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# Der Maibaum

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## Gustav Körner's Illinois Gesetzbuch: A Legal Handbook for Illinois Germans in 1838<sup>1</sup>

by Steven Rowan

Gustav Philipp Körner (1809-1896) was one of the few German immigrants who successfully moved directly from a legal career in Germany to the practice of law in America.<sup>2</sup> For most jurists trained in Germany, linguistic and methodological barriers prevented them from practicing in the very different discipline of American law. Many former lawyers also believed that emigration was a good moment to become farmers or to pursue some other way of life, which was the case with the Baden revolutionary Friedrich Hecker (who settled near Summerfield, Illinois).

Körner's budding career as a jurist in Frankfurt am Main had suddenly been cut short by his involvement in the disastrous *Wacheputsch* of April 1833, when he and his comrades of the Frankfurt *Burschenschaft* (fraternity) assaulted a central police station in Frankfurt in a futile attempt to instigate a general German uprising.





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### Der Maibaum

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## Editor's Page

Welcome to the Spring 2009 issue of *Der Maibaum*. We are again blessed to have contributions from three well-known authors. Dr. Steven Rowan, who is currently working on a larger research project about Gustav Körner, gives us insight into how German settlers gained an understanding of American law through an evaluation of Körner's translation of Illinois state law into German. Don Troutman introduces the readers to C. F. W. Walther, the first president of the Missouri Synod and the Concordia Seminary, through the eyes of Margarete Lenk, who during her fifteen-year visit to America, visited the Walther household in St. Louis.

We are also beginning a new series of articles with this first issue of *Der Maibaum* in 2009. Ralph Rowlett, professor of archaeology at the University of Missouri-Columbia, has agreed to write several articles about Hermann the Cheruscher in association with the 2000<sup>th</sup> anniversary of the famous battle in 9 A. D. and the erection of his statue in Hermann, Missouri. Dr. Rowlett will convey to you new information about the hero from the Teutoburg Forest and supplement his articles with illustrations of archaeological evidence. We hope that you will enjoy these articles.

The book I have chosen to review this time is the translated publication of *Deutsche im Amerikanischen Bürgerkrieg: Briefe von Front und Farm, 1861-1865* (Paderborn, 2002) entitled *Germans in the Civil War: The Letters they Wrote Home*, edited by Walter D. Kamphoefner and Wolfgang Helbich and published by the University of North Carolina Press in Chapel Hill in 2006. This collection of over 300 letters reflects the opinions and experiences of seventy-eight German immigrants. These men and women, soldiers and civilians, living in the North and the South, tell us about why men enlisted, what sacrifices people endured on the home front, and what German Americans thought about the war and slavery. For example, Private Friedrich

Schmalzried enlisted because he had labored for five years for a German farmer in Saline, Michigan, for low wages and harsh treatment and soldiering looked like an improvement. Carl Hermanns, a teacher in Philadelphia, experienced the disadvantages of a tightening money supply, lamented what he perceived as incompetent military leadership, and bemoaned the ruining influence lawyers and politicians had upon "this wonderful country" (p. 115).

The editors divided the book into two geographic sections with letters from the eastern theater and the western theater of engagement during the war. They did not intend to celebrate the German American contribution to the war, but sought to illustrate the German immigrant perspective of the war.

These letters also offer new insights that challenge traditional historical interpretations of the past. For example, ordinary Germans, not just the educated few, held democratic ideals such as princes and priests hindering the "free development and education of the people" (p. 114). Or as Johann Henbach from Maryville, Missouri, thought, Germany would take a long time to change into a free country because it still lived "in the 14<sup>th</sup> century compared to America" (p. 179). Clearly, the 1848 Revolution had a much broader impact than previously thought.

Letters also question the belief that the war, through soldiers fighting side by side, contributed to Americans accepting foreigners, especially Germans. Carl Uterhard, a surgeon in the union Army, personally experienced the loathing American soldiers expressed toward German-speaking soldiers, even doctors (p. 161-62). Thus this collection of letters contributes greatly to the history of German Americans and the Civil War.

In closing, I would like to entice your "appetite" or "thirst" for the fall issue of *Der Maibaum*. We intend to dedicate it entirely to the history of wine and wine tasting. Thank you for your continued interest and *Auf Wiedersehen*.



## Announcements:

Between September 23 and 27, 2009, the city of Hermann, Missouri, will celebrate the 2000<sup>th</sup> anniversary of the famous battle in the Teutoburg Forrest in 9 A. D. where northern Europeans successfully opposed the advances of Roman legions. To honor the hero and the city's namesake, dignitaries will dedicate the Hermann Statue at Hermannplatz at 4 pm on Thursday, September 24. A Parade of Citizens to Hermannhof Hofgarten will follow this dedication ceremony. Additional events during the five-day celebration include book signings, a Volksmarch, or self-guided tour through Hermann, and a special exhibit at the German School Museum. The Turnverein will also present physical fitness activities for all ages at the city park. Visit Deutschheim State Historic Site because it too will have a special exhibit honoring the namesake of Hermann. For further information you can contact the Hermann Welcome Center at [www.hermannmo.info](http://www.hermannmo.info)



The Deutschheim Verein will participate this year in the Old Munichburg Oktoberfest held in Jefferson City on Saturday September 26, 2009. We hope that you come and visit us at our booth.



### 2009 Erick Kurz Memorial Award for German-American Studies

The Steuben Society of America announced that Emilie Eggemeyer is the 2009 recipient of the Erick Kurz Memorial Award for German-American Studies. Emily, a graduate student at the College of Architecture and Planning at Ball State University in Muncie, Indiana will receive a M.S. in Historic Preservation (Spring 2009) with a thesis on "From Germany to America: A Comparative Study of German Vernacular Architecture in Small Midwestern Towns."

