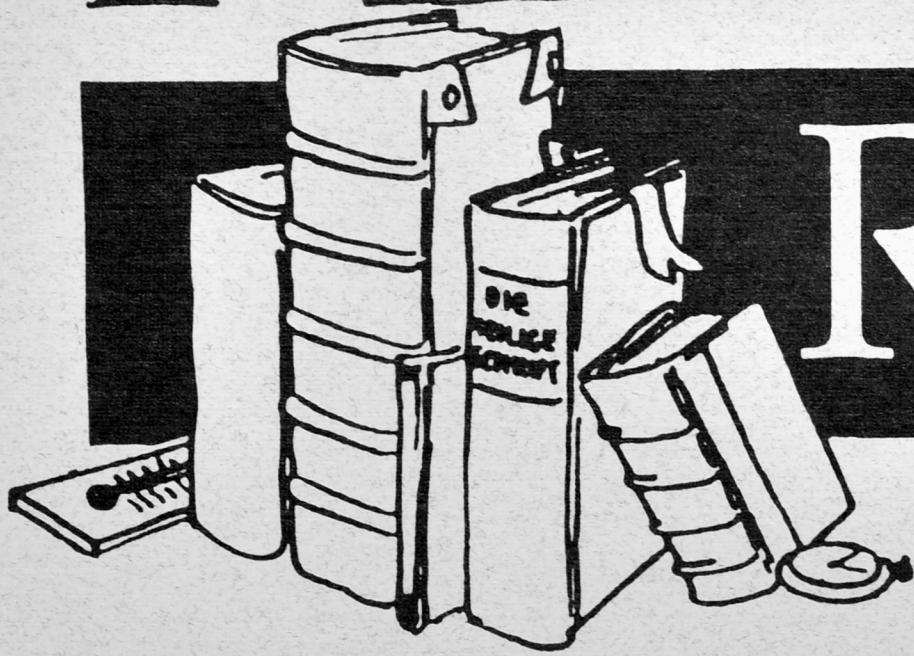


# HERITAGE



## REVIEW

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The Heritage Review is an annual publication of the Ohio Amish Library, 4292 SR 39 Millersburg, Ohio 44654. It is intended to provide information, past and present, about the Amish and Mennonites, especially in Ohio. We invite articles and information. Memberships to the Ohio Amish Library are \$20 annually. Single copies of The Heritage Review are available.

### The House Without a Roof

by Delbert Harmon

I met him as I was walking home.  
I said, "Young man, where are you bound?"  
He said, "I'm going to my uncle's farm.  
He needs some help to plow his ground."

So I wished the boy good luck,  
And said, "Have a pleasant stay."  
With a friendly smile he thanked me,  
And we both went on our way.

A few weeks later we met again,  
But this time he was going back.  
"Leaving so soon young man," I said.  
He didn't smile as he put down his pack.

"Yes, I'm leaving my uncle," he said.  
"I can't stand the crooked furrows he plows,  
And furthermore," he said with a shrug,  
"There is no roof on his house."

I said, "Wait a minute, young man,  
It isn't true what you claim,  
Because there is a roof on his house.  
Perhaps you had better explain."

He said, "I always go to Sunday school,  
Where I've been taught the Christian way.  
I've taken into my heart and life  
The things that Jesus had to say."

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# Estate Records of Immigrant John Schlabach (1782-1863)

by Henry Erb

In the spring of 1819, in the province of Hesse, Germany two Amish brothers, 36 year-old John Schlabach and 25 year-old Christian, both single, were making preparations to leave their homes and fatherland and embark on a new venture. They were sailing across the ocean to a new land, a land of religious freedom, which they had heard of. They were going to a land where anyone could buy and own land. (This practice had been forbidden them in Europe.) Here they could worship as their conscience dictated. Also, by that time Amish churches had already been established in the new country.

What motivated the Schlabach family's decision to send these two sons to America to see if it was suitable for the rest of the family? It could have been a number of things, such as the poor economic situation in Europe at that time, or military conscription laws, etc. Also the Amish population of the Jesburg area in Hesse was slowly dwindling away.

The Schlabach family was living on the Richenrode estate near Jesberg at this time. The father, Christian, and his wife Magdalena (Schwartzentruber) were already advanced in age. Father Christian was approaching his 70th year. Two daughters were married and possibly living elsewhere in the area. (For more information on the Schlabach family, see HERITAGE REVIEW, vol. 1, no.1, Dec.1990)

In the spring of 1819 the two brothers secured passports and church letters. (Christian's "Zeugniß Brief" has been preserved to this day.) They then set out for Bremen, Germany to find a ship. In March they sailed from there to New York. From New York they traveled to the Amish community of Somerset Co., Pa. Later word was sent back to Hesse that conditions were favorable for the rest of the family to also emigrate. So in 1820 the rest of the family, except daughter Catherine, also came. Catherine was married to Johannes Gingerich and their family came later, in 1831. After a six-year sojourn in Somerset Co., the whole Schlabach clan moved to Holmes Co., Ohio, settling on land just east of Charm, Ohio.

John, the oldest sibling in the Schlabach family, and the subject of this article remained single throughout his life. Tradition has it that John was slightly unbalanced mentally and sometimes called the "black sheep" of the Schlabach family. Reports are that John was not in favor of sending notice back to Hesse for the rest of the family to come to America. Christian reportedly did so without his brother's knowledge. While the family lived in Somerset Co., John bought a new German Bible, printed in 1814 in Somerset by Friedrich Goeb. On the flyleaf John wrote : "This Testament belongs to me Johannes Schlabach. I bought it for \$1.00. 1821 " This Bible is now at the Ohio Amish Library and can be viewed there.

On December 20, 1827 John bought land from the U.S. Government: the N.W. Quarter Section 23, T9-R6. containing 160 acres. This land is in Berlin Twp. northwest of Saltillo. In 1836, John sold this acreage to a Henry Miller. In 1837 John again bought land: the west half of the S.W. Quarter Section 7, T8-R5 amounting to 39 acres from Christian Aische. This land is just south of Charm, Ohio along what is today CR 600. A search of land transactions reveals only these two transactions involving John Schlabach.

