

Michael Lorenz

The Financial Circumstances of Franz Schubert's Parents: New Documents

Schubert's Father

In 2004, in an article titled "Schubert: Family Matters" in *19th-Century Music*, XXVIII/1 (2004) Maynard Solomon presented the hypothesis that Bishop Joseph Spendou was the biological father Franz Schubert's elder brother Ignaz. This theory remained unsupported by primary sources and turned out to be the sole product of Solomon's imagination. Undeterred by his limited knowledge of the actual sources, his ideas soared, but were forced back to the ground by the same two problems that had been plaguing this particular field of Schubert research for decades: 1) the fragmentary and outdated status of Otto Erich Deutsch's *Schubert Dokumente*, which resulted in the neglect of a large number of sources, and 2) the specific method of not accommodating a hypothesis to the documents, but rather, of interpreting the sources according to a preconceived opinion.

The way in which Solomon dealt with the existence of Franz Schubert's eldest brother Franz Ignaz (born 12 April 1783), whose existence had been discovered only in 2001, is a case in point. The cursory treatment of this sibling of Franz Schubert raised the suspicion that Solomon's scenario of Ignaz Schubert having allegedly been Spendou's illegitimate son had already been conceived and finished before in 2001 Rita Steblin published her article „Franz Schubert – das dreizehnte Kind“.¹ Of course, the father of Elisabeth Vietz's first son could have been some anonymous person and it is certainly possible that Elisabeth Vietz had fifteen children from three different men. But the first and most likely candidate for the paternity of her first child is the father of her next fourteen children: Franz Theodor Schubert. He was the man who from 8 August 1784 on lived in the apartment of Ignaz Wagner, the godfather of this child who in 1785 served as best man at Franz Theodor Schubert's wedding. It was Franz

This article, whose first version was written in early 2005, is dedicated to the memory my late colleague Alison Jayne Dunlop. I am grateful to Styra Avins, Josef Eisinger, David Buch, Ted Albrecht and Christopher Gibbs who read drafts of this article and provided helpful suggestions.

¹ Rita Steblin, „Franz Schubert – das dreizehnte Kind“, in *Wiener Geschichtsblätter* 56, (Vienna: Verein für Geschichte der Stadt Wien, 2001), 245-65.

Theodor Schubert who all through his life was Ignaz Wagner's close friend and in 1826 even wrote Wagner's will.² Solomon also paid little attention to Rita Steblin's findings concerning Franz Theodor Schubert's early stay in 1781 in Vienna.

The apodictic statements in its commentary sections of Deutsch's *Dokumente* and their uncritical reception have always been very problematic. That Deutsch's standard works were not meant to be scholarly publications poses no problem for research. The real problem is that for decades Schubert scholarship has persistently been relying on them. In the first version of his 1912 article "Schuberts Vater"³, Deutsch referred to „hitherto unknown sources“ and yet, he did not provide a single documentary proof for his assertion that Schubert's father had already been a school assistant in Neudorf for three years, before he „moved to Vienna in 1784“. Deutsch's reference to „family papers“ in his 1912 article is so vague that we can assume that in this case (like in countless others) he was simply expressing his personal point of view. Deutsch seems to have misinterpreted Franz Theodor Schubert's birth certificate⁴ and, by assuming that this certificate is proof for Franz Theodor's physical presence in the Moravian village of Hohenseibersdorf, Maynard Solomon added a whole new dimension to this error.⁵ Schubert's „documented presence in Moravia on 19 November 1783“⁶ is highly unlikely. To get this document, which of course does not bear the signature of the recipient, Franz Theodor Schubert did not need to make an arduous journey to Moravia. Schubert's father did not travel to his home town in 1783 to have his birth certificate issued, but applied for it by mail. When Beethoven in 1810 intended to marry Therese Malfatti von Rohrenbach zu Dezza and needed his birth certificate, he did not go to Bonn to get it. He asked his friend Wegeler to send him a copy. All the sources directly point to Vienna as the place of Franz Theodor Schubert's residence in 1783: after having finished his education at the Gymnasium in Brünn in 1778, he went to Vienna where his brother had been living since 1775, and in November of the same year he enrolled at the Vienna University. Deutsch's claim that Franz

² A-Wsa, Magistratisches Zivilgericht (henceforth Mag. ZG), A10, 87/1826. When Steblin published a picture of Ignaz Wagner's will, she did not realize that it was written by Franz Schubert senior.

³ Deutsch, „Schuberts Vater. Nach unbekanntem Dokumenten“, in *Neue Freie Presse*, 18 June 1912, 1-5. A lecture on the same topic, given by Deutsch in 1912, was published in the *49. Jahresbericht des Schubertbundes*, (Vienna: Verlag des Wiener Schubertbundes, 1912).

⁴ A picture of this birth certificate can be found in Deutsch *Franz Schubert. Sein Leben in Bildern*, (Munich and Leipzig: Georg Müller, 1913), 88.

⁵ Maynard Solomon, „Schubert: Family Matters“, in *19th-Century Music*, XXVIII/1, 5 (henceforth Solomon 2004).

⁶ *Ibid.*, 5.

Theodor Schubert dropped out of the university and returned to his hometown, is not only completely undocumented, but also extremely unlikely. Franz Theodor Schubert's presence in Vienna in 1782 has been documented by Robert Franz Müller to whose research Steblin refers in her article.⁷ Franz Schubert senior obviously decided to marry Elisabeth Vietz as early as 1783, but his economic situation only allowed this step in 1785. His professional career did not make progress, because he married Elisabeth Vietz and adopted the child of another man. The situation was exactly the other way around: because his existence as a school assistant provided an economic upswing, he was finally in a position to marry and was able to spare his second son an illegitimate birth.

In the light of archival evidence, the hypothesis of Spendou's alleged support having been the basis of Franz Theodor Schubert's professional advancement is untenable. As Franz Theodor Schubert's alleged rise to financial prosperity is called into doubt, we also see the "Spendou-the-big-supporter-theory" begin to crumble. In his assessment of the Schubert family's finances Solomon relied on the optimistic description of Herwig Knaus whose book *Franz Schubert. Vom Vorstadtkind zum Compositeur* is unfortunately marred by several basic misunderstandings. Father Schubert's financial problems were caused by the low income of the Himmelpfortgrund population and the low payment of school fees which decreased even further during the first Napoleonic war. This is the reason why Franz Schubert senior submitted four different applications to be transferred to a better situated school: in 1796 he requested a transfer to the Leopoldstadt, but Spendou, being obviously not in a position to intervene with the government, told him to wait for a later job opening. In March 1797 Franz Theodor Schubert unsuccessfully applied for teacher's post at the school of the Augustinian friars on the Landstraße. In December 1797 his request to be appointed head of the school at St. Stephen's was denied, and in 1805 his efforts to get the job of his deceased brother Karl in

⁷ Steblin, „Franz Schubert – das dreizehnte Kind“, 250. Unfortunately records of the preparatory courses for teachers at the Normalschule St. Anna prior to 1784, which might have shed light on Franz Theodor Schubert's early years in Vienna, do not survive. See Stefan Sienell, „Das Archiv der Wiener Normalschule und späteren Lehrerbildungsanstalt St. Anna (1775-1963/67)“, in *Wiener Geschichtsblätter* 59 (Vienna: Verein für Geschichte der Stadt Wien, 2004), 140-46. In the entries „Ahnen“ and „Schubert, Franz Theodor“ in his *Schubert-Enzyklopädie*, Ernst Hilmar manages to present two different dates for Franz Theodor Schubert's arrival in Vienna, both of which are wrong. Ernst Hilmar, Margaret Jestremski, *Schubert-Enzyklopädie*, (Tutzing: Schneider, 2004), 10 and 661.

the Leopoldstadt proved to be futile.⁸ Where was Spendou when „foster father“ Schubert needed his help? Ignaz Schubert’s attempts to be transferred to another school did not fare any better. Having obviously inherited not one of his alleged father’s intellectual gifts, he only made sluggish progress in his career. Between 1807 and 1829 he applied for fourteen different school positions without success.⁹ Again we see absolutely no support from Bishop Spendou who already had resigned his post as superintendent of elementary schools in November 1816.¹⁰ Ignaz Schubert had to wait until the death of his father in 1830 to finally be granted his father’s post as teacher in the Rossau school. His promotion from school assistant to schoolteacher at the age of 45 finally gave him the legal right to marry.

The House Himmelfortgrund No. 10

The purchase of the Schubert family house Himmelfortgrund No. 10 in the year 1801 was not carried out as described by Deutsch¹¹ and Knaus¹². As far as a scholarly discussion of this procedure is concerned, Deutsch’s citations from the Himmelfortgrund land registers¹³ only represent about five percent of the sources related to this purchase. The most important entries are missing in the *Dokumente* and it can be presumed that Deutsch never personally checked the property registers of the „Herrschaft Kloster Himmelfortgrund“ (which he erroneously called “Grundbuch der Stadt Wien” [„Property registers of the Municipality of Vienna“]). Deutsch’s claim from 1913: „Ich bin in allen Fällen zu den Quellen selbst gegangen und hege

⁸ Solomon lists all of Schubert’s futile applications only to conclude that „not all of Spendou’s efforts on behalf of the Schuberts were successful“. As a matter of fact none of Spendou’s recommendations yielded any provable result. In 1824 a certain Franz Schubert applied for the post as teacher at the orphanage. Although this might even have been the composer himself (the file in question is lost), the appointment was still not granted. A-WI, Handschrift d. NÖ Reg., Departement K, Fasz. 2 - 27814/1824.

⁹ Rita Steblin, „Schubert And The Pfarre Roßau“, in *Studien zur Musikwissenschaft* 46, (Tutzing: Schneider, 1998), 162-64.

¹⁰ Österreichisches Staatsarchiv, Allgemeines Verwaltungsarchiv, Konsistorialakten, Fasz. 73 - 94/1816, and *Wiener Zeitung* 1816, 1309.

¹¹ Deutsch, *Schubert. Die Dokumente seines Lebens*, (Wiesbaden etc.: Breitkopf & Härtel, 1964, new edition Wiesbaden/Leipzig/Paris, 1996) (henceforth Deutsch, *Dokumente*), 7.