According to Prof. Sigrud Koehler of Ball State, "Emilie's master thesis is an extensive documentation of two mid-western towns, Mayestown, Illinois, and Hermann, Missouri. She documents and discusses the many existing historical buildings as well as the background of the families who settled there.... Emilie also points out where German tradition and customs have merged with the New World and thus creating a distinctive German-American architectural style."

Ilse Hoffmann and Dr. Don H. Tolzman, Co-Chairs of the Education Committee, were delighted to have selected such a deserving candidate and congratulate Ms. Eggemeyer on her achievements in this documentation of German contributions to America.

**“Körner’s Illinois *Gesetzbuch*” continued  
from page 1**

As a wounded man with a price on his head and no future in his native country, he joined a party of relatives and acquaintances on their way to the New World. After a disastrous sojourn in St. Louis, where several member of the party died of cholera, he found his refuge in the Engelmann-Hilgard settlement east of Belleville, Illinois. It was from this perch in the relatively healthy Shiloh Valley that he would rebuild his life.

In late 1833 he made a walking tour with Friedrich Engelmann from St. Louis to the area of Jefferson City, walking on the southern bank of the Missouri on the way out, and on the northern bank on the way back. It was this tour which gave rise to his biting criticism of Missouri and the image painted of it by Gottfried Duden, whose *Travel Report* of 1829 had drawn many Germans to what they thought was a new Rhineland along the Missouri. Writing his *Illumination* of Duden’s *Report* occupied him through the winter of 1833-34, and he published the result through his brother back home in Frankfurt.<sup>3</sup>

Körner rapidly established himself in Belleville, Illinois, marrying into the Engelmann family and qualifying as an American lawyer by “reading law” under A. W. Snyder of Belleville, an established member of the profession, and studying over the winter of 1836-36 at Transylvania University in Lexington, Kentucky. He would become one of the most accomplished members of the Illinois Bar, into which he was formally received at what was then the state capital of Vandalia. He would eventually be a justice on the Illinois Supreme Court and Lieutenant Governor of Illinois. His role as a friend and advisor to Abraham Lincoln in his Illinois years makes his memoirs a very useful resource for Lincoln scholars.

During the Civil War Körner reached the rank of colonel on the staff of Major General John Charles Frémont during Frémont’s brief episode as commander of the

Department of the West in St. Louis. Körner, although he by no means encountered “virgin soil” as an immigrant, identified himself with the earlier wave of German immigrants to the Midwest. One of his most significant publications was a history of German immigration prior to 1848, specifically to counter the often self-absorbed accounts of the “Forty-Eighters,” who believed they constituted the whole story of the German-speaking impact on the United States.<sup>4</sup> For his trouble he was often called “Gray Gustav,” since to the “Green” Forty-Eighters, the “Thirtyers” were negatively described as the “Grays.”

One artifact of Körner’s early career as an Illinois lawyer has seldom been mentioned, let alone read. In 1838 he published in St. Louis a small-format German-language volume of over two hundred pages that intended to provide settlers with what the extensive title-page declared to be an *Extract from the Laws of the State of Illinois, or a Collection of those Legal Rules that most frequently come to use in Civil Life, Accompanied with the Declaration of Independence and the Constitution of the United States and of the State of Illinois, as well as with Explanatory Remarks and References for the German Citizens of Illinois, Collected by Gustav Körner, Lawyer.*<sup>5</sup> This came off the press of his fellow former Frankfurt rebel Wilhelm Weber of St. Louis, the editor of the principal German-language newspaper of the day, the *Anzeiger des Westens* (“Western Reporter”). The *Anzeiger* had been published since 1835.

The copy of this rare little book that is in the Special Collections of Harvard Law School Library has a hand-written title on the spine describing the contents as a *Gesetzbuch*, a “law-book.” Körner clearly intended this volume not as a scholarly treatise on law, but rather as a legal guide for immigrants. Copies of this manual probably once graced the mantel of German settlers’ cabins in the years following its publication, aiding their owners in figuring out their rights and obligations in a

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strange new homeland. As time passed and Germans played an increasingly important part of the political landscape in the Midwest, state governments would order standard German translations of laws and official reports, but in the 1830s, Körner was on his own.

In the preface, dated Belleville, 26 August 1838, Körner remarked that there were as yet no comparable texts available, and that he had no guidance for translation of English legal terms into German.<sup>6</sup> He declared he preferred the use of American sources rather than British ones, perhaps nudging those who relied on Blackstone's mid-eighteenth century lectures on English Common Law as the basis of training for American lawyers.

In his memoirs, consisting of interviews made in his last years, Körner reminisced about composing and publishing the book:

... I had in the summer of 1838 undertaken a task involving great labor. The German population was already large in our State, and was daily becoming more so. Our statutes had been very ably revised and collected in what is called "The Revised Statutes of Illinois," 1833. To most of the new-comers this compilation was a sealed book. I thought it would be a great benefit to this class of citizens to translate the State Constitution and the most general and important laws, such as those related to the mode of conveying real estate and to mortgages, to notes and bills of exchange, legal interest, the administration of the estates of deceased persons, to wills and testaments, to the enclosure of fields, and so forth. The criminal code, adopted principally from the Virginia Criminal Code, drafted by

Jefferson, was an excellent and quite well arranged collection of laws on crimes and offenses, and I translated it entirely, adding to it a translation of the Declaration of Independence and of the Constitution of the United States, which, strange to say, had never been translated into German by anyone who was a jurist and who truly understood these documents. Some footnotes of an explanatory nature were added. The book contained two hundred and forty-five pages, was printed by William Weber, and was the first German book printed in what was then the Far West. Though the price was two dollars, it was out of print in a few years.<sup>7</sup>

After the preface, Körner listed the basic documents of the American republic and Illinois cited in the title, a total of forty pages.