Very little is known about John Schlabach in his later years. Apparently he lived with either Daniel or Jacob, his brothers, and helped with the farm work. He died sometime in late May or early June of 1863 and is buried in the Schlabach Cemetery, 1/2 mile northeast of Charm, (Cemetery # 0-3 in Cemetery Directory). His grave is plot # 32 with a fieldstone marked J.S. He died approximately one month or so after his brother Jacob.

After his death, Simeon L. Miller, a neighbor, was appointed administrator of his estate, on June 25, 1863. Simeon L. Miller, John French, and T.B. Reiff posted a \$2500 bond as executors. On July 16, 1863 Elias S. Miller, Moses H. Hochstettler, and Solomon S. Miller appraised the possessions of the late John Schlabach. On July 18, 1863 a public auction was held. Following is an itemized list



of the items sold at the auction. Since there was no immediate family to divide his personal belongings, they were sold at the auction, down to his hat, shirts, and stockings.

Apparently John accumulated a fair amount of money in his lifetime, as can be seen by the notes he held against various people. The following list is in its original spellings.

BILL OF SALE  
Property sold by Simeon Miller, administrator of estate  
of John Slaubauch at publick vendue, July 18, 1863

Property as inventoried      To whom sold

Box with trash	Magdalena Miller	.13	1 pare of shoos	Christian Schlabach	1.20
Bucket	Peter Hershberger	.15	1 pair of boots	Jacob Kemp	.27
1 char	Jacob S. Miller	.12	1 pair of boots	Jacob Kemp	1.10
1 juck	Levi P. Hershberger	.10	1 cuting knife	David Schlabach	.73
1 coffemill	Solomon S. Miller	.03	1 Hat	Joseph D. Troyer	.06
lamp and oil can	Simeon Miller	.13	1 Hat	David Schlabach	.13
Coffe pot an char	Magdalena Miller	.18	1 Lot of lether	Jacob S. Miller	.27
3 small Bottels & cloves	Christian Schlabach	.13	1 lot of shirts	Thomas Pfaff	.06
1 large bottel	Jacob Kemp	.22	1 cote and pants	Thomas Pfaff	.37
1 large bottel	Christian Schlabach	.21	1 west an pants	Jacob Kemp	.30
2 small boxes & contents	Christian Schlabach	.23	2 pare of pants	Jacob Kemp	.25
Turne & chock line & faucet	Eli S. Miller	.24	2 pare of pants	Jacob Kemp	.50
Shaving tools & specticles	David Slaubauch	.23	1 West	Jacob Kemp	.45
Tin Box with tin spoons	Magdalena Kemp	.33	1 Cote	Jacob Streit	.75
2 Boxes with hooks,eyes,scissor	Christian Schlabach	.17	1 pare of pants	Jacob Kemp	1.60
2 chissels,etc.	Christian Schlabach	.20	1 overcote	Thomas Pfaff	1.60
2 curry combs	Jacob A. Kaufman	.10	2 bags	Magdalena Kemp	.95
1 Tin with gimblets & files	Solomon S. Miller	.17	2 bags	Jacob Kemp	.60
Bole with pincers	Thomas Pfaff	.18	2 bags	David Schlabach	1.10
2 Tins with knives an lock	Eli S. Miller	.34	2 bags	Jacob Kemp	.50
Bowl with 2 knofes	Jacob Kemp	.20	2 bags	Jacob Kemp	.80
Bowl & brush & cup & saucer	Jacob Kemp	.12	2 shirts	Magdalena Kemp	.25
Picher	Magdalena Kemp	.20	1 peas of casenit	Eli S. Miller	.65
1 picher	Eli S. Miller	.43	1 peas of casenit	Magdalena Kemp	.20
Hamer & Humpt	Christian Schlabach	.25	1 peas of casenit	Magdalena Kemp	.25
2 plates & 2 spoons	Isaac S. Miller	.57	1 peas of casenit	Simeon Miller	1.20
1 dise & bole	Christian Schlabach	.66	2 Shirts	Thomas Pfaff	.30
2 knives	Jonathan Miller	.41	2 shirts	Jacob Kemp	.65
Horsebrush an robe	Christian Schlabach	.48	2 shirts	Thomas Pfaff	.26
1 saw and brush	Jacob Farmwald	.14	shirt	Thomas Pfaff	1.05
1 brush	Jacob Kemp	.29	shirt	Thomas Pfaff	.40
Bras wier	Moses H. Hochstettler	.27	shirt	Thomas Pfaff	.41
1 Slate	Thomas Pfaff	.06	shirt	Magdalena Kemp	.45
1 iron wege	Levi P. Hershberger	.51	1 Tabel cloth	Isaac S. Miller	.85
Ax	Thomas Pfaff	.66	1 Tabel cloth	Magdalena Kemp	.76
1 saw	Jacob S. Miller	.85	Towels	Jacob S. Miller	.80
1 Sythe	Moses Hochstettler	.21	Tabel cloth	Magdalena Kemp	.76
Bridle	David Schlabach	.55	1 pare of mittens	Peter C. Mishler	.40
1 Sadel Bag	David Schlabach	.36	1 pare of mittens	Jacob S. Miller	.35
1 Sadel	John Luke	.65	1 lot of stockings	Thomas Pfaff	.41
2 Books	Magdalena Kemp	.50	1 lot of books	Jacob Kaufman	.08
1 Book	Christian Schlabach	.80	1 lot of books	Christian Schlabach	.20
Books	Isaac S. Miller	.70	1 Book	Magdalena Kemp	.65
1 Book	David Schlabach	.15	1 Bible	Levi P. Hershberger	2.85
1 Chis	Simeon Miller	.53	1 Chis	Solomon S. Miller	.50



1 Silver Watch	Christian Schlabach	4.00
1 Bed an Bedstead	Daniel Mishler	8.00

1 Clock an Case	David Schlabach	4.00
1 Trunk	Jacob A. Kaufman	.45

I hereby certify that the above list be correct.  
July the 18th A.D. 1863

Jacob S. Miller, Clerk

The following money belonged to the estate: Money in Gold-\$61.00, Money in Silver- \$6.25, Bank Notes- \$55.45.

