belief that magic could lead to fast wealth.

The concept of superstition then served commonly as an explanation for legal actions. Yet, its content remained up for interpretation of the respective courts. Likewise, due to the fragmentation of the HRE into many territories, the legislation concerning treasure hunting was very diverse. The trial in Bamberg of 1776 is a good example for the way religious and secular authorities dealt with the phenomenon of magical practices in combination with treasure hunting. At the very beginning of the trial, the court of Bamberg complained about the fact that “both, the clergy and laypersons were involved in superstitious and greedy activities” and that this had been the reason to start the court trial against them.<sup>27</sup> The trial began in March 1776, lasted six months and was held in front of the so-called *Malefiz Office* which dealt with high jurisdiction. The latter negotiated serious crimes such as murder, treason, witchcraft and wizardry and in a matter of fact, also treasure hunting. Thus, magical treasure hunting became subject and interest to the highest authorities. Besides Joseph Mueller, Benedikt Kaspar von Hoffmann<sup>28</sup> and Ernst Elias Franz Rumppler,<sup>29</sup> two Catholic priests played the main part in the treasure hunt. Speaking about clergy, authority and magic, it has to be mentioned that Hoffmann was himself a judge in the cathedral court. Thus, the distinction between a lower clergy that engaged in magical practices and the authorities

26. Johann Heinrich Zedler (dir.), *Großes vollständiges Universal-Lexikon*, Halle, Leipzig, 1732, p. 986.

27. StABa Hochstift Bamberg, Zent- und Fraischgericht, n° 172, 1<sup>th</sup> March: “sowohl geist- als weltliche Personen, in betref allerhand abergläubischen und geldsüchtigen Handlungen verflochten [...] seyend”. Translated by the author.

28. Friedrich Wachter, *General-Personal-Schematismus der Erzdiözese Bamberg, 1007–1907. Eine Beigabe zum Jubeljahre der Bistumsgründung*, Bamberg, Nagen-gast 1908, p. 216 (n° 4442).

29. *Ibid.*, p. 408 (n° 8392).

that work to ban them, cannot be done so easily. Just like the secular authorities struggled to keep the population from using magic, also the bishop had difficulties to convey to the clergy the deviance of such practices.

The city of Bamberg was in that time highly influenced by the ideas of the Enlightenment. This becomes particularly apparent in the politics of bishop Adam Friedrich von Seinsheim (1708–1779) and his successor Ludwig Franz von Erthal (1730–1795). Both supported education, science and medicine. In the early 19<sup>th</sup> century the city accommodated many scholars and philosophers, for example Georg Wilhelm Friedrich Hegel. The impact of those progressive thoughts manifested itself in the way the court dealt with the accusation of magical treasure hunting. The interpretation of superstition as a form of overly hyped religiosity resulting from a lack of education dominated the way the court in Bamberg interacted with the treasure hunters. In April, the judge referred to the whole subject of prosecution as “superstitious childishness” and in the ongoing interrogations stories about ghosts or lost souls were not seriously taken into account, but were rather examined with regard to the use of liturgical objects or prayers.<sup>30</sup> Another focus lay on the question whether the suspects had received or given money to obtain the treasure.<sup>31</sup> Fraud, illegal enrichment and the abuse of religion appear to be the main concerns. This conviction was also communicated to the suspects. For instance, the judge told a lady that believed to be able to contact ghosts that: “the judge does not want to name more of this superstitious childishness, which would only result in laughter.”<sup>32</sup>

Since religious elements were strongly integrated in the process of a treasure hunt, it was an important issue to distinguish magical superstitious actions from religious ones. If the

30. StABa Hochstift Bamberg, Zent- und Fraischgericht, n° 172, 25<sup>th</sup> April.

31. *Ibid.*, 7<sup>th</sup> May.