With the basic documents out of the way, Körner turned to the central material of the book, "A Selection of the Most Important Laws from the Revised Statutes of Illinois." The principles of selection are interesting, since the first items chosen deal with Justices of the Peace and their subordinates (such as constables). Local elected judges loomed large in the lives of farmers and town dwellers as the court of first instance. Following the discussion of the officers of the law, whom immigrants were most likely to encounter, came forty pages of penal statutes, followed by sections on wills and legal succession to property.

It might surprise the modern reader that the next item after wills and succession is divorce, followed by treatment of minors, orphans and wards. After a very brief selection of marriage statutes, there is a section on apprentices, escaped cattle, fencing of property and simple debts. A section on real-

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property law, including landlord-tenant relations, consists of statutes on renters and landlords, followed by those on violent seizure and restraint of landed property. Having disposed of landlords, tenants and real property in general, Körner returned to marital relations with a short collection of statutes on the widow's portion in inheritance, followed by a longer section on the care of illegitimate children.

Restrictions on the sale of alcoholic beverages and regulation of inns were followed by rules on interest and debt. After a selection of statutes on the support of the poor and directions on fraud and perjury, a long final section dealt with the maintenance of public roads.

An appendix "contains a short summary of several significant parts of laws," dealing with the sort of emergency with which anyone could be confronted: 1) procedures on seizure, 2) posting bail on behalf of the accused, and 3) transfer of property.<sup>8</sup>

A casual review of the excerpted laws will remind us how different from our own the world was in 1838 Illinois. Although Illinois was a "free state," it was bordered on two sides by states (Missouri and Kentucky) where slavery was legal, thus obligating residents of Illinois to treat that institution with a certain measure of respect, whatever their own feelings. As a result, there were excerpts on misdeeds concerning slaves, indentured servants and apprentices.<sup>9</sup> The penalty for harboring an escaped slave or indentured servant was a maximum fine of five hundred dollars and six months in prison. There was also provision for contracting out a colored person for a term. Later it was noted that no liquor was to be sold to a minor or apprentice under the age of twenty, or to an indentured servant or slave, with violators subject to a fine of twenty dollars. There was also a special list of items not to be sold to Indians, including liquor and weapons.<sup>10</sup>

Körner's *Gesetzbuch* is a useful exhibit of the transition of Germans in the Midwest to the practical problems of American life, and it

certainly deserves closer attention from historians of immigrant life in the nineteenth century.

### Endnotes:

<sup>1</sup> Useful comments for this article were supplied by Mr. Michael W. Beatty, a graduate student at University of Missouri-St. Louis.

<sup>2</sup> A rather rare biography of Körner is H. A. Rattermann, *Gustav Körner, Deutsch-amerikanischer Jurist, Staatsmann, Diplomat und Geschichtschreiber. Ein Lebensbild, nach seiner unveröffentlichten Autobiographie, seinen Schriften und Briefen bearbeitet und dem Andenken des verstorbenen Freundes in dankbarer Erinnerung gewidmet von H. A. Rattermann* (Cincinnati: Verlag des Verfassers, 1902). This is a separate printing from Rattermann's *Gesammelte Werke*, vol. 11, pp. 222-386. A copy is in the UM-St. Louis and St. Louis Mercantile Library.

<sup>3</sup> See Steven Rowan, "Don't Believe Everything you Read About Missouri," *Der Maibaum*, 16 (Fall 2008), 10-13.

<sup>4</sup> Gustav P. Körner, *Das deutsche Element in den Vereinigten Staaten von Nordamerika 1818-1848* (1880), with an English introduction by Patricia A. Herminhouse (New York, etc.: Peter Lang, 1986).

<sup>5</sup> The title page of the manual is *Auszug aus Gesetzen des Staates Illinois oder Sammlung derjenigen Rechtsvorschriften, die im bürgerlichen Leben am häufigsten zur Anwendung kommen, begleitet von der Unabhängigkeits-Erklärung und der Constitution der Ver. Staaten und des Staates Illinois, so wie von erleuternden Bemerkungen und Hinweisen für die deutschen Bürger von Illinois zusammengestellt von Gustav Körner Rechtsanwalt. St. Louis, Druck und Verlag von Wilhelm Weber. 1838.*

<sup>6</sup> *Ibid*, vi-viii.

<sup>7</sup> Thomas J. McCormack, ed., *Memoirs of Gustave Koerner 1809-1896: Life Sketches Written at the Suggestion of his Children* (Cedar Rapids, Iowa: The Torch Press, 1909), 430.

<sup>8</sup> Körner, *Auszug*, 244-48.

<sup>9</sup> *Ibid*, 110-111, sections 149-151

<sup>10</sup> *Ibid*, 213.

## Luther in Missouri: Recollections of Dr. C. F. W. Walther

by Don Heinrich Tolzmann

### Introduction

In the 1930s, Thomas Mann came to America, eventually settling in Los Angeles, California. In due time, he came to be referred to as “Goethe in Hollywood.” In like manner, we may very well call Dr. C.F.W. Walther, who came to America a century earlier, as “Luther in Missouri.” Walther (1811-87) is well known as the patriarch of the Missouri Synod, having served as pastor of Trinity Lutheran Church in St. Louis (1841-87), professor at Concordia Seminary (1850-87), and as first president of the Missouri Synod and of the Concordia Seminary.



Walther im Jahr 1843.

Nach einer Zeichnung von Frau.

A prolific author of numerous books, articles, pamphlets, and tracts, Walther also served as editor of two outstanding journals published by the Missouri Synod: *Der*

*Lutheraner* (1844-87) and *Lehre und Wehre* (1855-87). The entirety of his work is extensive, but there is no question that he was one of the foremost leaders of the Lutheran church in America.<sup>1</sup>

Although the primary focus has understandably been on his leadership role within the Lutheran church and the huge body of writing that Dr. Walther created, it is also of interest to learn more about his home life, as he played such an important role not only in American Lutheran history, but also in German-American history in general, and Missouri German history in particular.<sup>2</sup>

An interesting personal portrait of Walther and his wife, Emilie (1812-85), can be found in Margarete Lenk's book *Fünfzehn Jahre in Amerika*, published in 1911.<sup>3</sup> A prolific author of short stories, Margarete Lenk (1841-1917) was born in Dresden. She came to America in 1873 with her husband, Pastor Emil Lenk, from Saxony - the home of the Saxon Lutherans who came to Missouri in the 1830s. The Lenks stayed in America for fifteen years, with Pastor Lenk serving at various congregations.