The following notes were for money owed to the estate: One note against Joseph Sommers calling for Sixteen dollars. Dated 18th day of January, 1860.

Due bill against Emanuel Hershberger dated the 22 day of November, 1862 calling for \$34.62.

One note against Isaac S. Miller dated 26 November, 1862 with interest from date. \$87.54

One note against Isaac Yoder calling for \$94.50 dated the 19 day of May, 1858. Five dollars interest paid.

One note against John Shafer calling for 10 dollars, twelve months after date. October 10, 1860.

One note against Jacob Yoder calling for \$100.00 dated 30 December, 1859. Paid 6 dollars interest.

One note against Henry Miller calling for \$40.00, dated the 28th September, 1859.

One note against Christian Farmwald calling for \$100.00 dated June the 11th, 1861. Due one year after date.

One note against Christian Farmwald calling for \$100.00 dated June the 15th, 1861.

One note against John F. Miller calling for \$263.00 dated June 1, 1861.

One note against David Schlabach calling for \$331.70 dated 22 day of April, 1862.

Sined by us: Eli S. Miller  
Moses H. Hochstetler  
Solomon S. Miller

## He Shall Reward Thee

by Mahlon Gingerich

1. Will you bear each others burdens,  
Doing good unto all men?  
Not be weary in well doing,  
But to do the best we can;  
In due season there's a reaping,  
Knowing this, we will not faint;  
And the Father who seeth in secret,  
Shall reward thee openly.
2. If you have these earthly comforts,  
See your brother now in need;  
Will you show him that you love him?  
Make your love become a deed?  
Loving hearts must be o'erflowing  
To the saint's necessities;  
And the Father who seeth in secret,  
Shall reward thee openly.

3. Take heed when helping your brother,  
That it's not for the praise of man,  
To announce your gift with a trumpet,  
Is not according to His plan.  
He alone knows every motive,  
What you give or keep behind;  
And the Father who seeth in secret,  
Shall reward thee openly.
4. We will share what God hath prospered,  
What we have is not our own,  
Be it only the mite of a widow,  
Unto God it's surely known;  
Cheerful givers still are needed,  
To fulfill our Lord's command;  
And the Father who seeth in secret,  
Shall reward thee openly.



# The First Amish Church Districts in the Holmesville, Ohio Area

by Roy M. Weaver

In the fall of 1944 the first Holmesville church district was formed when the "Kansas" Jake Miller (Fryburg) district was divided. Prior to that time the Amish west of Beechvale and west of Holmesville attended the Jake Miller or the Sol Schlabach districts.

The Fryburg district was formed in 1936 when the Martins Creek (or Sol Schlabach) district was divided. The Benton-Holmesville road was the boundary line west of Benton between the two districts. On October 12, 1937 Jake Miller was ordained minister in the Fryburg district. In 1939 he was ordained bishop of that district, which was known as the Jake Miller district in the 1940's and 50's.

On October 17, 1937, Andy J. Mast was ordained minister in the Sol Schlabach district, while living in the Honey Run area, about one mile west of Martins Creek Church. In April, 1942 Andys moved to the Lecky farm north of Holmesville, but still attended the Martins Creek district until the spring of 1945, when the first Holmesville district was formed. Their first service was at Roman S. Yoders on the Feikert farm west of Beechvale. Before the Holmesville district was formed, Bishop Jake once jokingly stated: "If the Amish keep settling on farther west, they may have to attend John Swartz's district in Indiana."

Following are some of the first Amish families living in the Holmesville area. The first Amish family to live west of the Killbuck was John D. Millers. John was the son of "Berry" Daniel. About 1925 they moved onto a farm located 1½ miles east of Shreve, which is owned by the Ohio Department of Natural Resources today. They were still living there in 1930, when son Ben was baptized. At that time the Miller's home church district extended as far east as Berlin.

In 1930 John B.C. Millers (Benedict John) moved onto the Croco Farm 1 mile north of Holmesville, along today's State Route 83. According to local tradition, the large brick house they moved into was an underground railroad station in the Civil War era. Nick Yoders lived at the east edge of Holmesville when the Depression hit in 1929-1930. They

lived on the farm where Andy M. (Mart Andy) Millers later lived.

In 1939, Jacob S. Millers moved about 5 miles west of Holmesville onto the farm where his son, bishop John J. Miller, now lives. Ammon Wengerd and his brother Andy and their families moved several miles S.W. of Holmesville in 1942. The Miller family attended the Sol Schlabach Church district, and the Wengerds had their membership in Jake Miller's district.

In 1946, Deacon Crist Yoder and his family moved onto a farm along Paint Creek, coming from the Kokomo, Indiana area. The same year, the Melvin B. and Henry B. Miller families settled 4 miles west of Holmesville. Andy Masts moved from the Lecky farm north of Holmesville to a farm along the west bank of the Killbuck about 3 miles N.W. of Holmesville.

The Jonas E. (Slim) Millers moved about 5 miles west of Holmesville in the 1946, as did the Andy Shetler family. The Eli D. Hershberger family moved along the Benton road about one mile east of Holmesville on Jan. 11, 1944. Eli's nephew, Emanuel J. Hershberger brought his bride to the area in 1949.

On Jan. 7, 1947, minister Mose Coblentz and his wife Lydiann moved their family from Hartville to a farm 3 miles west of Holmesville along Co. Rd. 329, called Spook Hollow road in those days. Bishop Jake Miller's daughter Lizzie and her husband Eli H. Weaver moved onto their farm, located several miles west of Holmesville on Feb. 20, 1947. That year Ivan Hochstetlers lived on the farm which Neal J. Millers had later, located several miles north of Millersburg, west of the Killbuck Creek. Jacob M. Masts lived northwest of Holmesville in the mid 40's, before moving several miles northeast of town, where he was ordained bishop.