¹² Herwig Knaus, *Franz Schubert Vom Vorstadtkind zum Compositeur*, (Vienna: Löcker 1997), 44. The shelfmark of the purchase contract („Grundbücher 16/2/7/17“) given by Knaus on p. 44 of his book is incorrect. Two copies of the 1801 purchase contract survive of which the first and earlier one has until now been unknown: A-Wsa, Patrimoniale Verwaltung und Justiz, 2.1.1.110, Grundbuch (GB) 16/31 (*Himmelpforten über Simmering Instrumentenbuch D. 1790 bis 1806*), fol. 206v-7v. A copy of this original entry can be found in: A-Wsa, GB 154/5, fol. 42v-44r. This copy was published by Herwig Knaus in *Mitteilungen der Österreichischen Gesellschaft für Musikwissenschaft* 30, (Vienna: Österreichische Gesellschaft für Musikwissenschaft, 1996), 32-34.

¹³ Deutsch’s transcription from the 1801 records of property is flawed and incomplete. Deutsch, *Dokumente*, 7 and 20.

das sichere Bewußtsein, keinen Weg außeracht gelassen zu haben.“¹⁴ („In every case I went to the sources proper and I hold the firm conviction to have disregarded not a single approach.“) has proved implausible only too often. Herwig Knaus did not publish most of the documents related to the purchase of the Schubert house were in his book, but in a meticulously documented article titled „Familiäres und Pekuniäres zu Schuberts Eltern und Kindheit“¹⁵ of which Solomon seems to be unaware. In his interpretation of the sources, however, Knaus committed two decisive mistakes: first, he assumed that the Schubert couple carried out the terms of payment that had been agreed upon on 14 May 1801 in the purchase contract with Elisabeth Mölzer, i.e. the repayment of the mortgage of 3,000 florins in three installments between 1804 and 1806¹⁶; and second, regarding the financing of the house, Knaus assumed that the estate of Karl Schubert, who had died in 1804, was used as guarantee for the purchase.¹⁷ Both presumptions are false. If we examine the entry in the mortgage register of the Herrschaft Kloster Himmelpfortgrund¹⁸ – of which Deutsch published only a part – we realize immediately that Franz Theodor Schubert was able to repay the mortgage on his house only on 11 October 1816(!) with a delay of fifteen years. His dwindling income – caused by the reduced number of pupils who were able to attend school – and the galloping inflation during the Napoleonic wars had brought all of his optimistic financial plans to nought and obviously forced him to reach a standstill agreement with his creditor Elisabeth Mölzer which allowed him to defer the payment of his debts. Of the relevant entries in the register of mortgages Deutsch only was aware of the note in the column “Satz Fürmerkungen“ („mortgage registration“, mistranslated by Eric Blom as “statutory reference“¹⁹). Had Deutsch seen the adjacent column, titled „Derer Kassirung“ („cash in of these mortgages“) in the original document, he would doubtlessly have included it in the *Dokumente*, because it contains the important note „d[en] 11^t Oktober 1816 3000 fl“. Knaus’s transcription from 1996 presents this entry²⁰ well enough, but Knaus failed to grasp its pivotal significance. Karl Schubert bequeathed assets of 8,400 florins to his family, but the 1805-07 *Officiosa* (the

¹⁴ Deutsch, *Franz Schubert. Die Dokumente seines Lebens*, Erste Hälfte, (Munich and Leipzig: Georg Müller, 1914), III.

¹⁵ *Mitteilungen der Österreichischen Gesellschaft für Musikwissenschaft* 30, (Vienna: Österreichische Gesellschaft für Musikwissenschaft, 1996), 15-41.

¹⁶ Knaus, *Franz Schubert*, 44. Solomon mistakenly presumed that the amount of 3,000 florins was supposed to be repaid in the years 1805 - 1807.

¹⁷ *Ibid.*, 43.

¹⁸ A-Wsa, GB 154/2, fol. 13r.

¹⁹ *Schubert: A Documentary Biography*, ed. O. E. Deutsch, trans. Eric Blom, (London: Dent, 1946), 25.

²⁰ Knaus, „Familiäres und Pekuniäres zu Schuberts Eltern und Kindheit“, 32.

registers of probate files from Vienna's municipal civil court) and the records concerning the estate of his daughter Theresia²¹ (who died on 21 March 1805) reveal that Karl Schubert had miscalculated the value of his property. The total of his assets, a mortgage on a house in the district of Neubau and shares of the office of a physician in the suburb of St. Ulrich, turned out to be uncollectible.²² To prove the financial status of the two Schubert brothers in an analogous conclusion, Solomon adopts Knaus's presumption, but his description of the family's economic situation as having been „eminently satisfactory“²³ is not supported by archival sources. A re-evaluation of Franz Theodor Schubert's economic advancement makes Solomon's main argument for Spendou having provided unofficial financial aid²⁴ look very shaky indeed. The self-proclaimed „explanatory power“²⁵ of Solomon's narrative can be regarded as dubious, considering the fact that Franz Theodor became a proprietor of an elementary school only in 1816. It is especially remarkable that, except for a scholarship for Ignaz from the „Gymnasialfonds“ (the public fund for gymnasiums), which Spendou only procured but did not pay for²⁶, all measures of support by the Superintendent were limited to non-financial efforts: the testimonial for Franz Theodor Schubert cost Spendou as little as his nomination to recommend him as officer of the Institute for Widows, or the support of Franz Schubert's petition for the post of music director in Laibach with a commendatory letter in 1816.

Joseph Spendou

The School Inspector Spendou's obvious thriftiness leads us to the very topic on which we had expected Maynard Solomon to provide a little more information: the personality of Joseph Spendou. Solomon's account of this man's life did not reach beyond what was presented by Gräffer, Czikann and Wurzbach. Delving a little deeper into Spendou's

²¹ A-Wsa, Mag. ZG, A2, 413/1805. Karl Schubert's probate records are not extant.

²² A-Wsa, Mag. ZG, B1/119, lit. S, 82 and B1/127, lit. S, 203.

²³ Solomon 2004, 8.

²⁴ Ibid. Solomon provides no evidence for his claim that Spendou financially supported the Schubert family.

²⁵ Ibid., 10.

²⁶ For details on Spendou and the „Gymnasialfonds“, which amounted to over 100,000 florins, see Kasper Sternberg, *Bemerkungen über Menschen und Sitten auf einer Reise durch Franken, Schwaben, Bayern und Österreich im Jahre 1792*, (Vienna 1794), 107-13. According to Solomon the documents underlying Ignaz Schubert's scholarship “are now privately held“. Apart from the fact that in his 1912 article Deutsch does not refer to such documents, the descendants of Ferdinand Schubert, who today are in possession of the Schubert family papers, are unaware of documents pertaining to Ignaz's scholarship.

biography we recognize the Bishop's reputation as having been slightly many-sided. His stinginess seems to have been legendary. In his book *Traditionen zur Charakteristik Österreichs* Friedrich Anton von Schönholz, whose grandmother had been a close friend of Spendou, gives a vivid description of Spendou's character as far as his relation to money is concerned:

Seine Börse in Kombinationen der Mildtätigkeit zu verwickeln, wäre jedoch eitles Bemühen gewesen, in dieser Beziehung entsprach er seinem Namen nicht; er hieß *Spendou*. Der goldene Passepartout, der Herzen und Türen öffnet und dessen Anwendung unter dem technischen Ausdruck „*spendieren*“ eine so entscheidende Rolle in unserem Privat- und öffentlichen Leben spielt, kam nie in seine Hand. Als geistlicher Herr in anerkannt guten Verhältnissen, tagtäglich von Zumutungen aller Art bestürmt, erschien ihm die Geldbedürftigkeit als gefährlichster Feind seiner Ruhe und auf hundert Schritten schon wich er jedwedem aus, dessen Lebensweise derangierte Umstände voraussetzen ließ.²⁷

To get his wallet involved into a combination with charity would have been a futile task. In that respect he fell short of his name; his name was *Spendou*. The golden universal key, that opens hearts and doors and plays such an important part in our private and public life under the technical term „to spend“, never came into his hand. As a clergyman living in well established economic circumstances, bombarded by all kinds of impositions on a daily basis, he considered other people's need for money the most dangerous threat to his peace of mind. Hence he used to dodge one hundred feet in advance everyone, whose way of living gave reason to expect a disordered economic situation.

One of Solomon's main arguments in support of his theory of Ignaz Schubert not having been his father's biological son, was his presumption that after the death of Elisabeth Schubert, Ignaz was not granted the prerogatives of a first-born son. Because Deutsch had no explanation for the fact that Ignaz Schubert's share of his mother's estate, amounting to 204 fl

kreuzer, was not listed in the mortgage register of the Himmelfortgrund, he called this omission „conspicuous“²⁸. Deutsch's perplexity causes Solomon to speculate that Ignaz was *de facto* disinherited. But Deutsch was neither a historian by education, nor did he ever acquaint himself with the hereditary jurisdiction of the Biedermeier era. Had he dealt more closely with the numerous registers of property and the preserved probate records of the

²⁷ Friedrich Anton von Schönholz, *Traditionen zur Charakteristik Österreichs*, ed. Gustav Gugitz, (München: Georg Müller, 1914), vol. I, 164-5 (my translation).

²⁸ Deutsch, *Dokumente*, 20. Deutsch's confusion also influenced Ernst Hilmar who writes: „It's astonishing that Ignaz was not granted a share of the house in the Säulengasse“. Hilmar/Jestremski, *Schubert-Enzyklopädie*, (Tutzing: Schneider, 2004), 663.

Himmelpfort Convent in the Vienna City Archives²⁹, he would soon have realized that shares of real estate inherited by major children (over 24 years of age) were not recorded, but had to be paid out in cash among family members. Herwig Knaus had no problem in recognizing this legal situation, because he had the receipt in front of him by which the administrative authorities had confirmed the issuing of the promissory note which Schubert's father had to draw up and deposit in the safe of the orphanage. This document, dated 11 July 1812, begins with the following sentence:

Franz Schubert Schullehrer versetzt und verpfändet mit herrschaftlicher Bewilligung seinen vier minderjährigen Kindern Ferdinand Karl Franz und Theresia die ihm eigenthümlich gehörende Behausung sub N^{ro} 10 am Himmelpfortgrund liegend [...].³⁰

With the permission of the local authority Franz Schubert, schoolteacher, pawns and mortgages his dwelling sub N^{ro} 10 on the Himmelpfortgrund to his four under age children Ferdinand Karl Franz and Theresia [...].