Margarete Lenk devotes a chapter of her 1911 book to life at home with the Walther family (portions of this chapter I have translated from the German). After arriving in New York, the Lenks took a train to St. Louis, and then a horse drawn wagon to Concordia Seminary, where the Walthers lived.<sup>4</sup> After driving through the downtown area, Lenk picks up the story as follows:

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### The Walthers

Finally, finally, we reached a more open area; the conductor waved to us and said: “Jefferson Avenue and Miami Street.” Our hearts really began to beat now! How would



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we be received in Professor Walther's home? How would his wife relate to me? I imagined her as distinguished and very educated. All around it was beautiful and open. Wide streets enclosed with trees, very attractive houses surrounded by gardens, and there stood the stately Concordia Seminary that we had often seen in pictures; not far away was the beautiful medium-size Gothic-style church. The homes of the professors were in the area; Professor Walther's home was at that time the most modest one of all. The pretty, quite neatly dressed girl that answered our knock at the door called out: "Oh, you are here already! We only expected you this evening. I will call the Professor right away!" With that she led us into a quaintly simple living room and then ran off upstairs.

In a few minutes the man entered the room whose picture we had till now viewed more with reverence than affection. His eyes beamed forth with love and joy, as he embraced my husband, moving him to tears. Walther was a devout, true, and noble-hearted man, and the friendship that began here lasted a lifetime.

He then extended his hand to me, calling me a courageous woman, although I certainly had not been one at all times on the journey. He then called to the door: "Kathrine! Go get my wife; she is now with the sewing circle. And cook up some coffee!"

His dear wife soon arrived, walking in short quick steps, with a gray dress, white apron, and a very simple black lace cap. It made me feel so much at home to hear her Saxon voice greet us so kindly! "How was it on Staten Island? What is Klärchen doing? How was the ocean journey?"<sup>5</sup>

So, on this evening we felt at home in the house that I had imagined would be so distant, distinguished and reserved.

We enjoyed the hospitality of this wonderful couple for about six weeks, or so. My dear husband plunged into theological studies with a passion, often visiting lectures at the Seminary, and making many interesting acquaintances. I was less satisfied; indeed, I felt pushed aside and was somewhat jealous of

the entire Missouri Synod. Till now, my dear husband had discussed everything with me that was on his mind; after all, he had nobody but I to bear his heart to during the long and exciting trip here. Now he was meeting others who were entirely of the same mind as him, and who conveyed a wealth of intellectual and spiritual knowledge to him.



Dr. Walther's Gattin.

I would have gladly learned a lot about the American household, but our dear hostess assured that this would come with time, and was not something that could be taught. In any event, I just learned by watching her nimble, skillful hands at work. However, she allowed no one to learn her baking secrets, and therefore was innocent of the strange products that I produced later on as my first attempts at baking.

On the other hand, she gladly accepted my assistance with sewing, and I was able to sew the buttonholes on six fine shirts for her husband that she was working on. Professor Walther took such delight that I had come across the ocean for the express purpose of indulging in such extravagances on his behalf. With that, he meant, of course, the great number of buttonholes!

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When we sat together working so diligently my dear hostess would tell me stories of all kind from her adventurous life. "Before the war" and "after the war" were the two dividing lines. Before the Civil War, she felt that humble simplicity, good manners, and in German homes, the German language, were the rule; but thereafter, fancy clothes, excesses among the youth, and the wretched chatter of English was gaining the upper hand more and more. In any case, however, her home was spared from these harmful influences...

When the table was set for the mid-day meal, the good woman stood at the bottom of the stairway, calling out loudly: "Be so good!" If there was no answer from upstairs, then the call was repeated several times, finally in a somewhat irritated tone. If all remained silent nonetheless, then she would sadly say: "He does not want to eat again. I will have to send some coffee up to him!"

Several times, I brought him his coffee with a butter-bread, at first seeing not anything in his study but a thick cloud of tobacco smoke, discovering only thereafter his venerable figure bowed over his books and papers. Even if he was deep in his work, he still had several friendly words for me.

Once I saw him in the yard with several thick books under one arm and some wood under the other. "Oh, Herr Professor," I said, "let me help carry the wood up to your study!" "Quiet, quiet," he warned. "This is some wood from my own woodshed. My wife must not know about this; she always complains that I keep it too hot in my study!"

If he did take part in meals, then it was always enriched by cheerful and often very interesting conversations. He then left the professor upstairs and was a friendly host, who not only spoke eloquently, but was also a good listener. Only he could not stand it when someone would speak English at the table. If someone did so, then he would tap sharply with his finger on the table, saying: "German is spoken here!"

Yes, Walther's house was still entirely German; his good wife could, however, speak

English quite well and made use of it when shopping at the markets in town, where I would often accompany her to the places she went.

It was a real fest for everyone when this busy man stayed downstairs after the evening meal instead of going back to his writing desk to work till midnight. He did not want to do all the talking, but enjoyed it so much when everyone would join in the conversation...

Sundays at the Walther home were really blessed and joyous days. Nice, neat and ready for church we all sat at the breakfast table; then we went to the not very large, but finely and beautifully built Gothic-style church... The hymns sung by the student choir were quite majestic; I also remember a performance there that really impressed me, making me think of heavenly choirs.