In the spring of 1949, the Andy M. and Dan M. Yoders, Abe D. Millers, Monroe A. Weavers, and others moved into the Moorehead Church area and west. In December of 1949 Eli Andersons moved onto the farm where Mrs. Abe D. and Paul Schlabachs live today. By the fall of 1949 there were enough



families west of Holmesville to form a new district. This second district encompassed the area west of the Killbuck Creek all the way from the Shreve area to the State Route 39 area west of Millersburg. Andy J. Mast was ordained bishop of this district on May 11, 1951.

The families in the new West District in 1949 were as follows:

Eli Anderson,	
Mose Coblentz,	Neal J. Miller,
Ivan L. Hochstetler,	Eli J. Miller,
Simon Hershberger,	Andy Shetler,
Andy J. Mast,	Eli H. Weaver,
Abe D. Miller,	Jonas A. (June) Weaver,
Henry B. Miller,	Monroe A. Weaver,
Jake S. Miller,	Ammon Wengerd,
John B.C. Miller,	Andy M. Yoder,
John J. Miller,	Dan M. Yoder,
Jonas E. (Slim) Miller,	Crist Yoder,
Melvin B. Miller,	Sam C. Yoder.

The families in the East District, east of the Killbuck Creek, were as follows:

Roman Byler,	Jake M. Miller,
Noah Coblentz,	Amos Stutzman,
Rudy Coblentz,	Alvin Stutzman,
Pete Hershberger,	Andy L. Swartzentruber,
Eli D. Hershberger,	Dan S. Swartzentruber,
Emanuel J. Hershberger,	Aaron D. Schlabach,
Eli Hochstetler,	Ezra Schmucker,
Jonas Hochstetler,	Abe E. Schrock,
Harry (Dudley) Hochstetler,	Emanuel A. Schrock,
Abe J. Keim,	John J. Hochstetler,
Jake Mast,	Joe M. Wengerd,
Rube Miller,	Solly L. Weaver,
Ben Miller,	Joe J. Weaver,
Ben D. Miller,	Eli A. Weaver,
Andy M. Miller,	Eli M. Yoder,
Albert Miller,	Dave J. Yoder.

Minister Joe Yoder and his family moved from Howard Co. Indiana onto the Deacon Crist Yoder farm in Dec. 1951. Joe's wife Lydia was Crist's daughter, so mother and daughter shared the large house. Later in 1968 Joe was ordained bishop of the Holmesville South District, which was formed in the fall of 1963.

Some years later Joes moved to the Shipshewana, Indiana area where their son Henry lives.

Jacob M. Mast was the first minister to be ordained in the Holmesville district, in 1946. In 1955 he was ordained bishop. Solly Weaver was also ordained minister in 1946, Rube Miller in 1951, and Dave Yoder in 1954. Ben D. Miller was ordained deacon in 1954. Solly Weaver moved east of Fredericksburg in the early 1950's.

The first Amish death west of Holmesville was that of Barbara, wife of Jacob S. Miller. She died June 5, 1943 at age 43 years, 3 months, 27 days. Her burial is in the Hochstetler Cemetery, (K-2 in Beachy's Cemetery Directory). The first burial in the cemetery located on the Henry Hershberger farm east of Holmesville (E-2 in Beachy's Cemetery Directory), was Aden, son of Jacob M. And Nancy Miller. He died August 23, 1946 at the age of 7 years, 2 months, and 22 days. The new cemetery west of Holmesville on the Andy and Roy Yoder farm (E-1) had its first burial when Andy's mother-in-law, Mary, the second wife of John B.C. Miller, died on July 7, 1952. Her age was 67 years, 2 months, 26 days.

According to the 1996 edition of the *Ohio Amish Directory*, today there are 11 districts with approximately 725 members in the area covered by the first Holmesville district. They are as follows:

District	Bishop
#50 Holmesville Middle East	John J. Miller
#52 Holmesville North East	Reuben R. Miller
#54 Shreve South	Dan B. Weaver (Annex)
#57 Holmesville S. E.	Raymond Hochstetler
#59 Holmesville N.W.	Dan B. Weaver
#62 Holmesville Middle West	
#63 Holmesville S.W.	Ivan S. Miller
#67 Holmesville North	Raymond M. Yoder
#105 Hostetler	Mahlon Shetler
#155 Holmesville West	Vernon Kline
#156 Salt Creek West	Daniel L. Miller



# Lawsuit of Eli J. Gingerich vs. the Amish Church

by Atlee D. Miller

On October 23, 1917 Eli Gingerich filed suit in Millersburg, Ohio against the Amish bishops and ministers of Holmes Co. for placing him in the bann. Eli was my great uncle and was married to Magdalena Miller. He lived on County Road 77 north of Bunker Hill on the farm now owned by Levi J. Troyer. He later sold the farm and moved south of Bunker Hill on County Road 77 where Eli J. Rabers now live. Much of the following information has been taken from the court record of the trial.

In the suit, Eli says that the bishops wanted to make a rule to place anyone in the bann who left their churches and when he refused to abide by this rule, was placed in the bann himself. The bishops, in their answer to the court as defendants, stated that "after the plaintiff (Eli) had neglected the church, he was placed under the bann". Sometime around 1911-1912 Eli decided to leave the Amish church and joined the Martins Creek Mennonite Church. It is also known that prior to that, Eli was not supportive of the ordnung of the church, having purchased a truck to use in his farming operation. What "neglecting the church" meant to the bishops is not exactly clear, but it was probably a combination of the above factors which resulted in placing Eli in the bann sometime in 1911 or 1912. Why Eli decided to sue after 5 or 6 years is also not clear.

The defendants in this case were the following ministers: Jonas Swartzentruber, who lived in Paint Twp. on the Berlin-Winesburg road where Jacob E. Millers now live.

Samuel J. Mast, who lived in Berlin Twp. to the north of the Berlin -Winesburg road where Wayne R. Millers now live.

Noah P. Bitchey, who lived in Walnut Creek Twp. on the Walnut Creek-Charms road south of Walnut Creek.

Moses E. Mast, who lived in Walnut Creek Twp. on the Berlin- Walnut Creek road where Jr. Masts now live.

Abraham Yoder, who lived in Paint Twp. north of the William Hoerger farm where Eli D. Yoders now live.

Joni Troyer, who lived in German Twp. on the Phineas Fair farm, south of Fair's school house.