32. *Ibid.*, 25<sup>th</sup> April: “Referens will nicht mehr derley aberglauberische Kindereyen, welche nur zum gelächter vermuthigen Leuthen sind, anführen”. Translated by the author.

population would continue to engage in magical treasure hunts, as well as in magical practices in general, religious and secular authorities feared a loss of sovereignty and control. Bamberg's treasure hunters indeed used chalices, wafers, crosses and the so-called *Christoffel prayer*. The latter referred to Saint Christoph who was seen as the protector of treasure hunters. The main part of the prayer consisted in the direct begging to the Saint to bring hidden goods. This prayer was very common in the HRE, so that authorities and scholars all over the Empire had already classified it as a superstitious work.<sup>33</sup> Apart from Saint Christoph, also *Saint Corona* and *archangel Michael* belonged to the treasure liturgy. Thus, it is not surprising that the court of Bamberg asked the suspects about it from the very beginning.<sup>34</sup> The witnesses indeed confirmed the existence of the prayer and reported that it had been integrated in a magic book.

Being part of the Fourteen Holy Helpers Saint Christoph was very popular among the common people. Yet, his connection to treasures was merely constructed and his veneration had a short history.<sup>35</sup> The saint was consequently not recognised by theologians and his admiration got interpreted as popular piety or even as superstitious. At the end of the trial the prince bishop of Bamberg affirmed once more that this prayer was not accepted by the Church but that it emerged from superstition.<sup>36</sup> The appropriation of religious elements, such as prayers, shows that the treasure hunt was given a sacral frame which made a differentiation between doctrine and superstition difficult. Additionally, the invention of the *Christoffel prayer* for the purpose of lifting treasures blurred the lines even more. Thus, the objective of the authorities to distinguish proper religious behaviour from superstition was complicated.

33. Johann Ulrich Schöll, *Abriss des jauner und bettelwesens in Schwaben und der angrenzenden Schweiz. nach Akten und andern sichern Quellen*, Erhard & Löflund, 1793.

34. StABa, Hochstift Bamberg, Zent- und Fraischgericht, n° 172, 12<sup>th</sup> March.

35. Dillinger und Feld, treasure hunting, 2002, p. 85.

36. StABa, Hochstift Bamberg, Zent- und Fraischgericht, n° 172, 8<sup>th</sup> July.

The actions the court took were however rather lenient. In the course of the trial forty-four people were interrogated, but most of them were not prosecuted or just had to pay a small fee. Joseph Mueller was the only layperson who was sent to jail. Hoffmann was suspended from his position as capitular in Saint Stephen and was sent to the Carmelite monastery of Bamberg. Rumpler instead, was imprisoned in *Schlüssellau*, a special prison for the clergy, where he died in 1782.<sup>37</sup> In the final statement of the trial, the prince bishop Adam Friedrich of Seinsheim criticised the belief that “the use of special prayers [...] as well as superstitious works and actions could help to gain wealth.”<sup>38</sup> He further criminalized the imitation of practices used in church ceremonies in which he explicitly mentioned that treasure hunters disguised their activities with the excuse of piety by applying holy names, expressions and signs.<sup>39</sup>

The extensive trial shows that the authorities in Bamberg were highly interested in the matter. They aimed to establish legal and religious norms, that being the correct use of ecclesiastical elements. But secular crimes, such as fraud were also aimed to be prevented and punished. Still, the low penalties that were set at the end illustrate that magical treasure hunting was not seen as capital offence and that the court had already been influenced by the Enlightenment to a great extent. The treasure hunt of 1776 remains the only documented case for this city. Hence, the question arises whether the decree was successful in preventing further activities or if other treasure hunts were simply not reported. Finally, the court trial against magical treasure hunting in Bamberg exemplifies the general fight of religious and secular authorities against magical practices in the early

37. Archive of the archdiocese Bamberg, Schlüssellau 60, n° 147.

38. StABa, Hochstift Bamberg, Zent- und Fraischgericht, n° 172, 8<sup>th</sup> July: “als könnte durch Verrichtung des sogenannten Christophorus- dann Corona- Gertrauden und sonstigen anderen derley Gebethern, auch auf diese, oder jene Art der Schatzgraberey, sofort durch besondere aberglaubische Werke und Handlungen einiges, auch mehreres Geld verschaffet werden.” Translated by the author.