I do not recall if I first heard Dr. Walther speak there or elsewhere. It would be superfluous to praise his sermons. He was a select tool of the Lord, well equipped not only with the greatest gifts of the mind, but also of the spirit. Those, who have never seen him, nor heard him preach, but have only read his writings, cannot really appreciate his work. God richly blessed his mind and filled his heart bountifully with love, patience, kindness and mercy. Many people, young and old, strangers, and guests, have learned this by experience with him.

Frau Dr. Walther often complained that her husband was indifferent to meals, and that it was all the same if she served a roast turkey or cornmeal mush. "Not at all!" he would reply teasingly. "Just make me once some *Eiergeräusch* (a mixture of eggs with cream or milk, chives, onions, and bread crumbs) and you will see how I beam with joy!" "Oh, you and your *Eiergeräusch*!" she would respond impatiently. "You see that is something his mother always made him for his birthday, or if he had some childish mood. It is certainly nothing more than a good scrambled egg mixture or with some nice leftovers. But he stubbornly maintains that only his mother can make it."<sup>6</sup>

Later on when he was at the table with

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us once, I had prepared him the best egg dish after diligently studying the finest, tastiest recipes in a cookbook. It tasted very good to everyone, and when I brought Walther a second serving, I gently asked: “Is this *Eiergeräusch*?” With a smile he raised his finger and said: “It is almost like it, quite close in fact, but not exactly the same!”

Dr. Walther was like a father with all the theological students, who resided at the college and never forgot that they still were not ministers, but rather lively, light-hearted youths. He enjoyed it when after a hard day of work they played ball in the yard or on the grassy areas, did gymnastics and jumped around, or sat on the porch, singing both serious and happy songs. Yes, many a beloved German folksong was sung here, such as: *Ich hatt' einen Kameraden; O Strassburg, ich muss Dich lassen!*; *Wer hat Dich, Du schöner Wald, aufgebaut so hoch da droben?* Other songs that warmed the German heart were also sung.

Sometimes a not so poetic, but rather amusing song was sung in which the word “Sauerkraut” frequently was used at which time everyone loudly stamped their feet. Our dear hostess felt this was somewhat profane for future pillars of the Lutheran Church. “Tell them not to sing that Sauerkraut song,” she would tell her husband. “Why should I,” he would answer. “There is nothing wrong with Sauerkraut and I like eating it very much.” She would say: “But they want to become ministers.” And, then he responded: “Definitely, but not some spineless mice!”

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### Conclusion

Margarete Lenk’s book provides some interesting and amusing insight into the home life of Dr. C.F.W. and Emilie Walther of St. Louis, showing they were a personable and sociable couple, and that wit, humor, and song were an integral part of their life. If anything, Lenk aims to add a human side to the picture of Walther. However, how accurate is her portrayal? After all, Lenk published numerous

short stories, and was a literary author, not an historian. Does it consist of *Dichtung und Wahrheit*, or fiction and truth, as Goethe described his autobiography?

In his biography of Walther, August R. Suelflow comments on Lenk’s book, noting that: “In it she shared some glimpses into the Walther household, some inaccurately told on the basis of ‘synodical’ tradition.”<sup>7</sup> We, therefore, might not want to view Lenk’s work as an historical account, but rather as a literary-historical treatment of her recollections of the Walthers, which weaves together memories and traditions together. This might especially hold true for the passages, where Lenk discusses the history of the Saxon Lutheran immigration, and less so for the anecdotes translated here.<sup>8</sup> In any event, her book makes for entertaining reading; and is of interest if for no other fact than the Lenks actually did stay with the Walthers. Margerete Lenk presents us with a close-up portrait of their family life, which accomplishes the goal of presenting a personable picture of a German-American Luther: Dr. C.F.W. Walther.

### Endnotes:

<sup>1</sup> For an excellent biography of Walther, see August R. Suelflow, *Servant of the Word: The Life and Ministry of C.F.W. Walther*. (St. Louis: Concordia Publishing House, 2001). For an older, but also outstanding biography, see: Martin Günther, *Dr. C.F.W. Walther: Lebensbild*. (St. Louis: Lutherischer Concordia-Verlag, 1890). This includes a selection of letters (pp. 211-33) and poems (pp. 235-56) by Walther. Also, see: *Selected Writings of C.F.W. Walther*. Edited by August R. Suelflow. 6 vols. (St. Louis: Concordia Publishing House, 1981). A.L. Graebner writes of Walther’s later years: “He wrote copiously for the press; he presented theses at synodical meetings, at which he was eminently the theological teacher; he was regular in his lectures to the students of the seminary from which hundreds of his pupils have gone into the ministry.” See: A.L. Graebner, *Half a Century of Sound Lutheranism in America: A Brief Sketch of the Missouri Synod*. (St. Louis: Concordia Publishing House, 1893), p. 29.

<sup>2</sup> For a history of German immigration and settlement in Missouri, see: Don Heinrich Tolzmann, ed., *Missouri’s German Heritage*. 2<sup>nd</sup> ed. (Milford, Ohio: Little Miami Pub. Co., 2006), and for a history of the Saxon Lutherans immigration in particular, see: Walter O. Forster, *Zion on*

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*the Mississippi: The Settlement of the Saxon Lutherans in Missouri, 1838-1841.* (St. Louis: Concordia Publishing House, 1953. For an older, but brief survey, see: Edmund Jacob Wolf, *The Lutherans in America: A Story of Struggle, Progress, Influence and Marvelous Growth.* (New York: J.A. Hill & Co., 1889), pp. 406-31.