There are two other similar entries (for a complete transcription see part II of the appendix) in the two registers of the assets and liabilities of orphans of the Himmelpfortgrund estate both of which went unnoticed by Deutsch and Knaus. The second one reads accordingly:

Schubert Franz vom Himmelpfortgrund N^o 10.
Schuldigkeit
[Tag und Jahr der Schuldverschreibung] 11 July
Dieser ist nach Absterben seines Weibes Elisabeth seinen
4 m.[inorennen] Kinder Ferdinand, Karl, Franz und
Theresia à 204 f X. schuldig geworden. [An Kapital] [fl.] 816. [kr.] 1
2/4
Int[e]r[e]ss]en à 5% beym Austritt aus der väterlichen Versorgung.³¹

Schubert Franz of Himmelpfortgrund N^o 10.
Debt.

²⁹ A-Wsa, Patrimoniale Verwaltung und Justiz, 110, A1. These records comprise nine boxes.

³⁰ A-Wsa, GB 154/4, fol. 20r. This entry, which Knaus does not quote in his book, was copied in October 1824 from of the destroyed original protocoll of mortgages Lit. F, fol. 307. If Deutsch had really delved into the registers of property systematically, he would certainly have found this important document. Deutsch's murky relation to the registers of property in the Vienna City Archive is not only revealed by his ignorance of the exact purchase price in his 1912 article, but also by a later entry in the *Dokumente* (p. 378) regarding the sale of the Schubert house in 1826. Two entries in the „record D of the Himmelpfort Convent“ and the „Himmelpfortgrund extracts“, which according to Deutsch cover the 1826 transaction, actually refer to the purchase of the Schubert house in 1801.

³¹ A-Wsa, Patrimoniale Verwaltung und Justiz, 110, 16/44, 245.

[day and year of the debt agreement] 11 July [1812]
After the death of his wife Elisabeth the above has come to owe each of his 4
minor children Ferdinand, Karl, Franz and Theresia 204 florins kreuzer.
Interests of 5% [payable] when they leave the paternal support.

Elisabeth Schubert's Supposedly Lost Probate Records

To support his labored theory of disinheritance, Solomon delves into a theoretical estimation of Ignaz Schubert's motherly share of inheritance. And yet, because these considerations lack any documentary basis, his claim that „the mathematical allocation of the children's share does not square with Knaus's argument“³² is simply wrong. Furthermore, this claim is weakened by the assumption that the original 1801 purchase price of the house of 3,200 florins Assimilated Coinage (*Conventionsmünze* in „Bankozettel“) was still relevant in 1812. This amount is unsuitable for a theoretical calculation, because in 1812 the estimated current value of 5,200 florins in Viennese Currency was taken as a basis for all calculations of the share of inheritance. This very same amount is given in the *Dokumente* and in Solomon's article, but its immediate significance was not recognized by Solomon who presented a pointless calculation, trying to show that „the four children inherited from their mother a total of 816 florins, i.e., an amount representing 25 percent of the 3,200 florins original purchase price“³³. These feeble arguments in favor of Ignaz Schubert's alleged disinheritance made me try to locate Elisabeth Schubert's probate records which for over 100 years had been considered lost. I could not find the original file³⁴, but on 19 November 2004 I was able to unearth an exact copy of the original³⁵ that the administrator of the „Herrschaft Kloster Himmelpforte“ was routinely obliged to draw up in case of the demise of a real estate owner.

³² Solomon 2004, 12. Knaus's assumption that in 1812 the value of real estate on the Himmelpfortgrund was given in A. C. (Assimilated Coinage i.e. „Conventionsmünze“) is false. Having been replaced in 1811 by „Einlösungsscheine“ (the much hated „exchange bills“) at an exchange rate of one fifth the Conventionsmünze was only reintroduced in June 1816, after the establishment of the Austrian National Bank. An example of an original valuation of a house on the Himmelpfortgrund can be found in the probate file of Franz Theodor Schubert's neighbor and friend Mathias Schwindl who died on 28 December 1815. A-Wsa, Patrimoniale Verwaltung und Justiz, 110, A1, carton 8, Nr. 634 (Fasz. 51/34). Copies of *Verlassenschaftsabhandlungen* (probate records) of members of Schwindl's family can be found in A-Wsa, Patrimoniale Verwaltung und Justiz, 2.1.1.110, 16(40), fol. 163f., 206v and 225. Franz Schubert senior was the guardian of Schwindl's five children.

³³ Solomon 2004, 12. Solomon's introduction of „64 florins in accumulated interest or closing costs“ is .

³⁴ The shelfmark of the original probate file was Faszikel 49, Nr. 2. See A-Wsa, Patrimoniale Verwaltung und Justiz, Herrschaft Simmering, B 112/2. The entry in this register was also written by Karl Raab (c. 1775-1827), clerk and *Sperrskommissär* of the Herrschaft (dominion) Kloster Himmelpforte. Raab and Franz Theodor Schubert earned an additional income by writing wills and marriage contracts for inhabitants of the Himmelpfortgrund. See A-Wsa, Patrimoniale Verwaltung und Justiz, 110, A1, carton 7, Nr. 620 (Fasz. 50/38).

³⁵ A-Wsa, Patrimoniale Verwaltung und Justiz, 2.1.1.110, 16(40), fol. 55r-56v.

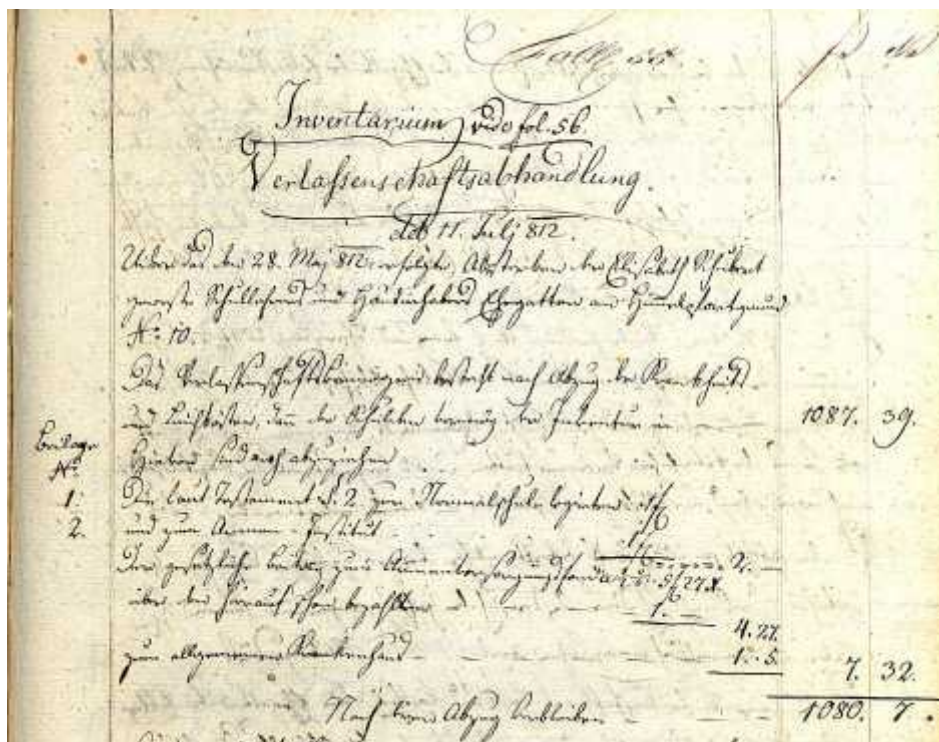
This newly discovered document, which is the pivotal source regarding the value of Elisabeth Schubert's estate and how her assets were divided up among her five children, finally provides the following information (which is at odds with Solomon's hypothesis):

- 1) When Elisabeth Schubert died on 28 May 1812 (not 27 May as given by Solomon), the mortgage on the house had not yet been repaid. Thus her estate represented a merely fictitious asset.
- 2) According to paragraph 3 of Elisabeth Schubert's will, her five children were to receive the statutory share which amounted to half of their regular inheritance. In accordance with the customary tradition Franz Theodor Schubert gave his share to his children.³⁶
- 3) Ignaz Schubert was not disinherited. Owing to his majority he signed a special contract with his father, declaring his intention „to reach an out-of-court settlement regarding the payment of his share of 204 fl ¼ x“.³⁷
- 4) Franz Theodor Schubert's debt of 816 Gulden 1 2/4 kreuzer to his four minor children was recorded in the registers of assets and liabilities.³⁸

³⁶ An analogous procedure was carried out during the distribution of Mathias Schwindl's estate among his five children (see note 32).

³⁷ A-Wsa, Patrimoniale Verwaltung und Justiz, 110, 16/40, fol. 55v. This statement is signed by Franz Theodor and Ignaz Schubert. The original amount of 204 1/11 kreuzer was rounded down to 1/4. The incorrect amount „204 fl 1/11 kr.“ in *Dokumente*, p. 20 seems to be based on a transcription error.

³⁸ A-Wsa, Patrimoniale Verwaltung und Justiz, 2.1.1.110, 16(42), 628-29, and 16(44), 245-46. See note 33 and part II.1. of the appendix.



Picture 1: The beginning of Elisabeth Schubert's probate file in the *Inventurs- und Abhandlungsprotokoll F Himmelpforten über Simmering 1810-1820* (A-Wsa, Patrimoniale Verwaltung und Justiz, 2.11.110, 16[40], fol. 55r)

A slightly abbreviated translation of this document reads as follows:

<u>Cash</u>	nil
<u>Public bonds</u>	nil
<u>Jewellery, gold and silver</u>	nil
<u>Clothing and underwear</u> ³⁹	32 fl 15 x [V.C.]
<u>Real estate</u>	
A dwelling <i>sub</i> N° 10 on Himmelpfortgrund of which the deceased is granted ownership and which according to the enclosed evaluation was evaluated at 5,200 fl, the half of it	2600 fl
According to this the whole estate amounts to	2632 fl 15 x
<u>From this are to be deducted</u>	
1) For the coffin	8 fl
2) For the physician Anton Hofstetter	40.
3) Magdalena Schubert ⁴⁰ for nursing	30.

