Wrangling with the Authorities: Anabaptist Survival in the Village of Börsch, 1525-1555

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This study traces the thirty year struggle of several Anabaptists to survive economically and religiously in the village of Börsch, near Strasbourg. What emerges most clearly is that life for these Anabaptists was endlessly unsettled, mired in petty wrangling with various sets of authorities. In other villages such as Wangen or Wasselnheim where Anabaptists were numerous, they often survived with the help of widespread public sympathy or with assistance from the mayor and/or other authorities. But in Börsch, where numbers were few and authorities hostile, these nonconformists survived by playing one set of authorities off against the other.

From the Peasants’ War onward, religious radicals in and around Strasbourg dissented from both the evangelical and the Catholic churches. In the city, nonconformists grew both in number and variety up to 1532, when they totaled some 2000 members or one-fifth of Strasbourg’s adult population. Fear of the official reform led by Martin Bucer drove Strasbourg’s authorities in 1533-1535 to legislate correct doctrine and expel the nonconformists. Some recanted but most fled the city and settled in neighboring villages whose relationship to the city varied. In these villages dissidents sometimes found a haven and at other times received worse treatment than in Strasbourg. The Strasbourg city council (Rat) was usually more concerned about the encroachments of rural and Catholic authorities on Strasbourg privileges than about sectarian gadflies, so it was often willing to defend its nonconformist
citizens against hostile rural authorities. In such cases it was useful for dissidents to purchase Strasbourg citizenship and thus obtain the city's protection.1

As an imperial free city, Strasbourg enjoyed the privilege of freien Zug that allowed citizens (Ausbürger) to own property and to live in rural areas during prescribed agricultural seasons without having to pay rural taxes. The conditions under which Ausbürger could live on and work rural land were stipulated in a now lost agreement of 1393 and the Speyer Rachtung of 1429. In a civic oath, these agreements defined the rights and jurisdictions between the Catholic bishop, the Cathedral Chapter and the city. They stressed the freedom of Strasbourg citizens to earn their income outside the city wherever necessary, the need to have their main residence in Strasbourg, and the requirement that wives and children live in the city from St. Martin's Day (November 12) until Epiphany (February 2).5 From early February to early November, during six periods of intense agricultural work (cutting, hoeing, binding, light hoeing, binding and light hoeing) and the fall grape harvest, they could live in the country.6 Thus in certain parts of Alsace religious dissidents, if they were prudent, could live and practice their faith under Strasbourg's protection but beyond its direct supervision. With the increase in the number of dissident Ausbürger, there appeared in the Rat ever more cases involving religious radicals from the other parts of Alsace.7

Börsch Anabaptists and the Peasants’ War

Strasbourg's rural area included the Kondominate - areas owned jointly with the bishop. It also included villages around Strasbourg that belonged to a patrician citizen or to a Strasbourg religious institution. The town of Börsch, about thirty kilometers west of Strasbourg in the area where the Bundschuh and the Peasants’ War began in Alsace, was owned by Strasbourg's Cathedral Chapter since 1466. Around 1525 it numbered nearly 1000 inhabitants, most of whom were grape and grain farmers.8 Under the influence of the Cathedral Chapter's dean, the pro-Lutheran Count Sigismond von Hohenlohe (1521-1527), evangelical preaching was heard rather freely in Börsch from early 1525 to mid 1529. As early as February 1525 residents of Börsch, among the first in Alsace, joined the Peasants’ War. At least twice Börsch citizens gathered with crowds from other villages at the foot of Mount St. Odile near Börsch to hear the gardener-preacher Clement Ziegler preach, and they encouraged others like him to preach. By March 3 Börschers participated in a revolt with the farmers of the St. Leonard parish against the Cathedral Chapter whose land they farmed. A number would later become Anabaptists.9

In Börsch the sharpest outburst of the Peasants’ War was the April 17-18 pillage of the nearby collegiate of St. Leonard with which the Börschers over the years had experienced much friction.10 A lengthy investigation that followed revealed the names of forty-five Börschers who had actively looted and sold its goods, three who had sympathized with the peasants’ cause, and sixteen others who had been reticent to participate.11 One of the first to ransack the collegiate was (Müller) Hans Esslinger whose son, (Müller) Hans Esslinger, a butcher, would become an Anabaptist.12 A leading sympathizer was the Vogt,13 Diebolt Esslinger, whose son, also Diebolt Esslinger, would become a Melchiorite. In these two cases, at least, we see a direct connection between Anabaptists and the Peasants’ War.14
In numbers, wealth and official positions, from the fifteenth century onward the Esslingers had been one of the most influential families in Börsch. The elder Diebolt was Vogt in Börsch from 1517 to the end of 1525. His tenure ended probably because he was overly compromised in the Peasants’ War. He was accused 1) of being the leader of the Lutheran party, 2) of having supported the peasants’ cause from early April 1525, even before the larger revolt exploded, 3) of having, the night of April 17 and 18, allowed the leaders of the incursion against St. Leonard to leave the city for which he had the keys, 4) of having persuaded the people of Börsch to send an armed contingent to the peasants, and 5) of having led the Börschers at Saverne, where, except for himself and one other, they were massacred by the Lorraines. Like many of the leaders implicated in the revolt, Esslinger purchased citizenship in Strasbourg (June 1526) and registered in the winetasters’ guild. But he continued, as an Ausbürger, to farm his lands and vineyards in Börsch. At times he resided there beyond the six prescribed periods stipulated for seasonal workers, and this obliged the Strasbourg Rat to defend him against complaints of the Cathedral Chapter. He appears to have died in 1534, a man disappointed at the failure of the peasants’ cause. Late in life he testified that his Peasants’ War and other actions had grown as much out of social and political as out of religious motives.