<sup>3</sup> See; Margarete Lenk, *Fünfzehn Jahre in Amerika.* Zweite Auflage. (Zwickau: Verlag und Druck von Johannes Herrmann, 1911). Chapter two is devoted to the Walthers, pp. 30-46. For a poem by Walther dedicated to his wife on the occasion of her birthday, see: Günther, *Dr. C.F. W. Walther: Lebensbild*, pp. 253-54. For further information on the family life of the Walthers, see: D.H. Steffens, *Doctor Carl Ferdinand Wilhelm Walther.* (Philadelphia: The Lutheran Publican Society, 1917), especially the chapter on "Marriage and Family Life," pp. 215-31. Also, see: Suelflow, *Servant of the Word*, especially Chapter 7 on "Love, Honor, and Respect," pp. 223-61. Suelflow describes the home of the Walthers as follows: "At the front entrance to the right was the family room or parlor, containing Walther's grand piano given to him by his congregation. A long hall intersected the entire house from front to back. Behind the parlor was a large dining room, so often filled with numerous guests. Behind the dining room was a kitchen with an extended summer kitchen. The stairs to the second floor were next to the hall. Above the kitchen on the second floor was Walther's enlarged study, arranged by removing a wall between two rooms in 1881. The rest of the second floor provided sleeping quarters for the Walthers, their children, frequent overnight guests, and the housekeeper, Katharina Huesemann," p. 232. Lenk refers to the latter as Kathrine in her narrative.

<sup>4</sup> For a description of the journey across the ocean to New York, see: Lenk, *Fünfzehn Jahre in Amerika*, pp. 3-30.

<sup>5</sup> The reference here is to friends of the family in New York, who the Lenks visited while they were there.

<sup>6</sup> Lenk refers here to *Eiergeräusch*, literally an egg mixture. It consists of eggs mixed together with cream or milk, chives, unions, and dice-like squares of bread that are baked in the oven for about a half an hour. There are different variations of this recipe, as is indicated by Walther's comments that Lenk's version was not quite like his mother's. Some do not add unions, for example, and salt, pepper, and other spices can, of course, be added as well. August R. Suelflow refers to this egg dish as "egg custard." See: Suelflow, *Servant of the Word*, p. 232. Although I searched through several German-American cookbooks, I was not able to find a recipe for this egg dish. This is a simple everyday kind of recipe handed down by families, with recipes varying somewhat from place to place. A related version, of course, would be fried scrambled eggs mixed with milk or cream and chives, with the chief difference being that this is fried, whereas as the other is baked in an oven.

<sup>7</sup> *Ibid*, p. 232.

<sup>8</sup> Lenk also tells the stories about the Saxon immigration that she heard from Emilie Walther. See: Lenk, *Fünfzehn Jahre in Amerika*, pp. 32-38. Lenk writes that "best of all and most vividly she (Emilie) liked to tell of the great immigration under the direction of the Bohemian preacher Stephan, which she herself had participated in. Even if I have forgotten her words in the course of time, the way she told them remains unforgettable, so that I may dare to let her here speak as follows," p. 33. Thereafter, Lenk then proceeds to tell the Saxon immigration story as she recalls it having been told. In her comment here Lenk makes mention of Martin Stephan (1777-1846) who organized the Saxon Lutheran immigration to Missouri. For further information on him, see: Suelflow, *Servant of the Word*, pp. 41ff.

## WARRIOR ARMAMENT AT THE TIME OF HERMANN IN A.D. 9

**By Ralph M. Rowlett**

Hermann the Cheruscher, the victor in the Battle of Teutoburg Forest in modern Lower Saxony, is recognized as a great hero, but he is not really well-known accurately, because all of the written ancient historical sources about him were recorded by his enemies, who bring to their reports their own viewpoints and prejudices. Fortunately, the growth of Roman Imperial-era archaeology and, above all, the

essentially prehistoric archaeology of the natives since 1845 (when the original conception of a Hermann statue was first initiated) has immensely supplemented this ancient information. Archaeology finds support also in Germanic and Indo-European linguistics. A series of articles here in *Der Maibaum* will highlight this impressive mass of new evidence accumulated in the last 150+ years.

Hermann was a native son of the North European Lowland, of a tribe transcribed as the

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"Cheruschi" by the Romans, who were not, of course, professional linguists. But this tribal name was probably more properly written as Ruski, since the Romans had trouble recording the initial aspirated R in Germanic names, and similar to the way that "Arminius" of the Romans contains therein the recognizable Germanic name "Hermann." Ruski, similar to the eastern name for Swedish Vikings, almost certainly means the "Rowers" as a name for the tribe centered on the Great Bend of the Weser River (Fig. 1), which must have been their *Autobahn* highway at the end of the Iron Age, 2,000 years ago.

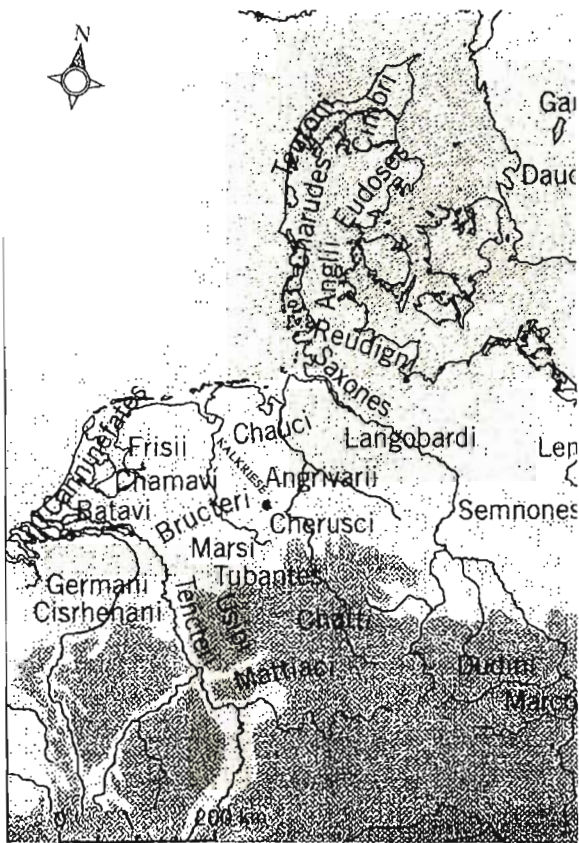


Figure 1: Map of Ruski (Cheruscher) region.