³⁹ In the original list each individual piece is given.

4) Magdalena Müller ⁴¹ for medicine	80. 30.
5) Payment to the parish	34. 32.
6) Master of ceremonies at the funeral	43. 13.
7) To the Hospital of the Poor in Lichtental	4.
8) The debt to Elisabeth Melzer pr. 3000 f that the house in this estate is encumbered with and which according to the scale of the highest finance decree following the exchange rate of May 1801 and calculated per 115 fl ⁴² amounts to 2608 fl 42 x. of which the deceased has to pay half	<u>1304. 21.</u>
1544. 36.	
[subtracted from]	2632. 15.
amounts to net	1087. 39.
[further expenses to be deducted]	
Endowments to the public school, the poorhouse, to the fund in support of the poor and the hospital	7. 32.
Printed death announcements, charges for the <i>Jurisdiktionssperre</i> , handling of the declaration of inheritance, establishment of the inventory, decree of guardianship, publication of the will, division and distribution of the estate and ratification of the contract	
	<u>60. 5 ¼</u>
After the deduction of the above remains	1020. 1 ¾ .

1,020 florins and 1 ¾ kreuzer Viennese Currency is the amount that was rounded down by half a kreuzer and divided among the Schubert children into five equal shares of 204 florins ¼ kreuzer.⁴³ The recalculation of the Schubert couple's original debt of 3,000 florins A. C. (originally contracted in „Bankozettel“ florins) into 2,608 florins V. C. needs further explanation. When on 15 March 1811 the „Finanzpatent“ took effect and the florin in banco bills („Bankozettel“) was devaluated to one fifth of its original value, this proportion was as arbitrary as it was euphemistic. Ever since the introduction of the banco bill in the late

⁴⁰ Elisabeth Schubert's sister and widow of Karl Schubert.

⁴¹ Magdalena Müller was a druggist in Lichtental. See A-Wsa, Patrimoniale Verwaltung und Justiz, 110, carton 8, Nr. 636 (no fascicle number).

⁴² 100 : 115 (i.e. 2608,7 : 3.000) was the cash value relation between the Gulden in Assimilated Coinage of May 1801 and the Gulden in Viennese Currency of 1812 according to the scale in paragraph IV of the finance decree. See Maximilian Aloys Fügler, *Kurze Darstellung und Erläuterung der Hauptpunkte des Finanz=Patentes vom 20^{ten} Hornung 1811*, (Lemberg: Joseph Schnayder, 1811), 24.

⁴³ Half a kreuzer coins had been withdrawn from circulation on 15 March 1811. Paul Stiassny, *Der österreichische Staatsbankerott von 1811*, (Vienna: Hölder, 1912), 83.

eighteenth century, which originally was supposed to keep its 1:1 exchange rate to the silver florin, this paper currency had continuously lost value in relation to silver. From 113,5 percent in January 1800 (115 percent in 1801, see note 45), the value of the silver florin relative to the Bankozettel had increased exponentially to astronomical 960 percent in December 1810.⁴⁴ For political reasons, Count Wallis, the head of the Court Chamber, could not afford to give in to economic reality. The exchange rate of one exchange note („Einlösungsschein“) for five banco bills, as proclaimed in the 1811 *Finanzpatent*, represented a very optimistic compromise which in the long run only succeeded, because France lost the war. Still, the devaluation led to a situation where debts, which had been contracted in silver currency or bills of a much better rate, were to be repaid at a fraction of the original value. Proclaiming that „all open debts should be repaid at the exchange rate valid at the time of their contract“⁴⁵, the Imperial decree of 1811 was accompanied by a scale which gave the retrospective exchange rate of banco bills and silver florins from 1799 until 1811. It was the seemingly unfair recalculation of private debts – as if no price inflation had occurred for purchases made with silver florins – that earned Count Wallis the greatest hatred from the Austrian people. According to this scale the purchase price of 3,000 florins in banco bills that the Schubert couple had contracted in May 1801 amounted to 2,608 florins 42 kreuzer in 1812. Hence this amount is given as asset in the inventory of Elisabeth Schubert’s estate.⁴⁶

The devaluation of Franz Theodor Schubert’s debt, as revealed by the sources, is proof that the great financial benefactor of the Schubert family was not Joseph Spendou, but the seller of the house Himmelfortgrund 10, Elisabeth Mölzer, née Lebersorger. As we have seen, the repayment of the 3,000 florins in three installments between 1804 and 1806, as agreed upon with the Schubert couple in the purchase contract, was not carried out. By waiting fifteen years for the redemption of the loan she had granted Franz Theodor Schubert in 1801,

⁴⁴ Johanna Kraft, *Die Finanzreform des Grafen Wallis und der Staatsbankerott von 1811*, (Graz: Lubensky, 1927), 18. The exchange of the „Bankozettel“ currency into silver florins had been *de facto* prohibited since 1797. In a mass effort of wishful thinking during the first years of the 19th century, the majority of the Austrian population had lived in the unrealistic hope that some day a banco bill florin would be again be equivalent to the silver florin. The description of the financial situation in 1811 as given by Deutsch (i.e. the existence of an Assimilated Coinage and an exchange rate of 5 : 2 V. C. to A. C.) is not applicable for the years between 1811 and 1816 and must therefore be considered misleading. Deutsch, *Dokumente*, 15. Hilmar’s erroneous claim that „from 1811 on A. C. was the standard currency“ has the result of the 1811 finance reform being turned on its head. Hilmar/Jestremski, *Schubert-Enzyklopädie*, (Tutzing: Schneider, 2004), 804.

⁴⁵ Stiassny, *Der österreichische Staatsbankerott*, 80. For a more recent discussion of the Austrian state bankruptcy see Julia Moore, *Beethoven and Musical Economics*, (Diss. Univ. of Illinois 1987), 119-30.

⁴⁶ See note 45.

Elisabeth Mölzer relieved him from a financial burden that might have gravely impeded his career as a schoolmaster. The reasons for this extraordinary support have yet to be uncovered. Mölzer may have already ceded her demands to some other party before 1816, because when on 18 December 1817 she drew up a deed of donation in favor of her foster daughter Elisabeth Kühtreiber⁴⁷, the list of her modest belongings shows that by this time she was already living in poverty. She seems to have left the Himmelpfortgrund schoolhouse with her foster daughter before 1817 to move in with a certain Johann Rupp in the house Rossau 129⁴⁸ where she died of old age on 27 December 1827.⁴⁹

A Second Portrait of Joseph Spendou

The remaining arguments presented in 2004 by Maynard Solomon to prove a genetic relationship between Spendou and Ignaz Schubert, suffer from superficiality in matters of iconography and Solomon's being unaware of the survival of important Schubert documents. The resemblance of Ignaz's oval face to Spendou's being closer than to his father's portrait, could be regarded as a piece of evidence, but the iconographic sources reveal a slightly more ambiguous situation. The oil painting that Leopold Kupelwieser⁵⁰ made in 1833 is not the only surviving portrait of Spendou. On the occasion of the 20th anniversary of the Widow's Institute, which coincided with the celebration of Spendou's 60th birthday on 24 January 1817, the members of the Institute not only commissioned a text for a cantata (Schubert's

⁴⁷ A-Wsa, Mag. ZG, A2, 1/v/1830. Elisabeth Mölzer was born in Vienna on 15 August 1753 to Johann Georg Lebersorger, a bricklayer from Waidhofen an der Thaya and his wife Elisabeth, née Gießbeck. After the death of her mother in December 1792, she inherited the house "At the Black Horse" (the future schoolhouse). Another house, Himmelpfortgrund 13, was bequeathed to her sister Anna Maria Reiter. After a dispute concerning the validity of their mother's will, the two sisters in January 1793 signed an agreement regarding the distribution of their mother's estate. A-Wsa, Patrimoniale Verwaltung und Justiz, 110, A1, carton 5, No. 342. It was the house Himmelpfortgrund 13 („Zur Goldenen Schere“), where Martin Kleyenböck had his grocery shop. A-Wsa, Konskriptionsamt, Himmelpfortgrund 13 (no foliation). In this shop Franz Schubert senior probably made the acquaintance of his second wife Anna Kleyenböck.

⁴⁸ A-Wsa, Konskriptionsamt, Roßau 129 (no foliation). Elisabeth Kühtreiber (b. 1789) was the daughter of Joseph Kühtreiber who in 1783 had stood witness to Mölzer's wedding. A-Wlic, Tom. 5, 3399.

⁴⁹ A-Wsa, Totenbeschreibamt 165, lit. M, fol. 51v. I'm grateful to Rita Steblin for pointing me to Mölzer's date of death in the Portheim catalogue.

⁵⁰ As a matter of fact there are two copies of Kupelwieser's portrait of Spendou: the one that Kupelwieser donated to the Widow's Institute of Viennese Teachers (Feuchtmüller WV 425) and a copy which he sold to the Bishop for 80 florins (WV 426). The original painting today is held by the Wienmuseum (I.N. 17.875). For a reproduction see *850 Jahre Sankt Stephan, Symbol und Mitte in Wien 1147-1997*, (Vienna: Historisches Museum der Stadt Wien 1997), 306. The other copy (WV 425) is kept at the country estate and parish of the Vienna cathedral provost in Kirnberg an der Mank in Lower Austria where Spendou spent the last years of his life, and is buried in the local cemetery. The citing of the painting with „St. Stephen's Cathedral, Vienna“ given by Solomon is obviously based on the flawed secondary literature. Solomon 2004, 11.

„Kantate zu Ehren von Joseph Spendou“, D 472) from Johann Hoheisl⁵¹, they also commissioned his colleague at the school of St. Anna, Johann Schindler,⁵² to sculpt a bust of the bishop. A drawing of this bust – which unfortunately has not been preserved – engraved in copper by Joseph Steinmüller, was published with the following verse (probably also written by Hoheisl):

Zum Himmel dringt für ihn der Witwen Flehen,
die dankerfüllt vor seinem Bilde stehen,
und herrlich wird ihm dort für sein Bemüh'n,
die Palme der Vergeltung blühn.⁵³

(The widows's supplication for him reaches to heaven,
as gratefully they stand before his picture,
where splendidly, as a reward for his efforts
the palm will be bestowed on him.)