39. *Ibid.*

modern period. What complicated their efforts was the fact that Catholic priests themselves often engaged in magical practices.

#### *CATHOLIC PRIESTS AS MAGICAL EXPERTS*

Magical treasure hunting included a great number of obstacles that had to be overcome and actions that had to be taken in order to finally gain the treasure; first and foremost, the lost souls or demons linked to it had to be banned. The ideas about where treasures came from and where they could be found differed. A very prominent type of treasure was the one buried by someone before their unnatural death. In fact, the person's soul was punished for the greed and could only be redeemed if the treasure was found. Whereas the soul sought for someone to lift the hidden goods, the devil tried to prevent it to keep the lost soul. The Christian religion is strongly orientated on the afterlife and the salvation of the soul through God. In order to prepare for this state sacraments are used, for example baptism or extreme unction. Hence, the influence of the divine power through rituals was daily present in people's lives. On the other hand, also the Devil was able to affect the worldly life. Therefore, religious rituals functioned in two ways, as preparation and as protection. This twofold purpose opened the boundaries for an interrelation with magic, especially since rituals, which derived from the sacraments, called sacramentals, only gained their power from benedictions and a strong belief held by the user of the object.<sup>40</sup> That way, not only liturgical elements, but also amulets and even people could be attributed with special powers.

In the understanding of the common people it was the continuous struggle between good and bad forces that required an expert. In the popular belief Catholic priests were such experts since they already engaged in those types of practices, like exorcisms. This was not only an outside projection from the population,

40. Robert W. Scribner, "The Reformation, Popular Magic and the 'Disenchantment of the World,'" *The Journal of Interdisciplinary History*, vol. 23, n° 3 (1993), p. 479

but some priests themselves enforced this idea. When Joseph Mueller told his confessor about the project, the priest answered him “that only priests of extraordinary piety were capable of doing it.”<sup>41</sup> Piety was in general a common prerequisite for successful treasure hunts. This can be explained by the belief of freeing a poor soul by lifting the treasure and that such a religious act therefore required appropriate behaviour. In preparation for the exorcism in Bamberg, the participants were for example urged to pray the rosary and to abstain from excesses.<sup>42</sup> Treasure magic was, hence, given a sacral atmosphere which legitimised the presence of priests in the understanding of both clergy and laymen.

In the case of Bamberg's treasure hunt, Joseph Mueller was very well aware that he needed an expert to help him in his quest. When asked about the magic book the suspects argued that only a priest could use it.<sup>43</sup> Mostly because they were not able to read it themselves, but also because the content was seen as too complex for ordinary people to deal with. Therefore, Mueller searched not only in the city, but also travelled the surrounding areas in order to find a treasure expert. Even though he found a magical expert in the end, it remained an ongoing concern of the treasure hunters. These efforts show that not every priest perceived magical treasure hunt as a religious duty or even as religiously justified. Indeed, a couple of priests had refused to engage in the project. On his journeys Mueller encountered a former Jesuit that called himself a treasure expert and offered his help. Apart from him, also some other Jesuits appear in the sources as alleged magical experts, but they did not end up actually engaging in the search. In autumn 1775, the Jesuit named Schindler performed a necromancy using a wide range of liturgical objects, such as crosses and holy water.<sup>44</sup> In the presence of Joseph Mueller he summoned a

41. StABa, Hochstift Bamberg, Zent- und Fraischgericht, n° 172, 13<sup>th</sup> May: “wie Priester von einer ausserordentlichen fromheit diesen geschäft allein gewachsen wären.” Translated by the author.

42. *Ibid.*, 7<sup>th</sup> May.

43. *Ibid.*, 18<sup>th</sup> May.