Jacob Stutzman, who lived in Berlin Twp.

northwest of Martins Creek Church about three-fourth mile, where Mrs. Andy D.E. (Mary) Miller now lives.

Eli further stated in the suit that his neighbors and friends would not help him in his farming activities (which the defendants denied). He claimed to have suffered much mental and physical strain, worry, disturbance, pain, anguish, and distress. He requested the court to order the defendants to not boycott him anymore or interfere with the conducting of his business, and that he be granted a judgment in the sum of \$10,000 for his "damages".

In May of 1913 Eli discontinued his membership with the Martins Creek Church and he, with others, organized an Amish-Mennonite church which is now Pleasant View Conservative Church. Sometime later Eli, Bishop Abner Schlabach, Joe "Knipp" Miller (brother to "Sharpy Jake" ), and his brother Menno Gingerich organized a Beachy Amish Church. This group met in the old Dunkard church building in Bunker Hill. This was the beginning of what is now Fryburg Beachy Church. It appears that his wife and children did not follow his move at first because he states in his suit that the defendants threatened his wife and daughter with excommunication if they did not boycott him.

The defendants in their answer to the court acknowledged that Eli had been a member in their churches and was placed in the bann "after he neglected the church". They explained how they take members into the church by baptism only after they, of their own free will, confess to be willing to live according to the confession of faith and the church ordinances. They quoted Articles 16 & 17 of the Dortrecht Confession of Faith in explaining the bann, citing Isaiah 59:2 ; I Cor. 5:5, 6:12 ; I Tim. 5:20 ; and II Cor. 13:10. In explaining the withdrawing from or shunning of those who are expelled, they mentioned I Cor. 5:9-11 ; Romans 16:17 ; II Thes. 3:14 ; Titus 3:10 ; I Thes. 5:14 ; and II Thes. 3:15.

Concerning Eli's charges that they "conspired" to induce his wife to avoid him and "threatened" to place his daughter Lovina (wife of Andrew P. Weaver) in the bann if she didn't



## Lawsuit, continued

boycott him, the bishops stated that both were "not true statements". Eli also accused the bishops for placing his brother Menno in the bann for not boycotting him. The defendants stated they "had nothing to do in this transaction". They further stated they did not know of anyone who refused to help Eli in threshing or any such work, for a short period of time, and they would "not allow any of our members to refuse to assist the plaintiff in such work mentioned, and they should not take any pay for their labor". They did welcome the plaintiff to return to the church, by "being obedient to the doctrines of Christ, and the rules of our church", and denied that they were indebted for any financial damages.

The bishops, in their reply to the court, mentioned that a few of the church members had seemed to be dissatisfied and thought the plaintiff was not treated fairly. So the church, with a full vote, agreed to call a committee of three from Indiana, two bishops and an elder, to investigate and arbitrate the matter. The plaintiff and all members were invited to be present and take part if they so desired. The said committee, after hearing both sides, sustained the bann on the plaintiff, approved with a full vote from the members present. On October 14, 1917 (a few days before the suit was filed) there was a General Conference held in Holmes Co. with about eighty Amish bishops, elders, and deacons present. The case of Eli J. Gingerich was presented to this conference. After careful consideration it was approved that the discipline imposed on the plaintiff was done in good faith and a matter of duty under the rules and regulations of the church.

The following people were subpoenaed by the Sheriff of Holmes Co. Ohio to appear in the courtroom in Millersburg, Ohio on Wednesday, April 16, 1919 at 10 o'clock A.M. to testify on behalf of the plaintiff:

1.) Levi Mast, who had a planing mill where Bowman Harness Shop now is. He later moved northeast of Mt. Hope where Sam L. Masts now live.

2.) Abe D. Miller, who had the cider press on C.R. 77 where Mrs. David A. Miller now lives.

3.) Abe Weaver, who lived close to the planing mill where Andy Weaver Jr.s now live.

4.) Jacob J. Mast, who lived where Eli J. Kline now lives. He was not ordained at that

time.

5.) Emanuel W. Miller (Jake Mony), who lived one mile west of C.R. 77 where Eli H. Hersberger now lives.

6.) Jonas C. Yoder, who lived 1/2 mile west of Eli J. Gingerich where Mose R. and Mel M. Miller now live.

7.) Levi Sommers, who lived 1/4 mile east of Trail where David L. Troyer now lives.

8.) Joseph M. Miller (Jacob Joe), who lived 2 miles northeast of Berlin where Atlee R. Coblentz now lives.

9.) Peter Whitmer, who lived 1 mile north of Berlin where Ivan J. Miller now lives.

10.) Michael Gingerich, who lived 3 miles northeast of Berlin on Weaver Ridge where Firman M. Millers now live.

11.) Emanuel Gingerich, who was my grandfather and a brother to Eli J. Gingerich and lived 3 miles northeast of Berlin on Weaver Ridge where Ben Raber Jr.s now live.

12.) Joseph Gingerich, who was a brother to Eli J. Gingerich and lived 2 miles northeast of Berlin on Weaver Ridge where James Troyers now live.

13.) Lizzie Yoder, wife of Crist C. Yoder, who lived 1/4 mile west of Eli J. Gingerich.

14.) Lovina (Gingerich) Weaver, daughter of Eli J. Gingerich, married to Andrew P. Weaver and lived 2 miles northeast of Mt. Hope. They later lived on C.R. 77 north of Bunker Hill where Andy Weaver Jr.s now live.

15.) Andrew Weaver (Peter Andy), husband of Lovina (Gingerich) Weaver, who lived 2 miles northeast of Mt. Hope where Jerry Klines Jr.s now live.

16.) Orlando Gingerich, 21 year-old son of Eli J. Gingerich, living at home. He later married Verna E. Hersberger and moved to Kalona, Iowa.

17.) John Swartzentruber, who lived 3 miles northeast of Berlin where Eli Swartzentruber now lives. He was a minister in the Pleasant View Church.

18.) Joseph Gingerich (Oregon Joe), 25 year-old son of Eli J. Gingerich. He married Barbara Swartzentruber and moved to Oregon.