This other portrait of Spendou shows a stout looking man with a rather chubby complexion that makes Kupelwieser's flashy portrait look flattering indeed. Curiously enough, in this unpublished portrait we recognize an even stronger resemblance to Franz Theodor than to Ignaz Schubert.

⁵¹ Biographical details about the librettist of Schubert's Cantata D 472 were previously lacking. Hoheisl was born in 1767 in Zuckmantel, in Silesia. After having served as a teacher in Mariahilf, from 1816 until 1821 he was employed as teacher at the St. Anna school. In 1821 he joined the „Schulbücher-Verschleiß-Administration“ (the sales administration of schoolbooks) as an accountant and in 1832 he was promoted headmaster of the secondary school in the Leopoldstadt. He died on 23 February 1841. A-Wsa, Totenbeschreibamt 188, lit. H, fol. 8v, and A-Wsa, Mag. ZG, A2, 305/1841.

⁵² On Schindler see *Österreichisches Biographisches Lexikon*, vol. X, (Vienna: Akademie der Wissenschaften, 1994), 152-53.

⁵³ Wien Museum, I.N. 42.715. Steinmüller (b. 1794, d. 27 July 1841) was an „akademischer Kupferstecher“ by profession.



JOSEPH SPENDOU

Picture 2: Joseph Steinmüller's engraving of Schindler's bust of Spendou (Wien Museum, I.N. 42.715)

Ignaz Schubert, "Leiblicher Sohn"

Solomon attached great significance to the fact that in Schubert's probate papers (*Sperr-Relation*) Ferdinand's name – instead of Ignaz's – is the first of the brothers in the list of

relatives.⁵⁴ To somebody who has seen thousands of such documents, this detail bears no significance at all. It was Ferdinand, as the principal tenant of the apartment, who conversed with the commissioner of the municipal court Anton Slabe. Hence it was only natural that he started the list of the deceased person's siblings with his own name. The list of relatives in a probate file is not reliable, especially in a case where the individual age of the relatives is not given. True, Ignaz's signature on the document is situated below Ferdinand's, but this detail is put into a different perspective by the fact that, just as his younger brother had done before him, he added the words: „full brother of the deceased“ to his name. We face a different documentary situation in two other important documents that according to Solomon did not survive⁵⁵, but do in fact exist: the *Sperrs-Relation* and the will of Schubert's father. In these documents all theories that Ignaz Schubert might not have been a fully accepted member of his family finally collapse. The commissioner gives the children of the deceased who had already reached majority as follows:

H. Ignaz 46 [years of age] schoolteacher in the Rossau at the house of the deceased

„ Ferdinand 36 Professor at St. Anna on the Alsergrund N^o 276

„ Karl 35 Drawing master in Thury N^o 85

„ Theresia married to Schneider 28 [wife of a] schoolteacher at St. Ulrich
all four from the first marriage.⁵⁶

In his will, dated 25 February 1830, Franz Theodor considered all these four children equally:

5. Meinen 4 major.[ennen] Kindern erster Ehe aber als: *Ignaz, Ferdinand, Carl* u. *Theresia* bestimme ich jedem 600 f. sage sechs hundert Gulden 5 p.C. metall-Obligationen zum Pflichttheile [fol 1v]
6. Soll mein major. Sohn *Ignaz* das Rothschildsche Loos Nr 15462 vom 1. Jänner 1821 pr 250 fl. C.M. – der major. Sohn *Ferdinand* das Rothschildsche Loos Nr 104573 vom 1. Jänner 1821 pr 250 fl. C.M. – der major. Sohn *Carl* das

⁵⁴ A-Wsa, Hauptarchiv, Persönlichkeiten S 16, fol. 1v. Deutsch's transcription of Schubert's *Sperrs-Relation* in *Dokumente* 557-59 is flawed and incomplete.

⁵⁵ Solomon 2004, 13. Both of these documents are given in the literature that is referred to by Solomon. Rita Steblin refers to the *Verlassenschaftsabhandlung* in her article „In Defense of Scholarship and Archival Research“, *Current Musicology* 62 (Columbia University, 1997), 16, n. 14 (this is what Solomon calls „a document of 9 July 1830“) and Herwig Knaus mentions Franz Theodor Schubert's will in his book. See Knaus, *Franz Schubert*, 48. Contrary to Solomon's claim, the probate file of Ignaz Schubert's estate does survive as well (A-Wsa, Mag. ZG, A2, 7584/1833). But owing to the fact that the estate was settled with a deficit of 42 florins and Ignaz was survived only by his widow Wilhelmine, it bears very little relevance. Ignaz Schubert left no will.

⁵⁶ A-Wsa, Hauptarchiv, S 17/1, fol. 1r (my translation).

Rothschildsche Loos Nr 45931 vom 1. Jänner 1821 pr 250 fl. C.M. – die major. Tochter *Theresia* das Rothschildsche Loos Nr 128178 vom 1. Jänner 1821 pr 250 fl. C.M. noch insbesondere erhalten.

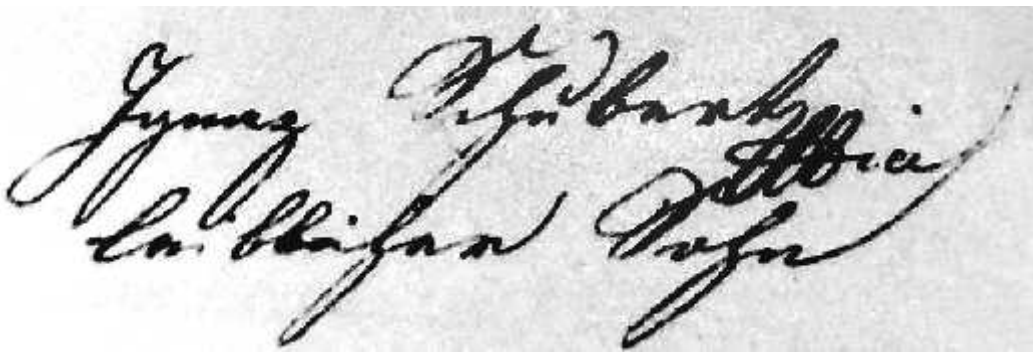
Ich will aber daß den major. 4 Kindern ihr hier *ad §. 5 et 6* angeordnetes *Legat* sogleich nach meinem Tode von meiner Ehegattinn ausgezahlt u. übergeben werden soll.⁵⁷

5. To each of my four major children from my first marriage I bequeath 600 florins say six hundred florins metal bonds at 5 percent interest as a statutory share.

6. My major son Ignaz shall receive the Rothschild ticket Nr. 15462 of 1 January 1821 at 250 fl A.C. – the major son Ferdinand the Rothschild ticket Nr. 104573 of 1 January 1821 at 250 fl A.C. – the major son Carl the Rothschild ticket Nr. 45931 of 1 January 1821 at 250 fl A.C. – the major daughter Theresia the Rothschild ticket Nr. 128178 at 250 fl A.C. as a special.

I want the legacy ordered under § 5 et 6 be paid and given to my 4 major children by my wife immediately after my death.

Ignaz Schubert confidently signed his father's probate file with the self-assured addition „leiblicher Sohn“⁵⁸ (legitimate son).



Picture 3: Ignaz Schubert's signature in the probate file of his father (A-Wsa, Hauptarchiv, S 17/1, fol. 2r)

All through his life Ignaz was universally acknowledged as being the eldest son of his respected father. The parish priest Candidus Lösch obviously thought no differently. Recording the death of Franz Schubert senior and the succession of Ignaz as schoolmaster, in his memorial book of the Roßau parish (*Gedenk Buch der Pfarre Roßau*) Lösch solemnly referred to the new teacher as „*filius primogenitus Ignatius*“.⁵⁹

⁵⁷ Ibid., S 17/3, fol. 1. The Rothschild tickets represented abond that in 1821 had been purchased from the M.A. Rothschild bank. All eight Schubert children received such a ticket worth 250 florins. The four children from the second marriage received 3,000 florins that in April 1827 Franz Theodor Schubert had lent to Jacob Rickel, the new owner of Himmelpfortgrund 10. After the death of his creditor, Rickel immediately had to pay back this loan. Ibid., fol. 14 and 28.

⁵⁸ Ibid., S 17/1, fol. 2r and 5v.

⁵⁹ Steblin, „Schubert And The Pfarre Roßau“, 170.

Solomon's statement „Documents bearing on Bishop Spendou's *Nachlaß* have not yet been located“⁶⁰ shows a somewhat rash and pessimistic approach to archival research. Most documents do not turn up unless they are searched for and it is a simple fact that so far nobody has ever looked for Joseph Spendou's testamentary disposals. Spendou died on 16 January 1840 at 2:30 p.m. at the country estate of the Viennese provost in Kirmberg an der Mank.⁶¹



The grave of Joseph Spendou (the big monument at the wall on the left) in the cemetery of Kirchberg an der Mank in Lower Austria. The grave's original plaque is at the bottom of the new tombstone which was erected in 1897 by the *Witwen- und Waisen-Pensions-Verein der Oberlehrer und Directoren in Wien* on the occasion of the 100th anniversary of its foundation by Spendou.

Spendou's Final Disposition

Because Spendou had belonged to the high clergy, his estate was dealt with by the *Landrechte* court (the Lower Austrian court for members of the nobility). In the course of the unfortunate

⁶⁰ Solomon 2004, 13, n. 48.