The various Germanic-speaking societies in those days were organized into chiefdom tribes, based upon kinship and headed by a tribal council, composed of all adult warrior-men and a chief (*rik*) elected from a chiefly kin group. Hermann Sigimerson was such a tribesman, the oldest son of his high-ranking father. Like many young men of his background, in this era

when the Romans were trying to extend their empire to the Elbe River, he was forced into Roman military service, a coerced service to protect their older and more infirm relatives from Roman retaliation. These affiliates of the Roman army were not enlisted legionnaires, but Auxiliaries - organized not in Legions but in their own tribal units. As such they retained their own costume, armor, tactics, and horsemanship, the latter not a Roman military accomplishment.

Both history and archaeology confirm essentially a two-class system for the native Germani. An upper class managerial elite called *Earls* or *Jarls*, and a more modest set of freemen known as *Karls*. These social divisions were not extreme, and even earls could carry the given name of Karl. There was a smaller, less fixed class of serfs or thralls, mostly captives; there are stories of thrall aristocrats who marry chiefs. Every freeman was expected to be a warrior, and perhaps a few of the women could be warriors too.

When the chiefs were elected in the tribal assembly, the tribesmen voted by hitting their shield bosses with their spears. The right to bear arms and the right to vote was very closely linked among these ancient people; possession of a spear showed that one was a true, free citizen. Consequently, elections and voting were noisy affairs in those days.

Keep in mind that the spear or lance was a basic weapon, and Germanic warriors were basically horsemen, a fighting platform that privileges the lance. In fact, "German" is a Celto-Latin spelling of "spearman", (*garman*), just as the fish with the long pointed snout is a garfish. The lance (Fig. 2) remained the basic weapon of horsemen until the invention of gunpowder. In eastern Europe, the bow and arrow were the horseman's weapons among the Slavs and the Iranic-speaking horsemen, such as the Scythians, on the Eurasian plain.

By the end of the prehistoric Iron Age two millennia ago, these weapons were made of carbonized steel, which had been perfected about a century earlier. The sword (Fig. 2) was the principal backup weapon to the spear.

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Swords were straight with double cutting edges, about 1 meter long. It was slung on the left side, in contrast to the Romans and the Celts who preferred the right side; the Celts sometimes carried the sword in a back sheath. The Celtic and Latin words for sword also meant "male genital" in those languages, but the term *sword* seems to refer to the sound of the weapon being swung through the air.

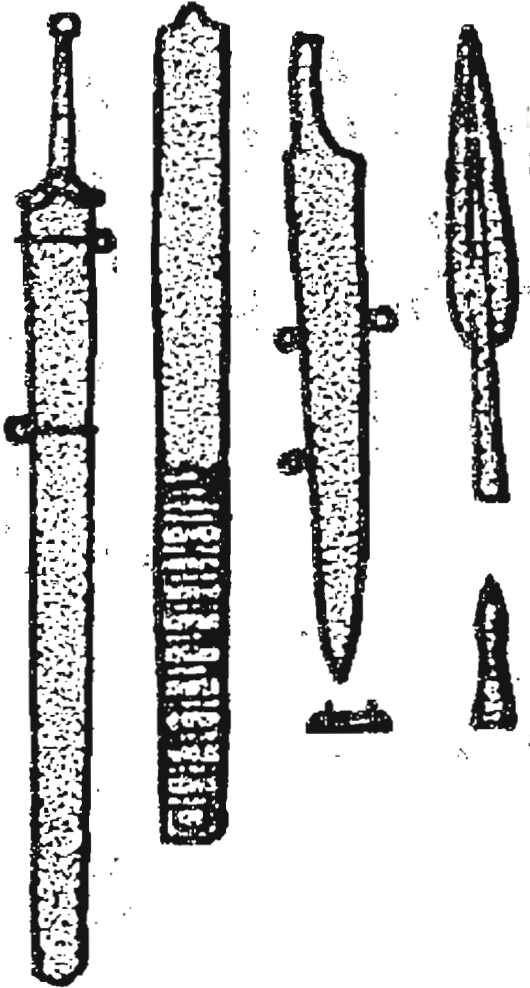


Figure 2: Lance, Spear, Sword, and Sax

A second back-up weapon was the sax, a kind of one-edge battle knife with a straight cutting edge and a curved, blunted back (Fig. 2). This is the direct ancestor of the Bowie Knife of the American frontier, which after a decline during the Middle Ages, made a comeback in the era of pioneering and migration. Among most Indo-European

speakers, including the Celts and ancient Greeks, the one-edged back up weapon had ritualistic and spiritual overtones, difficult for us to comprehend in the 21<sup>st</sup> century. The sax, which basically means "that which divides into two halves," provides the important tribal name, Saxon, and the modern and ancient Scandinavian terms for scissors.

Other weapons used were the battle axe (with one cutting edge), the bow of lime wood, and the arrow wood, perhaps a war hammer, and certainly boomerangs (Fig. 3). Boomerangs, attested archaeologically, began to disappear about the time of Hermann and never made a comeback, although their use is reflected in the folktales of Thor and his returning thrown battle striker. The Romans wrote that the Germanic word for the returning weapon was *Grosphus*, which seems to mean "Bigfoot." The arrow for the bow looks like a tiny spear head with a socket for the arrow shaft, in contrast to the tanged Roman arrowheads with stems.

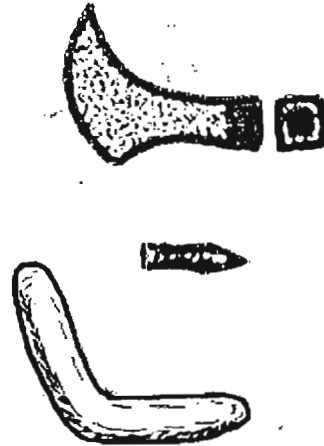


Figure 3: Axe, Arrow, and Boomerang

At least since the onset of the Iron Age about 800 BC, the Germani were the people of the trousers and the closed-front tunic, known from both bog-body finds and sculptures (Fig. 4). The sources show a pointed cap; the cloak and cape can also be square cut or pointed.