19.) Rev. Joseph Schlabach, west of Berlin on the Berlin hill north of the Joe T. Miller farm.

20.) Noah B. Miller (Benja Noah), who lived 1 mile north of Berlin where Crist Kauffmans now live.

21.) Menno Gingerich, brother of Eli J. Gingerich, who lived 4 miles northeast of Mt. Hope.

22.) Magdalena Gingerich, wife of Eli J. Gingerich.



## Lawsuit, continued

The above named persons were to attend at the time and place aforesaid and not depart without leave of court. It would appear that some of the aforementioned persons were not in full agreement with the boycott imposed on Eli Gingerich since they were called to testify on his behalf.

The clerk of courts was asked to issue subpoenas for the following witnesses for the defendants: (The record does not list any address or location for them.) John M. Hershberger, Eli Hershberger, Emanuel Y. Miller, Abraham P. Weaver, Martin J. Hostetler, Mr. Andrew P. Weaver, Mrs. Andrew P. Weaver, and Rev. Joe Schlabach. It is interesting to note that a few of the same people that were subpoenaed to witness for the plaintiff were also subpoenaed to witness for the defendants.

Judge Kinkead of Columbus presided at the hearings at the Millersburg Court House. After his opinion favoring the plaintiff was given, the defendants filed a motion for a new trial on May 17, 1919. This was overruled by the judge and his judgment was that the "allegations of the petition were true, and that the plaintiff was entitled to the relief he prayed for". The defendants were "perpetually enjoined restraining them from further carrying into effect the order to mite and boycott the plaintiff

Eli Gingerich in so far as the same affects his religious liberty, his family relations and his rights to trade and deal with any and all members of the Old Order Amish-Mennonite church. Said defendants aforesaid are hereby enjoined and required to revoke their former order to mite and boycott said plaintiff and to direct the members of their church that it is no longer their duty to observe and carry out the miting or boycotting of said defendant." Whether the bann was ever officially lifted is doubtful, but the boycott of Eli Gingerich eventually faded out. No monetary compensation was granted the plaintiff, but the defendants were required to pay the court costs of \$151.61. On September 16, 1919 this sum was given to the clerk of courts by Abe S. Yoder.

In his latter years, Eli is thought to have lived with the Levi Hershbergers, north of Bunker Hill. Mrs Hershberger was Eli's daughter Fannie. Eli lived to be almost 86 years old. He was born on February 24, 1864 and died on January 20, 1950. He is buried in cemetery K-9 (*Cemetery Directory- Beachy*) located 1/2 mile northeast of Bunker Hill on the farm Larry Hershberger now lives. It appears that Eli yet again changed his church affiliation sometime after organizing the Beachy-Amish church. It is known that the ministers from the Sonnenberg Mennonite Church in the Kidron area officiated at his funeral.

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## The House Without A Roof, continued

"My uncle scoffed at the Bible, he said,  
"And of prayer he did not approve.  
There was no shelter against life's storms.  
He lives in a house with no roof.

He said good-bye and went on his way,  
But my thinking he did arouse.  
As I marveled at his faith, I planned  
To repair the roof on my own house.

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# Song Translation:

## Hans Kräl Lied

by Edward Kline

Almost half (around 350) of the songs written by Anabaptists up to the year 1570 were by Hutterite writers. Most of these are found in their hymn book, *Die Lieder der Hutterischen Brüder*. It contains the following song, written by Hans Kräl about his imprisonment, beginning on page 538.

Hans Kräl, often called Kitzbüchler after his birthplace, was an itinerant missionary preacher of the Hutterites who was arrested in 1557 in the Puster Valley in Tyrol. <sup>1</sup> In the song he describes his experience in the damp dark dungeon, how the clothes rotted from his body, his interrogations, and finally his escape. The song is so graphic and harrowing that A.J. Ramaker wrote in MQR 3, 1929, that the song could not be sung to a popular tune and was unsuitable to be sung at worship services. After almost two years of resisting the efforts of the authorities to get him to recant, Hans Kräl won the admiration and sympathy of the lady and finally also the lord of the castle, Hans Füeger. Füeger petitioned the king not to kill Kräl, but to sentence him to the galleys as a slave. On January 19, 1559 King Ferdinand granted this request on the condition that his relatives pay for the expense of the move. <sup>2</sup> During the move to the seacoast, the bailiff became drunk at an inn one evening, and Hans walked out the door and escaped. In the German the song is an acrostic. The first letters of each verse spell the following: *Hans Kral Gefenknuslied wie im Got beigestanden*.

After his escape, Kräl was ordained as "Diener der Notdurft" in 1560, and "Diener des Evangeliums" in 1561. He returned to Tyrol several times later to preach and was not caught. At the death of Peter Walpot, he was elected leader of the Hutterites, on February 5, 1578. He held this office until he became ill in November 1583 and died on November 14 at the age of 63 years. <sup>1</sup> This was during the "Golden Years" of the Hutterites and the movement prospered under his character and leadership. One of the lasting contributions of Hans Kräl was that he, together with his secretary Hauptrecht Zapff, continued writing the record for the Chronicle for the years from

1542 to 1583. In about 1570 Kaspar Braitmichel had begun the record and completed it up to 1542. Hauptrecht Zapff continued, after Kräl's death, until 1591.

The Chronicle gives, as a footnote, an interesting account of Kräl's return to the church after his escape. <sup>3</sup> It begins by saying that ... "David Hofer, servant of the Word at James Valley (Manitoba) from 1902 to 1941, wrote down the following account, which has been passed down by word of mouth among the Hutterian Brethren:"

"There is a story told about this Hans Kräl, which I heard from my father, who said Martin Roth had told it in Alwinz (Romania). This is the story: When Hans Kräl returned home to the community, he did not make himself known but went into the house where beggars were received and asked for alms. His own wife was in the kitchen. She put some soup in front of him, but she did not give him a spoon, (expecting him to have his own.) When he asked for a spoon, his wife said to him, "Do I have to give my spoon to every fool?" She had not recognized him but thought he was just another beggar, which is understandable, considering what he must have looked like. After the meal he wrote on the plate: "The one who ate here was brother Hans Kräl." Then he went away and hid in the straw in a barn. Meanwhile someone had discovered the writing, and soon quite a crowd had gathered. They went to look for him and found him. It is said that his wife was disciplined for the way she had spoken to him: even if she did not recognize her husband, it is wrong to call anybody a fool, even an unbeliever."