⁶¹ Diözesanarchiv St. Pölten, Kirchberg/Mank, Sterbebuch 2, fol. 23. For Spendou's obituary see *Wiener Zeitung* 1840, 277.

events of July 1927, Spendou's probate file and will were destroyed in the fire at the Vienna Palace of Justice. But just as in the case of Elisabeth Schubert, this does not necessarily mean that no documents related to the legal procedure of the Bishop's *Verlassenschaftsabhandlung* (settlement of the estate) survive. Since Spendou died under the governmental jurisdiction of Lower Austria, the Viennese chapter and the *Landrechte* had to keep the government informed of the proceedings concerning the settling of Spendou's estate. It is exactly this correspondence which today is held by the *Niederösterreichisches Landesarchiv* in St. Pölten. On 29 January 1840, the members of the governmental session were presented with an extract of Spendou's will whose content can be summarized as follows: a) Spendou's sole heir was his nephew Jakob Spendou b) the Institute for Ailing and Sick Clergymen of the Vienna Diocese was to receive 500 florins in stock, each, the Institute for Widows of Viennese Schoolteachers and the Institute of the Deaf-Mutes 50 florins A.C., and c) all the furniture, the portrait by Kupelwieser and all the kitchenware and paintings in Spendou's apartment in Vienna were bequeathed to the established school fund (*fundus instructus*) in Kirnberg.⁶² A bigger part of Spendou's fortune therefore remained in the family. Nowhere does the name Schubert appear in Spendou's probate documents. Jakob Spendou (born 26 July 1812⁶³) was the only son of the Bishop's elder brother Jakob, who, from the 1770s until his death on 18 March 1814, ran a furrier's shop in Vienna.⁶⁴ As soon as Jakob began to study law at the university, his mother put him under the supervision of his prominent uncle. He moved in with Spendou at the old Zwettlhof at St. Stephen's Square where the Diocese had provided an apartment for the Bishop.⁶⁵ The financial problems that Jakob Spendou experienced after his inheritance provide an interesting sequel to his uncle's legendary reputation as a miser. During his stay at the provost's estate in Kirnberg, Joseph Spendou, evidently, for reasons of austerity, had neglected the tending of the property and the maintenance of the roof which had

⁶² A-WI, Nö. Reg. 1780-1850, C 19 Zl.5676/1840 bei C 19 Zl.4478/1840. Spendou had founded schools in Kirnberg, the neighboring village St. Gotthard and his birthplace Möschnach. (today Mosnje, Republic of Slovenia) where his father Anton Spendou had been sexton.

⁶³ A-Wd, Taufbuch Tom. 106, fol. 11r.

⁶⁴ A-Wsa, Totenbeschauprotokoll, vol. 137, lit. S, fol. 35v. On Jakob Spendou's two marriages (1788 and 1809) see A-Wd, St. Hieronymus, Tom. 3, fol. 96, and A-Wd, Trauungsbuch Tom. 82a, fol. 150. On his estate and testamentary assets see A-Wsa, Mag. ZG, A2, 246/1814 and A10, 182/1814. Jakob Spendou's death is also noted in the diary of his good friend Joseph Mathias Perth. A-Wst, Tagebuch Perth, vol. XXVI, 154 and XXVIII, 81.

⁶⁵ A-Wsa, Konskriptionsamt, Stadt 868/18r. Prior to his studies at the university, Jakob Spendou had lived in the household of the „bürgerlicher Kirschnermeister“ (civil furrier) Johann Gowatsch. A-Wsa, Konskriptionsamt, Stadt 846/19r.

led to a „destruction of the woods“ and „damaging of the stables“. ⁶⁶ Thus the diocese ordered Jakob Spendou to pay for the damages that the negligence of his uncle had caused and the sharp negotiations between the new bishop and Jakob Spendou’s lawyer about the provision of a lump sum of 400 florins and 30,000 shingles lasted until 1843. ⁶⁷

In the light of primary sources – some of them previously thought to be lost, some of them ignored – we see absolutely no evidence that Schubert’s eldest brother Ignaz was not his father's legitimate son. Schubert’s biography is already fraught with fantastic and incorrect details, which, in spite not having stood the test of meticulous archival scholarship, seem to be ineradicable. We should not only strive to correct the old fabrications, but also to keep new ones at bay.

⁶⁶ A-WI, Nö. Reg. 1780-1850, C 19 Zl.4478/1840 and C 1 Zl.14592/1843.

⁶⁷ Ibid., C 1 Zl.14592/1843.

Appendix I

I. 1.

Elisabeth Schubert's *Verlassenschaftsabhandlung* (probate file). A-Wsa, Patrimoniale Verwaltung und Justiz, 2.1.1.110, 16(40) (alte Grundbuchsignatur 16/40, erstwhile *Inventurs- u. Abhandlungsprotokoll Simmering lit. F*), fol. 55r-56v.

<u>Inventarium vide fol. 56.</u>			
<u>Verlassenschaftsabhandlung.</u>			
d[e]d[ato] 11. Julj [1]812.			
Über das den 28. Maj [1]812 erfolgte Absterben der Elisabeth Schubert geweste Schullehrers und Hausinhabers Ehegatten am Himmelpfortgrund N ^o 10.		f	xr ⁶⁸
Das Verlassenschaftsvermögen besteht nach Abzug der Krankheits und Leichkosten, dann der Schulden vermög der Inventur in			1087. 39.
Hievon sind noch abzuziehen			
Beilage N ^o			
1. Die laut Testament §. 2. zur Normalschule legirten	1 f		
2. und zum Armen-Institut	<u>1 f</u>		
			2. —
Der gesetzliche Beitrag zum Armenversorgungsfond a ½ % über den hierauf schon bezahlten	5 f 27 x.		
			1. —
			4. 27.
zum allgemeinen Krankenhaus			<u>1. 5.</u>
			<u>7. 32.</u>
Nach deren Abzug verbleiben			1080. 7.
Hievon gebührt <i>Mortuar</i> à 3 x.	54 f — ¼		
Jurisdiktionssperre Anleg- und Abnahme	1. 30.		
Erbserklärungserledigung	10.		
Errichtung der <i>Inventur</i>	45		
<i>Curatelspublication</i> <i>Decret</i>	10.		
Testaments <i>publication</i>	45.		
Vermögens - Abtheil – Ein = Einantwortung		2. —	
Vertrags - <i>Ratification</i>	<u>45.</u>		
			60. 5 ¼
Nach deren Abzug verbleiben			1020. 1 ¾.
Hievon gebührt laut Testament §. 3. den 5 Kindern der Erblasserin der Pflichttheil, welcher zu Folge bürgl. Gesetzb: §. 765. in der Hälfte dessen besteht, was den Kindern nach der gesetzlichen Erbfolge zugefallen wäre, folglich			<u>510. 1 ¾</u>
Nach deren Abzug verbleiben			510. 1 ¾

⁶⁸ For reasons of better readability the capital letters F (Gulden) and X (Kreuzer) were changed into small ones. Latin script in the original is given in italics. All amounts are Gulden in Viennese Currency.

Erbe hiezu

Vermög Testament §. 4. der Erblasserin Ehegatte Franz Schubert.

[fol. 55v]

Heut *dato* sind vor hiesiger Herrschaft erschienen der Ehegatte der Erblasserin Franz Schubert mit dem großjährigen Sohne Ignatz; dann im Nahmen der für die 4 m[inderjährigen] Kinder zum Vertreter aufgestellten H[err] Joh. Michl Wagner⁶⁹ Grundrichter und H[err] Karl Raab Gerichtsschreiber am Himmelpfortgrund, und haben sich sämtliche Theile über die Erklärung des H[errn] Franz Schubert, daß er auf seine Erbschaft Verzicht leiste, sondern das ausgewiesenen Verlassenschaftsvermögen pr. 1020 f 1 $\frac{3}{4}$ x. seinen 5 Kindern als Erbtheil überlassen, und denselben diesen Betrag in baarem hinauszahlen wolle, dahin einverstanden, daß

1^{ten} die auf die 4 m Kinder Ferdinand, Karl, Franz und Theresia a 204 f $\frac{1}{4}$ x., zusammen aber mit 816 f 1 $\frac{1}{2}$ x. fallende mütterliche Erbschaft auf dem Hause N 10. am Himmelpfortgrund grundbüchlich vorgemerkt, denen selben diese Erbschaft wenn sie aus der väterlichen Versorgung treten, zu 5% verzinset, und das Kapital selbst nach vorhergehend viertljähriger Aufkündigung an baarem erlegt werden. Was

2^{ten} den Erbtheil pr. 204 f $\frac{1}{4}$ x. betrifft, welcher dem großjährigen Sohn Ignatz gebührt, so erklärt sich dieser, daß er sich der Zahlung wegen mit seinem H[errn] Vater außergerichtlich einverstehen werde.

Uibrigens ist

3^{ten} die ganze Verlassenschaft mit Last und Vortheil dem Ehegatten der Erblasserin zu überlassen, welcher dagegen die betreffenden Abhandlungsgebühren, und noch ausständigen gesetzlichen Legaten zu berichtigen hat.

Geschehen Wien den 11. July [1]812.

Karl Raab Gerichts=
schreiber

Franz Schubert
Ignatz Schubert
Joh. Mich. Wagner Grundrichter

Vorstehender Vertrag wird obervormundschaftlich begnähmigt, und dem Franz Schubert die Verlassenschaft seiner Ehegattin seel. gegen Erfüllung der Vertragsbedingnisse einzuantworten bewilligt. Von dem K. K. Staatsrealitäten Grundbuchsamte.

Wien den 11. Julj [1]812.

Jos. Springer mp.⁷⁰

Inventarium über vorstehende Verlassenschaft.

An baarem Gelde

Nichts.

[fol. 56r]

An öffentl. Fonds Oblig.[ationen]

0

⁶⁹ Johann Michael Wagner (d. 1835) was the owner of the houses Himmelpfortgrund 12 and 29, „Zum Schwarzen Adler“ (The Black Eagle) and „Rother Apfel“ (The Red Apple). In 1805 he had succeeded Mathias Schwindl as local judge. A-Wsa, GB 154/4, fol. 53. On 25 April 1813 he stood witness to Franz Theodor Schubert's second wedding. *Dokumente*, 24.

⁷⁰ Joseph Springer (b. 1763, d. 8 March 1843), was a superior official in the administration of state-owned real estate.

An Prätiosen, Gold und Silber

θ

An Leibskleidung und Leibswäsche

3 Frauen Hemden
3 Paar Strümpfe
4 Halstüchln
3 Schnupftüchl
2 weisse Hauben
1 kammertüch[erner]⁷¹ Uiberrock
3 verschiedene Frauenröck
2 d[etto] Korsetten
1 blaues und 2 weisse Fürtücher
2 Paar Schuhe

Schätzung

f x.

	5.	—
	1.	30.
	2.	—
	1.	15.
	1.	—
	3.	—
	7.	—
	4.	30.
	5.	—
	2.	—
<i>Summa</i>	32.	15.