44. *Ibid.*, 25<sup>th</sup> April.

ghost which revealed to them the location of a buried treasure. But Schindler's help did not come for free. In order to pay him, Mueller collected money from Bamberg's citizens that wanted to participate in the treasure hunt. Unfortunately for the treasure hunters, the Jesuit did not want to help them any further, so they needed a new expert. In the following course of the search the priests Hoffmann and Rumpler became the magical experts and finally performed an exorcism in Hoffmann's house which caused the whole activity to be discovered by the local authorities. During this exorcism several citizens of Bamberg were present. They later described the act in front of the judge as very similar to a holy mess. Again, wafers and crosses were used while Hoffmann and Rumpler wore their priest robes.<sup>45</sup> Even the priests themselves acted in a way that resembled religious actions which shows that they integrated treasure magic in their religious mindset without claiming it as superstitious.

The participation of former Jesuits is quite striking in this treasure hunt and could certainly offer material for further research about Jesuits and their connection to treasure magic. The order had been dissolved in 1773 by pope Clemens XIV. Among other critique, people had attributed the Jesuits a certain connection to magic and treasure which was for example fed by their missionary activity in Asia or America from where reports about fabulous wealth came to Europe. Nevertheless, it has to be considered that it is quite likely that swindlers just pretended to be former Jesuits in order to appear more qualified. Already the Bamberg treasure hunters rose doubts about the Jesuit when Mueller admitted "he had pretended to be a Jesuit but wore worldly clothes and had no sign of a priest."<sup>46</sup> Apart from the uncertainty about real clergy, other concerns were expressed. A man that worked

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45. *Ibid.*, 13<sup>th</sup> May.

46. *Ibid.*, 25<sup>th</sup> April. Wearing no priest robe was a characteristic of the Jesuit order, so it cannot be seen as a proof for a lie. However, it shows that the Jesuits were perceived with a certain scepticism that fitted well with the attribution of magical knowledge. "Er hätte sich zwar für einen Jesuiten ausgegeben, aber weltlich getragen, und kein Zeichen eines geistlichen gehabt hätte, auch jung gewesen wäre." Translated by the author.



as a tax collector for the government “answered Mueller that it was not trustworthy, because if the clergy would be able to gain hidden treasures [...] they would have already taken everything and there would be nothing left to be found.”<sup>47</sup> In fact, this quote raises questions about reasons why priests participated in treasure hunts. The redemption of a lost soul was surely for some a religious and noble affair and cannot be denied. Some may have seen it as their duty to help not only the soul, but the treasure seekers. The priest Hoffmann argued that his own house had been haunted by a ghost and he had just intended to free the poor soul.<sup>48</sup> Still, monetary incentives also played a role. Hoffmann and Rumpler were both promised a share of the treasure and the Jesuit Schindler was paid for his service.

At the end of the trial, the prince bishop addressed a decree to the clergy in which he explained that treasure hunting was an act of avarice performed by uneducated ordinary people. In their ignorance those people would abuse ecclesiastical elements, such as prayers and liturgical objects in order to obtain wealth. Nevertheless, the decree aimed also to discipline the priests that failed to spread the norm in their parishes. Because “instead of admonishing them [secular people] and keeping them away from this perishable evil, they participated themselves in it.”<sup>49</sup> While this article is focussing on Catholic areas, magical practices were also banned in Protestant territories but unlike the Catholic ones, Protestant priests did not engage in magical treasure hunting to the same extent. A treasure hunter from Nuremberg even lamented that Protestant priests did not want to help him, so he would need a Catholic priest.<sup>50</sup> A judge

47. *Ibid.*, 7<sup>th</sup> May: “Er hätte aber den Müller geantwortet, wie nichts darauf zu halten seye, dann wann die geistliche mit einen solchen buch die geldere unter der Erden herfür bringen könnten, so wäre schon längstens kein Kreuzer mehr darunter verborgen geblieben.” Translated by the author.

48. *Ibid.*, 8<sup>th</sup> March.