The following translation is a literal, free translation, not rhymed or metered. The song is quite lengthy, having 45 verses of 12 lines each. This translation omits verses 27-37 and verses 44 and 45.

1.) The Chronicle of the Hutterian Brethren, p.340

2.) Mennonite Encyclopedia, vol. 3, p.231 3.) page 493



## HANS KRAL LIED

Höret, ihr Allerliebsten mein

1.

Hear, my dearly beloved,  
You who are in the Church of God,  
And are devoted from the heart,  
To awaken your courage,  
With accounts of the pious,  
And do desire to understand,  
How it went in particular,  
To those, who for the clear truth,  
Were in prison and bonds.  
I cannot yet withhold it from you,  
But must relate now to you,  
What has befallen me presently.

2.

As I for godly reasons,  
Moved to the earldom Tyrol,  
In the Puster Valley this time,  
The judge of the baptists came here,  
And also with the court recorder,  
Who did assault me here,  
Upon a free road they apprehended me,  
The judge bound me harshly,  
With the girdle of my loins.  
Beside his horse I must,  
Walk almost a mile, very difficult,  
Through the mire without end.

3.

Now all this was only the beginning,  
As the men came with me to the castle,  
I fainted for this reason,  
From walking and from the severe bond,  
That also at this time I wilted,  
And would fall down.  
They searched me and what then,  
They found on me, they took,  
And did imprison me.  
But then on the following day,  
They gave me a hearing, and their questions,  
Were concerning my faith.

4.

This I did answer clearly,  
As was the godly truth,  
It was their main tune that,  
I should desist and allow myself to be shown,  
As I would not do this in any way,  
I had to again go hither,  
Into the prison at this time.  
After eight days again,  
They brought me forth and heard me,  
When I also would not follow them,  
They sent me into prison,  
And again locked me up.

5.

Soon indeed in the next week,  
They did summond me forth,  
Yes, before the whole counsel.  
The judge called my beliefs,  
A sect and a deception.  
Thereto I did answer him:  
It is the true church of God.  
To the judge this was vexing,  
He said, It is from the devil,  
If you are the church of God.  
He considered this as a mockery,  
I said, I have no devil.

6.

Truly I will continue therewith,  
The judge said, That now to them,  
An order had come,  
From the authorities in Innsbruck,  
That they would know these facts.  
Yes, the names of the leaders,  
Who sent us out into the land,  
and also those who gave us food and lodging,  
These I should name unto them.  
I said, This is not necessary,  
It is no article of our faith,  
Therefore I did not name them.

7.

But indeed our being sent out,  
Truly concerns the salvation of men,  
To admonish them to edification.  
It is not the cause of harm to anyone,  
Thereupon the judge spoke to me,  
That I should spare myself,  
Else they must sieze my body.  
So men could compel me,  
That I must disclose the people,  
Who sheltered and did good to us,  
I spoke thereupon to them all,  
And did ask them more questions.

8.

Rather, tell me, how would you feel,  
if one of you would yourself,  
Have kept me in your house,  
And I should betray you?  
Would you accept that as good?  
They confessed altogether promptly,  
That none of them would like that.  
So much the more I resisted their request,  
The judge became angry over this,  
Although I gave an honorable counsel,  
So that he demanded (betrayal),  
And did again persist.



9.

Very strongly to admonish me,  
That I should spare myself,  
Or men would use earnest efforts.  
But I did not listen to them,  
So they sent me to the prison,  
Until they had all eaten.  
Then they came again in the afternoon,  
And gave to me harsh questions.  
I opened my garments,  
And took a seat under the rope,  
So that some of my adversaries,  
Did shed some tears.

10.

The constable did hang me in the rope,  
For he must also do his part.  
A large stone, very heavy,  
Did they bring forth.  
The judge spoke again to me,  
That I should yet speak out,  
And spare myself yet now.  
But I gave him an answer,  
I will here await whatever,  
God allows them to do with me.  
Alone through innocence I suffer this.  
God will punish them severely.

11.

Thereupon they began considering,  
And then all went away from me,  
To hold a council.  
I must thus hang in the rope,  
Only the constable stayed with me.  
Who said, Now do yet testify,  
They will not let up,  
Until they have torn your body.  
I said, Though it comes to this,  
So will I await it yet,  
More can they not accomplish,  
Than what God allows to them.

12.

The constable said to me: Are you a fool,  
That you think, God notices this  
And will now look from thence?  
The lords of the council came back again  
Saying, The lady in the castle earnestly requests  
Therefore they will let it be thus,  
And will not let me be condemned.  
Therefore I must go into the prison.  
The lord of the castle rode forth,  
To the administration in Innsbruck.  
As he came home, there was no delay,  
No diligence did he spare.

13.

Namely that the multitude of priests,  
Must deal with me,  
Indeed two consecutive days.  
They attempted yet everything,  
But our God stood with me,  
And they accomplished nothing.  
Then the lord of the castle became angry,  
And said unto me: You stubborn dog!  
I have attempted so much,  
And brought to you all means  
And will further yet also attempt more,  
Hold still yet a little longer.

14.

Therefore he threatened me wrathfully:  
I will now cause you to be set,  
Indeed upon a funeral pyre.  
And see how you can there ,  
Be a fine honor to God.  
But thereupon I said,  
I will for the pure truth of God,  
Suffer and be no dishonor to Him.  
Then three days later,  
They laid me in the Tower of Decay,  
So that I had no more light of day.  
It did not make me afraid.

15.

No difference did I have anymore,  
Whether it were day or night here.  
I knew it not on earth,  
In this evil dark prison.  
But the night I recognized only then,  
When it did turn cooler.  
For by day it was in this hole,  
So humid, warm and damp,  
That my clothes all completely  
Rotted on my body,  
That I now was practically naked,  
And nothing was left on me.