An Realitäten.

Eine Behausung *sub* N^o 10. am Himmelfortgrund, worum die Erblasserin zur Hälfte vergewährt ist, welche laut anliegender Schätzung⁷² auf 5200 f geschätzt worden, die Hälfte mit Die ganze Verlassenschaft beträgt demnach

a. An Leibskleidung u. Leibswäsche pr

b. An Realitäten pr

Zusamen in

	2600.	—
	32.	15.
	2600.	—
	2632.	15.

Hievon kommen abzuziehen:

1.	Die laut Quitt:[ung] A. für die Todtentruche bezahlten	8f	—
2.	„ „ B. dem bürg[erlichen Wundarzte Anton Hofstetter bezahlten	40.	—
3.	„ „ C. der Magdalena Schubert für das Krankenwarten bezahlten	30.	—
4.	„ „ D. der Magd: Müller für abgenommene Arzneyen	80.	30.
5.	„ „ E. in die Pfarre bezahlten	34.	32.
6.	„ „ F. den Leichenansager bezahlten	43.	13.
	<i>Fürtrag</i>	236.	15.

[fol. 56v]

Schätzung.

f x.

<i>Uibertrag</i>	2632.	15.
<i>Uibertrag</i>	236 f	15 x.

7. Die laut Quitt:[ung] G. in das Lichtenthaler Grund-Armenspi= tal bezahlten

4. —

⁷¹ Cloth made from raw cotton

⁷² The official evaluation of the house Himmelfortgrund 10 by the master mason Anton Lang and the master carpenter Georg Rueff (witnessed by Karl Raab and Johann Michael Wagner) is lost. For samples of this kind of evaluations see A-Wsa, Patrimoniales Verwaltung und Justiz, A1, Himmelfortgrund, carton 7, Nr. 558, 614 and 620, and carton 8, Nr. 634.

8. Die Schuld der Elis. Melzer pr. 3000 f, welche auf die Behausung dieser ~~Behausung~~ Verlassenschaft grundbüchlich haftet, und welche nach der *Scala* des allerhöchsten Finanzpatents nach dem *Course* des Monats May [1]801. zu 115 f berechnet zusamm[en] ~~206~~ 2608 f 42 x. beträgt, wovon die Hälfte die Erblasserin zu bezahlen hat mit

1304. 21.

1544. 36

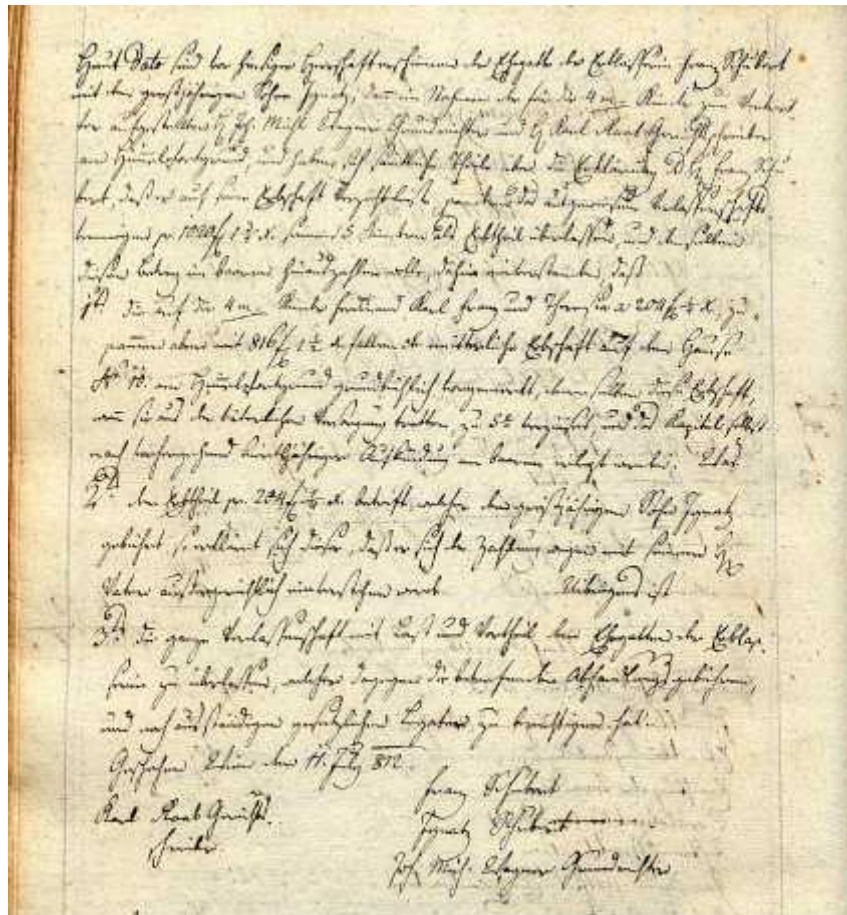
Verbleibt annoch rein

1087. 39.

Wien den 6. Juny [1]812.

Karl Raab Gerichts-
Schreiber und Sperrs Commissær.

Joh. Mich: Wagner
Grundrichter und Sperrs-Comissær.



The contract between Franz Schubert the elder and his son Ignaz concerning the payment of Ignaz's share of his mother's inheritance (A-Wsa, Patrimoniae Verwaltung und Justiz, 2.1.1.110, 16(40), fol. 55v)

I. 2.

Purchase contract between Elisabeth Mölzer and Franz Schubert, dated 14 May 1801, pertaining to the house Himmelfortgrund No. 10.

Instrumentenauszug über den Himmelfortgrund [Auszüge aus dem Instrumentenbüchern lit. A, C, D, E, F, Inventursprot: C, D, E, und Satzbuch lit. F, A, G., extrahiert von Johann Ortner dd° 7.1.1825], A-Wsa, GB 154/5, fol. 42v-44r:

zu der Gewähr Haus N° 10.

fol. 179 gehörig

in dem Gewähr=

buche A.

aus dem Inst.[rumenten] Buch D. fol. 206^v Kaufvertrag.

Heute an dem zu Ende gesetzten Jahr und Tag ist zwischen der Frau Hausinhaberin Elisabeth Mölzerin als Verkäuferin an einem, dann dem H. Schullehrer Franz Schubert und seiner Ehegattin Elisabeth als Käufern an anderem Theile folgender Kaufvertrag geschlossen worden.

1^{tens} Verkauft die Frau Hausinhaberin Elisabeth Mölzerin ihre am Himmelfortgrund in der Säulengasse zwischen den Häusern zum weissen Wolfen und der goldenen Bethen sub N° 10 gelegene Behausung zum schwarzen Rössel, welche der K.K. [fol. 43r] Staatsgüter Administration unterthänig und dienstbar samt allen Recht und Gerechtigkeiten und Zugehörungen, so wie sie Verkäuferin dieselbe genossen, oder ferners mit Rechte hätte geniessen können, dem H Schullehrer Franz Schubert und seiner Ehegattin Elisabeth, um einen Kaufschilling von dreÿ Tausend Gulden, nebst einen Leihkauf von zweÿ Hundert Gulden zusammen dreÿ Tausend zweÿ Hundert Gulden.

2^{tens} Erlegen die Käufer beÿ Schliessung dieses Kaufvertrages obengenannten Leihkauf von zweÿ Hundert Gulden baar als eine Darangabe, und versprechen nachdem die Fr Verkäuferin, für sich und ihre Erben ausdrücklich hierzu eingewilliget, den noch übrigen Betrag mit dreÿ Tausend Gulden, nach einem dreÿjährigen Stillstande in dreÿ auf einander folgenden Jahren, jedes Mahl mit Ein Tausend Gulden nebst den laufenden Interessen zu fünf *Pro Cento* nach vorhergegangener halbjähriger Aufkündigung genau abzuführen, doch soll

den Käufern frey stehen, auch früher gegen halbjährige Aufkündigung, niemahls aber weniger als Ein Tausend Gulden auf einmahl zur Tilgung des Kaufschillings abzahlen zu können.

3^{ten} Ist bedungen worden, daß der Fr. Verkäuferin bis zur gänzlichen Abtragung des Kaufschillings und der Interessen das Haus als Hypothek verpfändet sey; daher [fol. 43v] die Käufer auf eigene Kosten verbunden seyn sollen, der Verkäuferin einen Satz auf das Haus ausfertigen zu lassen.

4^{ten} Ist die Ab- und Antretung dieses Hauses auf die nächstkünftige Jakobizeit⁷³ [1]801 festgesetzt worden, mithin hat die Frau Verkäuferin den Jakobizins noch für sich einzunehmen, bis dahin aber auch alle, diese nunmehr verkaufte Haus betreffende *onera publica* und *privata* zu bestreiten, auch alle sonstigen Ausstände in Richtigkeit zu bringen, und besonders den auf diesem Haus haftenden Schuldsatz pr. 600 Fr für ihre Kosten *cassiren* zu lassen, sonach den Käufern die Hausgewähr *ad cassandum* einzuhändigen, damit diesen eine neue Gewähr *sub titulo empti venditi* ausgefertigt werden könne.

5^{ten} Auf den Fall, daß ein oder der andere Theil von dem Kaufvertrage noch abstehen wollte, so ist für denselben ein Reugeld von Ein Hundert Gulden festgesetzt worden.

Zu mehrerer Bestätigung dessen sind zwey gleichlautende Kaufverträge verfertigt, und jeden *Contrahenten* Einer mit des andern und der erbethenen Herrn Zeugen Unterschrift |: jedoch letzteren ohne allen Nachtheil :| zugestellet worden.

Wien am Himmelfortgrund den 14^{ten} May 801.

L.S. Elisabeth Mölzerin m./p.

als Verkäuferin

L.S. Franz Schubert m./p.

als Käufer

L.S. Mathias Schwindl

als erbethener Zeug

L.S. Elisabeth Schubertin

als Käuferin

L.S. Joh. Mich. Wagner

als erbethener Zeug

Heut den 20^{ten} May 801 sind von hiesiger Herrschaftskanzleÿ [fol. 44r] erschienen die Verkäuferin Elisabeth Mölzerin, dann der Käufer Franz Schubert, mit den H. Mathias Schwindl und haben die Kontrahenten erkläret, daß der Kaufkontrakt vorstehendermassen

⁷³ 25 July

abgeschlossen worden seye, und daß die Käufer Franz Schubert und Elisabeth dessen Ehegathin sogleich als selbe einen *certiorirten* fürmerkungsfähigen Schuldschein über den schuldigen Kaufschilling pr. 3000 Fr werden eingelegt haben, ohne weiters um die verkaufte Behausung an Nutz und Gewähr werden können.