The shield was the main defensive armament. By Hermann's time the linden-

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wood shield was long and oval with a transverse handle, the warrior's hand being protected by a domes steel shield boss (fig. 5).



Figure 4: Trousers and Tunic

The round shield of the Bronze Age was occasionally still used and then made a big comeback in the time of the Vikings. While the Romans and Celts usually found four rivets

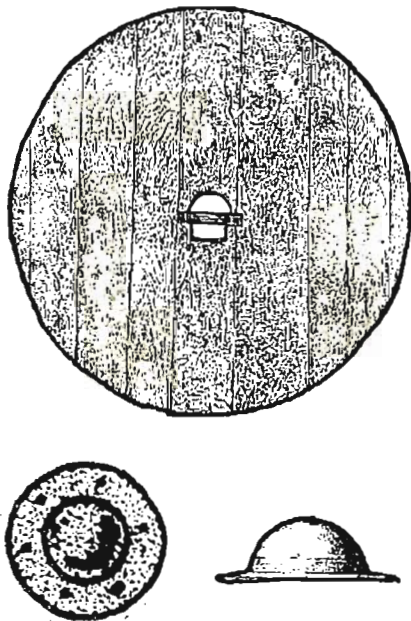


Figure 5: Shield and Shield Bosses

sufficient for fixing the shield boss to the shield itself, the Germani normally preferred more rivets--from six up to twelve or fourteen rivets. Apparently when fighting among themselves, slashing attacks were commonly used, so reinforcement was needed to keep the boss from being trimmed off the shield. The handle was horizontal, not vertical as would seem more normal to us moderns.

Roman sculptures rarely show Germani or Celts with body armor, but Classical textual sources credit the Celts with the invention of chain mail (fig. 6a). Archaeologically, the oldest known chain mail occurs in the Germanic area as far back as 400 BC, at places such as Hjortspring. Two-thousand years ago the Romans used chain mail also and, just

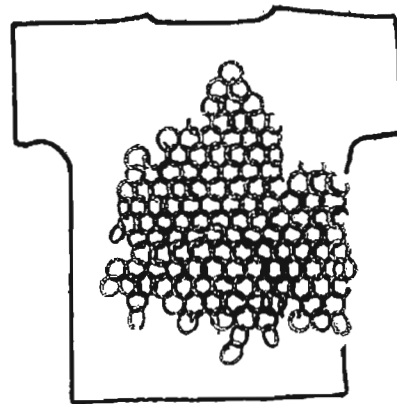


Figure 6a: Chain Mail Armor

about the time of Hermann, started using banded segmented armor, the most effective of ancient armor (Fig. 6b). How the Romans obtained this armor is a bit of a mystery,

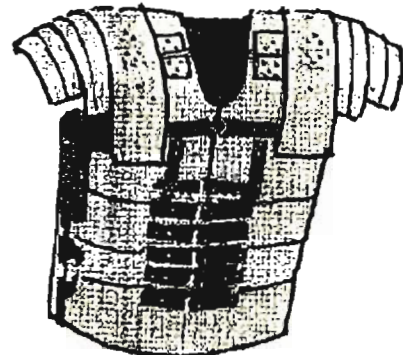


Figure 6b: Banded Segmented Armor

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because the main zone of distribution of such armor is in northern Eurasia, including north Scandinavia; the ancient Greeks had experimented with such armor as early as 800 BC. While Hermann himself might well have worn chain mail, the bronze statue depicts him as wearing the latest in armor technology – the banded segmented armor. As an outstanding auxiliary officer, Hermann would have had the chance to wear such armor and appreciate its benefits.

How to depict helmets worn by the early Germani presents another thorny and misunderstood problem. Sheet metal helmets of bronze, displaying horns equipped to carry feathers, are known as early as the very beginning of the Iron Age at Vikso in Denmark. They are much more common from the era of Hermann and a couple of generations before, when the Celts and Germani wore very similar domed steel helmets with a slight brim (Fig. 6c) No traces are visible on these helmets



Figure 6c: Possible Helmets

of wings and horns (which loom large in the popular imagination) so most professional archaeologists think that such items were absent from the helmets of Hermann's time. However, the Gundestrup cauldron from Denmark, only slightly older than the era of Hermann, show the well-evidenced domed helmets with small horns, wings, antlers and bird and crests on top. Roman artwork from Pompeii show Germanic armor of the early first century, too. Figure 6c demonstrates how these might have looked. Because of this unsettled question as to the appearance of the Germani helmets, the statue of Hermann appears without the helmet.

Before and at the time of Hermann, Gauls

and Roman officers frequently wore on their chests decorative metal discs or bosses called *phalerae*. Among the Romans such plates usually bore the face or likeness of a human being. Among the Germani, there exists at least one 4 inch high figurine that shows a Germanic warrior with such *phalerae* on his chest (Fig. 7).



Figure 7: Oland Figurine from Sweden

This figurine comes from Oland in Sweden, quite far away from the Weser homeland of Hermann. Therefore, in the design of the Hermann statue, it seemed wise to exclude the *phalerae* until these decorative discs are better understood.

While female warriors are unknown among the Romans, there are outstanding examples of female warriors among the Celts, such as Boudica in eastern England, the Getae on the western edge of the Black Sea. Some of the iranic-speaking horse nomads east of the Black Sea had up to 25% of their warriors drawn from the ranks of the women. There is a folkloric tradition of "Shieldmaiden" warriors among the ancient Germanic persisting into Viking sagas, but so far Germani female warriors have not been identified archaeologically. The north Italian Latin writer, Tacitus, does ascribe a supporting role in combat for the women as medical corps. We will discuss this, however, when we describe female and male civil costume in the forthcoming article.