49. *Ibid.*, 8<sup>th</sup> July: “Anstatt [...] weltliche Personen durch gründliche Vorstellungen und nachdrucksame Ermahnungen von diesem leidigen, und gemein verderblichen Uebel abzuhalten, selbstn hierzu die Hand angeleget.” Translated by the author.

50. *Ibid.*, 25<sup>th</sup> April.

in Bamberg even feared for the reputation of Catholics among Protestants: "He [the judge] will let every reasonable thinking person decide themselves what impression these activities had on the Protestants."<sup>51</sup> The Catholic traditions, for example the veneration of saints, allowed more forms of popular piety and cult traditions. In sum, images about priests as conquerors of the evil were widespread and resulted in a mixing of liturgy with magical practices and complicated the distinction of clear norms. Both, the clergy and laypersons, justified treasure hunt as a form of religious duty.

#### LAYPERSONS AS TREASURE HUNTERS

In the dispute about treasure magic the court and the prince bishop had taken clear positions, but the clergy often acted ambivalent. Whereas some priests rejected the idea of using magic, others were quick to help. This inconsistent attitude towards magical practices certainly caused confusion among the population about the actual legitimation of it. This can be seen in the testimonies, in which they argued that priests had allowed it or examined the magic book. In order to erase his doubts a craftsmen from Bamberg had "asked whether it was allowed [...]" so [Joseph Mueller] explained him that they had to do everything possible to redeem a poor soul and it would be certainly permitted because Hoffmann, as a priest, wanted to participate himself."<sup>52</sup> The treasure hunters reassured themselves constantly with similar arguments, for example concerning the magic book which had been examined by a priest.

The search for a treasure expert was so common in the process of finding treasures that some groups resembled religious

51. *Ibid.*: "Was vor einen Eindruck dieses verfahren bey denen Protestanten erwecket, überlasset Referens einen jeden vernünftig denckenden Menschen." Translated by the author.

52. *Ibid.*, 7<sup>th</sup> May: "er fragte, ob es ein erlaubte Sach sey, so hat ihm der Mueller geantwortet wie sie alles thun müssten zur Rettung einer armen Seel und wie es erlaubt seyn müsse, dahero Hoffmann selbstnen teilnehmen würde." Translated by the author.

sects which were led by the magical expert.<sup>53</sup> Additionally, the illiteracy of the major part of the population functioned as a protection against feelings of guilt. The complexity of treasure magic, the inability to read or understand Latin and the presence of priests seemed to ensure the innocence of ordinary treasure hunters. Questioned about magical practices a peasant from Upper Franconia stated that “they had not understood what was going on but had just prayed the rosary.”<sup>54</sup> Being aware of their situation in front of the judge, those arguments served as a defence for their actions. Still, even the court took into account that many of the participants could not be prosecuted since they did not understand what was going on.<sup>55</sup> The population was thought as incapable of differentiating between religious doctrine and superstition. But since Catholic priests often failed to teach the people for example about the proper usage of liturgical elements, most of the treasure hunters were not aware of their own deviance. Because treasure hunting without the use of magic was allowed in many territories the people did not understand where the differences lay and what the so called, magical practices included. Being asked about their efforts to dig up treasures at multiple locations a craftsman from Bamberg answered that “they had only dug in the earth without anything superstitious.”<sup>56</sup> Furthermore, he lay treasure hunters mostly defended their actions with the argument of Christian duty, referring to the redemption of a lost soul. Through a pious behaviour they tried to prove their good intentions, as well as to protect themselves from the influence of evil demons. Just like some of the priests, there were surely some participants that truly believed in doing something good, but certainly the main impel came from the prospect of wealth.

53. Dillinger and Feld, treasure hunting, 2002, p. 175. The authors report about such a treasure hunting sect in the territory of Württemberg in 1770, which was led by the butcher Georg Buck.

54. StABa, Hochstift Bamberg, Zent- und Fraischgericht, n° 172, 25<sup>th</sup> April: “Sie hätten nicht verstanden was gebettet würde, sondern blos ihren Rosen-Cranz gebettet.” Translated by the author.