Uibrigens hat sich auch H Mathias Schwindl, welcher auf diesem Haus in 2 Posten mit 600 Fr fürgemerkt ist, erbotten, daß diese Grundbuchssätze kassiert werden können, zu welchem Ende er die in Handen habenden Satzbriefe aushändigen, und sich in Rücksicht der schuldigen 600 Fr blos an der Person der Elisabeth Mölzerin halten wollen[*sic*]. Geschehen in der Kanzley der K. K. Herrschaft Himmelpforte. Wien den 22^{ten} *supra*

Elisabeth Mölzerin

Franz Schubert m. p.

Mathias Schwindl

Vorstehender Kaufkontrakt wird in Rücksicht der obigen Erklärung obrigkeitlich bestätigt.
Wien den 20^{ten} May 801.

Von der K. K. Herrschaft Himmelpforte

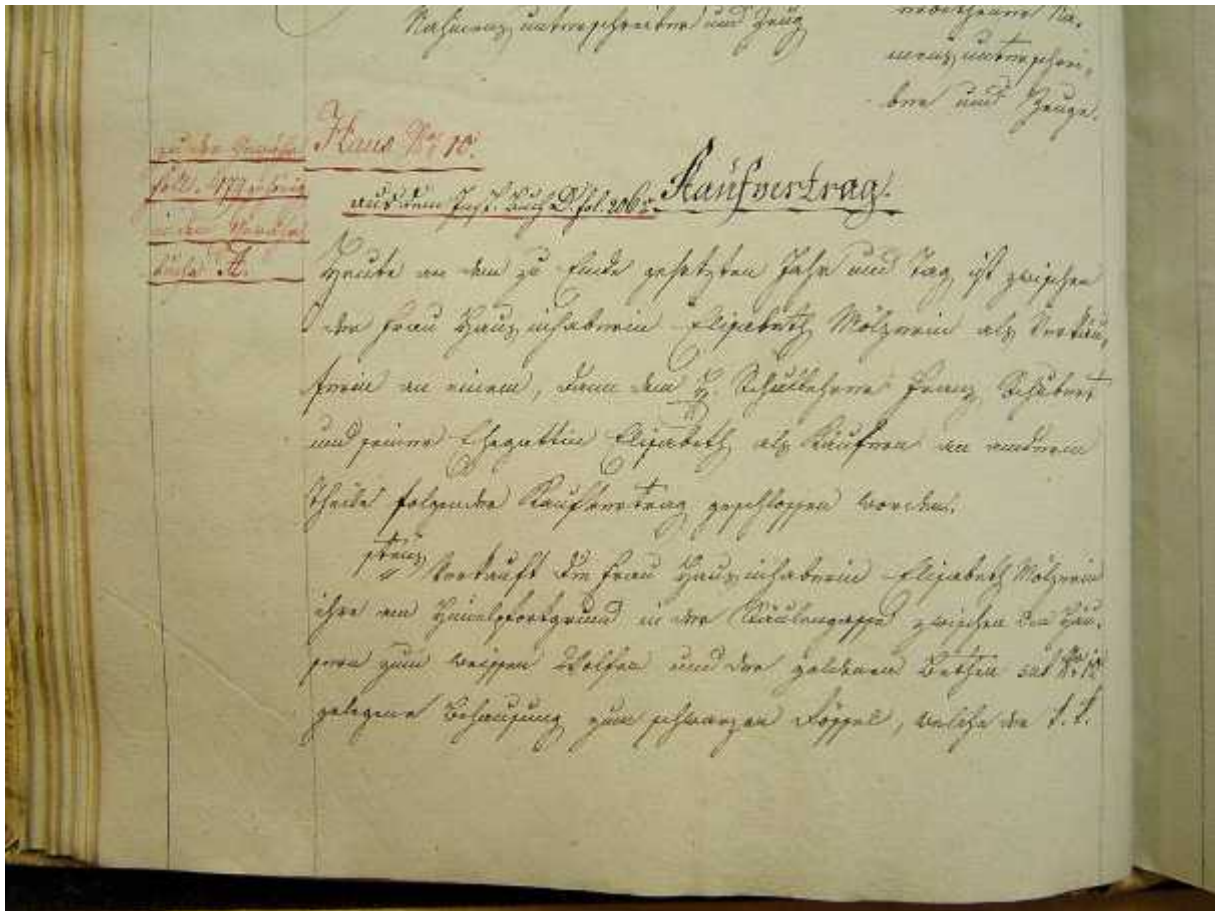
Joseph Springer

provisor: Amtsverwalter

Vide Nachtrag zum Haus N° 10, in diesem Buche fol. 325.

Elisabeth Lebersorgerin (+ 13. August 1792) Besitzerin des Hauses und Mutter der Elisabeth Mölzer und der Anna Maria Reiter

fol. 42: Georg Lebersorger kauft Nr. 10 am 5. Oktober 1770 von Christian und Anna Maria Weninger



A-Wsa, Patrimoniale Herrschaften, Grundbuch 154/5, fol. 42v

Appendix II

II. 1.
Entry in the register of assets and liabilities concerning the claim of Franz Schubert's four minor children against their father. A-Wsa, Patrimoniale Verwaltung und Justiz, 2.1.1.110, 16(42), (earstwhile *Waisen-Passivbuch Simmering, lit. B*), pag. 628-29.

Pag. 628.		<i>Schubert Ferdinand, Carl, Franz und</i>					
Laut Waisen= Journal Pag.	Laut Inventur und Abhandlungs= Protokol. Lit.	Post Nro. 1.	Forderung. M. J. 1812 Franz Schubert ist am 11. July nach Absterben seines Weibes Elisabeth diesen seinen 4 <u>m</u> . Kindern an mütterlicher Erbschaft schuldig ge= worden a 204 f X. Int[ere]ss[en] a 5% beym Austritt aus der väterlichen Versorgung.	An Kapital.		An Interessen	
				fl.	kr.	fl.	kr.
Post.	Pag.						
16/77	Activ B[uch] B. p. 245.	2	A ^o 1813. Rest de a[nn]o [1]812				
		3	" 1814. " " " 813	816	1 2/4		
		4	" 1815. " " " 814	816	1 2/4		
				816	1 2/4		

Laut Waisen= Journal Pag.	Laut Inventur und Abhandlungs= Protokol. Lit.	Post Nro.	Abfertigung. M. J. 1824 Dem Magistrat Wien übergeben	An Kapital.		An Interessen	
				fl.	kr.	fl.	kr.
							816.
Post.	Pag.						

Pag. 628		Schubert Ferdinand, Carl, Franz und				Pag. 629		Theresia von Hünelsfortgrund A. 10.				
Von Baus- Journal No.	Von Interess- an Abzahlung Prest. u. No.	Von No.	Forderung		Von No.	Von No.	Von Baus- Journal No.	Von No.	Abfertigung		Von No.	Von No.
P. u. L.	P. u. L.		Kapital	Interesse	Kapital	Interesse	P. u. L.		Kapital	Interesse	Kapital	Interesse
			r.	h.	r.	h.			r.	h.	r.	h.
66 77	Actio 8: No. 245	i.	Franz Schubert ist am 10. July 1812 auf dem Grundstück No. 100 in der Gemeinde Wien im Gemeinschaftlichen Besitz von 2000 fl. zu Zinsen a 5% bis zum 1. d. d. h. bei Zinszahlung.		816	12			Herrn Franz Schubert abgelassen		816	12
		ii.	St. 100. P. u. L. 500		516	12						
		iii.	" 100. " " " 500		516	12						
		iv.	" 100. " " " 500		516	12						

II. 2.
 Entry in the register of assets and liabilities concerning the claim of Franz Schubert's four minor children against their father. A-Wsa, Patrimoniale Verwaltung und Justiz, 2.1.1.110, 16(44), (earstwhile *Waisen-Passivbuch Simmering, lit. D*), pag. 245-46.

Pag. 245.				<i>Schubert Franz vom</i>			
Hieher von Waisen= Journal. Pag.	Hieher von Satz= Buche. Lit.	Tag und Jahr der Schuld= Verschrei= bung.	Post Nro. 1.	Schuldigkeit. M. J. 1812	An Kapital.		An Interessen
Post.	Pag.				816	1 2/4	
16/77	Passiv B 628	11 July	2 3 4	Dieser ist nach Absterben seines Weibes Elisabeth seinen <u>4 m.</u> Kindern Ferdinand, Karl, Franz und Theresia à 204 f X. schuldig geworden Intr[e]sse a 5% beym Austritt aus der väterlichen Versorgung. A ^o 1813. Rest de a[nn]o [1]812 " 1814. " " " 813 " 1815. " " " 814	816	1 2/4	

Laut Waisen= Journal Pag.	Laut Inventur und Abhandlungs= Protokol. Lit.	Post Nro.	Abfertigung. M. J. 1812 [1]824 D 31 Okt dem Magistrat als Käufer Der H[er]rsch[af]t Himmelfortgrund übergeben	An Kapital.		An Interessen	
				fl.	kr.	fl.	kr.
				Post.	Pag.		

Pag. 245.				Schubert Franz				Mündelhaftigkeit N ^o 10.				Pag. 246				
Sicher von		Legit. Note		Vorf. No.	Schuldigkeit		No. Kapital		No. Zinsen		Abstraktion		No. Kapital		No. Zinsen	
Wort	Summ	Cap.	Note		W. 2. 1872	K.	N.	K.	N.	W. 3. 1872.	K.	N.	K.	N.		
16/77	2000	11. July	1.	<p>Leber Franz Schubert's Sohn 2000 fl.</p> <p>1877</p> <p>1878</p> <p>1879</p> <p>1880</p> <p>1881</p> <p>1882</p>	816	17										
				<p>1877</p> <p>1878</p> <p>1879</p> <p>1880</p> <p>1881</p> <p>1882</p>	516	12										
					516	12										
					516	12										
					516	12										