16,

Only I had a coarse blanket,  
Which I wrapped around me on all sides.  
Yet I wagered everything on God.  
My shirt rotted from me,  
No threads did I have anymore thereof,  
But save only the collar,  
Which I hung there upon the wall,  
So great was my misery and sorrow.  
God alone was my treasure,  
The sun I did not see one bit,  
Not for a year and a half.  
This was the enemy's hatred.



17.

And I could no longer endure it well,  
To be exposed to daylight and air,  
When they brought me from within,  
And wanted to give me a hearing.  
So I was very afraid of air and light,  
This was then what I sought for,  
To return to the dark dungeon.  
When I came in there, I was so glad,  
The wretchedness was my own,  
But I suffered it for the will of God.  
He gave me much of his patience,  
And did show me his assistance.

18.

Such a stench I also developed,  
From the rotting which I endured,  
In this dark prison,  
That no one could remain standing with me,  
When they did summond me forth,  
Most of them indeed turned away.  
I sat before them in my blanket,  
Which I always wrapped about me.  
If the pious of the church of God  
Had seen me,  
How many hearts would have to weep!  
I leave everything as it is done.

19.

I thus lay in the deep dungeon,  
Which was full of vermin and worms.  
These caused me much dread,  
So that because of them I must,  
At first cover my head,  
Entirely for a long time,  
Until they became accustomed (to me).  
They ate for me my food,  
When they did smell it.  
And if I did not consume it immediately,  
Then I could not preserve it,  
Even though I put it into my bosom.

20.

Yet this I had as an advantage,  
That not once was anything left over,  
Unless I was taken sick.  
Men punished me indeed with hunger,  
So that I should yet suffer enough,  
Until God would deliver me.  
The large number of worms and vermin,  
Did upset my water bowl,  
And drank the water with me,  
Until I found a heavy stone,  
Which I then laid upon the bowl,  
And thus did avenge myself of them.

21.

The greatest sorrow for me,  
In my imprisonment overall,  
Was that not one message  
Could come to me from the church.  
This was a great distress,  
Believe me this, you pious.  
At this time in Oberland,  
Was a man called Hans Mändel  
A faithful minister of the Lord,  
Who had a great desire,  
And sent to me in prison,  
With fervent request.

22.

That I should yet sent to them,  
A token so sure, that he may know,  
Whether I indeed yet stand before the Lord.  
And though the sign be so small,  
If indeed it may be a bundle of straw  
Or whatever it may be.  
I would gladly have sent a bundle of straw,  
But there was not that much there,  
In the whole prison.  
So poor was I there,  
And did not know what I could send out,  
But at last it came to me.

23.

How I then was yet so rich,  
I had hanging on the wall,  
The collar from my shirt.  
This I immediately sent from me,  
for a token to the brethren,  
As a good answer,  
That I stand well before my God,  
Am also well content in distress,  
With His whole church.  
Thus they saw my great poverty.  
This moved them to pity extremely much,  
They did weep with all their hearts.

24.

Indeed they did offer to me,  
If an opportunity were to come,  
If for me they might be able,  
They would send me a garment.  
I addressed to them again a message,  
That men might deal harshly with me,  
Also with those who might bring me this,  
Which each one should well consider.  
Therefore they should let it rest.  
I follow after the best garment,  
Which is prepared of patience,  
Which God gave me to this end.



25.

The whole summertime passed by,  
That I in sadness and woe,  
Must lie in the Tower of Decay,  
Until the fall then came.  
And my enemies did see,  
That I in my feet,  
Had begun to rot.  
Then did they desist,  
And did bring me out,  
And place me into another prison,  
Commanding me strictly,  
That I should groom myself well.

26.

In the prison it was thus,  
That I must hang in the stocks,  
With one hand in the block.  
Likewise also with my foot,  
Which I must all suffer,  
For seven and thirty weeks.  
I sat upon a bed crossways,  
And could not lie or sit properly,  
But to stand yet much less.  
Here I must also suffer,  
Much shame and mockery in my distress,  
From the godless crowd.

38.

Now as spring came forth,  
From Innsbruck they received a command,  
From the authorities there.  
Because I was so very stubborn,  
Man should without any hesitation,  
Send me away upon the sea.  
With the lords came near,  
And did plainly read the command to me.  
This I should yet avoid,  
And said how it shall go with me there,  
When I will come upon the sea.  
There must I again suffer much.

39.

Then said I, that God our Lord,  
Is as well indeed upon the sea,  
In Him will I trust.  
Then they let me out of the prison,  
Two days I went about in the prison,  
That I should learn to walk,  
Because I could not walk anymore,  
Thus was I ruined overall,  
Through imprisonment and bonds,  
Wherein I had to lie for two years,  
Less five weeks it was,  
If I counted everything.

40.

Thereto was a man appointed,  
To whom they did consign me,  
To lead me forth unto the sea.  
He was a constable and a godless person,  
Such as one finds among the crowd.  
As I was to take leave,  
Then in the prison everywhere,  
I bade farewell to them altogether,  
Did admonish them to repentance,  
And that further on no pious person,  
They should imprison thus,  
Which they did agree to do.

41.

Now I came to the ladies in the castle,  
And also took leave from them.  
They soon said to me,  
There shall their whole lifetime,  
Not come another into their hand.  
Therewith I departed from thence.  
They all said, He will not go far,  
With time he will be left behind.  
The constable led me from hence.  
He was a person with evil companions.  
I must always only be a rogue to him,  
When I came to his attention.

42.

Now as I traveled with him two days,  
He did, in a tavern,  
Overfill himself with wine.  
In the night the Lord God,  
Helped me graciously, that I escaped,  
After His good will.  
And this my deliverance was,  
in the fifty-ninth year,  
The lessor number understand.  
Also that I honestly in time,  
To the church of God, with great joy,  
Again did return.

43.

Praised be God from my whole might,  
That He gave me heavenly strength,  
Through Christ our Lord.  
Praised be God in all this,  
Who gave me thus to overcome.  
I will honor him always.  
Praised be God now continually,  
Extol God with me, you pious ,  
The Lord will I praise.  
How He gave me so much patience,  
Kept me free in his favor,  
Praise God in every manner.