55. *Ibid.*

56. *Ibid.*, “jedannoch seye nichts ‘sortilegisches’ mit untergekommen, sondern sie hätten nur lediglich gegraben.” Translated by the author.

Joseph Mueller for example had great debts which he was hoping to pay back with the treasure.<sup>57</sup>

In a treasure hunting group the tasks were divided. The treasure expert took over the main role in the group and was responsible for the magic, the rest of the people was often reduced to bare manual work. As a result, they observed the whole project as legit and religiously justified. Overall, many different people took part in a treasure hunt. Accordingly, there was no explicit type of treasure hunter. Both men and women, young and old, poor and rich were involved. Nevertheless, the division of tasks reflected the social structure of the group. Peasants and unemployed persons contributed to the manual labour, whereas others organised the communication with the expert or provided magical equipment. Women sometimes functioned as intuitive mediums between humans and ghosts, but they could never be the magical expert. The initiator often suspected a treasure on his own property, for example because he thought his house was haunted. In this case, it was the baker Joseph Mueller who sought a way out of his financial difficulties. Among craftsmen, peasants and women, also two military officers appear in the sources, yet they stayed mostly in the background directing the activities.<sup>58</sup> In spite of the great disparities of the treasure hunters' backgrounds the defence strategy in front of the court was mostly the same. The conviction of doing a good deed and the legitimisation through a priest or respectively religion were the main arguments to justify the treasure hunt. As a consequence, it created a great uncertainty among laypersons about what was allowed and what was outlawed as superstitious. The term was used by them without knowing what it implied. The responsibility for such decisions was passed on to Catholic priests.

The phenomenon of magical treasure hunting depicts the difficulties experienced by the authorities in the early modern period to define Catholic religious norms and to distinguish them

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57. *Ibid.*, 13<sup>th</sup> May.

58. *Ibid.*, 26<sup>th</sup> March.

from popular piety. In order to draw clear lines between the two spheres, the concept of superstition was used to outlaw any divergence from the doctrine. The ambiguity of the term superstition resulted in uncertainties and grey zones. People were often unsure about where the boundaries between Catholic doctrine and superstition lay because ecclesiastical elements were so deeply integrated in treasure magic. The understanding of their own deviance was mostly missing, especially because they could put the blame on a magic expert, who was often a priest. Furthermore, poverty and the prospect of fast wealth attracted treasure hunters. After the trial, priests in the territory of Bamberg were directly obliged to spread the interdiction in their sermons. Already before the decree against treasure magic, the priests should have been the instance to prevent the abuse of liturgical objects, but frequently they engaged in such activities themselves, using the same defensive argument of freeing a poor soul. Even though the authorities of Bamberg conducted intensive investigations, the suspects were only charged with mild penalties. However, the law passed at the end of the trial clearly prohibited not only the use of magical practices to gain hidden treasures, but the treasure hunt itself. Still, the meaning of “superstitious instruments” remained vague, except for the *Christoffel* prayer, which was directly banned.<sup>59</sup> In general, the use of ecclesiastical elements was perceived as a criminal offence. In short, it can be said that this case of treasure hunt remained unsuccessful. It is the only documented case of the city of Bamberg during the early modern period. Still, the example fits into the series of countless court trials in the HRE and whole Europe which illustrate the attitude of the population as well as of secular and religious authorities towards magical practices. The latter especially acted ambivalent, causing indistinct guidelines for the population.

Thus, the definition of religious norms and the differentiation between doctrine and superstition were a complicated process in which the phenomenon of magical treasure hunting

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59. *Ibid.*, 27<sup>th</sup> July: “aberglaubische Werkzeuge.” Translated by the author.

was just one part. In fact, necromancy, exorcisms and also treasure hunting still today enjoy great popularity all over the world. Further research could be done on treasure hunting in Protestant areas. Even though Catholic priests were far more involved in these activities and many of the scholarly papers against magic were written by Protestants, magical beliefs and the pursuit of wealth were not an exclusive Catholic matter.