Strasbourg Dominance, 1530-1548

Strasbourg’s dominance over rural authorities, whether they represented the Catholic bishop, the Cathedral Chapter or villages, continued after the Peasants’ War as before. In 1529 the Rat abolished the Catholic mass and Strasbourg officially became an evangelical city. From then on until 1548, when imperial forces defeated the Smallkaldic League and established the Augsburg Interim, Strasbourg’s hegemony took on an evangelical flavor with heightened sensitivity to Catholic encroachments upon its privileges.

In Börsch, in the generation after the Peasants’ War, some twenty men came to be identified as Anabaptists. At the end of 1529 there appeared two who refused to swear the oath. Under pressure from the Vogt, one capitulated and the other was imprisoned until further notice from the Cathedral Chapter. The latter was probably Hans Berner who in April 1530 still lay in prison. Berner was a married man and father of one child. On the whole the chapter regarded him with mixed feelings. First it advised the Vogt to release him on his oath and not harm his person or possessions without informing the chapter. Then by May 1530 the chapter had banned Berner with his wife and child from the town forever upon pain of “body and life,” and ordered him to pay for his debt and crime. But two weeks later Berner was back in Börsch on the good graces of Bernhard, Graf of Eberstein, the evangelically inclined treasurer of the chapter, and there he remained for perhaps a year. A man of some means and initiative, Berner and a friend, in February 1531, purchased the property of another who through debts had lost his land to the Cathedral Chapter. He was probably expelled again, for nearly two years later, in December 1532, a Hans from Börsch, probably the same Hans Berner, was readmitted into Börsch by the chapter with orders to obey the Börsch authorities.

In the spring of 1533, just before the Strasbourg Synod of 1533 and when Melchior Hoffman’s preaching was at its height in Strasbourg, the Cathedral Chapter forbade
Börschers to favor, shelter or associate with Anabaptists. Then when some violated the ban to join Anabaptists in their Sunday worship in the forest, it further forbade citizens to leave the town on Sunday without obtaining permission from the authorities. Nearby Herbsheim and Rossfeld, which also belonged to the Cathedral chapter and were being settled by Anabaptist immigrants, received the same orders. Finally, orders arrived in Börsch to imprison Anabaptist Börschers and expel Anabaptist non-citizens.

Immediately two Börsch Anabaptists, Hans Müller and Peter Hemmer, appeared before the Cathedral Chapter. They had left the village on Sunday without permission, and they had purchased Strasbourg citizenship before giving up their Börsch citizenship. Chapter officials disliked such a move because the obedience and tax revenues that had formerly been directed to them were now redirected to Strasbourg. Müller and Hemmer declared that they were not rebaptized, promised to shun the Anabaptists, and promised to give up their Börsch citizenship very soon. This whole situation, however, posed a dilemma for the authorities, for they did not know who of the Börsch residents were loyal subjects and who were not. To sort this out, the chapter ordered all Börsch subjects to swear an oath of allegiance and began to implement an annual Schwörtag.

Within two weeks Müller and Hemmer complained to the Strasbourg Rat that they had been forced to give up their Börsch citizenship. The magistrates informed them and the chapter that the latter could not force such a surrender of citizenship; this was to be a free decision. Likewise they could not be punished for more than ordinary crimes. This sparked a long debate in the chapter. Finally the chapter decided that since the mandate forbidding Börsch residents to leave the village on Sundays without permission did not conflict with Strasbourg's privilege of freien Zug, and since Müller and Hemmer had violated this law before becoming Strasbourg citizens, punishment for that crime would be proper. But in order to maintain good relations with the Rat, the chapter let Müller and Hemmer go free. In this case the Rat clearly sided with Anabaptists against the chapter because the chapter's disciplinary actions infringed on the freedom of Strasbourg citizens, and the chapter clearly deferred to the Rat against its will.

Over two years later, in September 1535, the names of two more Börsch Anabaptists appear: Ludwig von Sarwerd and Lienhart Bischof. Sarwerd, a stepfather to two daughters, had been expelled for Anabaptist opinions and his stepdaughters were left alone. The Cathedral Chapter intended to expropriate the family's assets. Sarwerd's stepdaughter Merg asked the chapter to let them keep the assets for they did not share their stepfather's Anabaptist sympathies. The chapter agreed but kept an eye on them. Bischof, a vinedresser, was expelled from Börsch because of his Anabaptist views. The chapter granted him eight days to harvest his grapes and pay his debts, but he was to have no meetings with others during that time.

To the annoyance of the Cathedral Chapter, the frequent result of such expulsions from Börsch was that the Anabaptists would move to a neighboring town over which the chapter had no jurisdiction. This was exactly what Diebolt Ohl, a vinedresser, and probably Hans Berner did. Expelled from Börsch, they moved to Ottrott, which belonged to the Niedermünster Convent, and with its tolerant mayor (Schultheiss), was known as a place to which harassed dissidents could flee for refuge. In November 1535 the chapter asked the bishop to intervene and ensure that other towns did not admit these Anabaptists. At the
same time it insisted that in all actions regarding the Anabaptists, the Börsch authorities remain within the law and inform the chapter, for Ohl had been expelled without consultation. The chapter upheld Ohl’s expulsion as legal, but did not uphold the imprisonment of one Jörg Offenbach in late 1536. The chapter, apparently divided on policy toward Anabaptists, ordered his prompt release upon his swearing of the oath, and began further discussion to clarify policy.

Throughout 1537 the authorities watched Berner, Offenbach and Ohl but did not disturb them, for they were Strasbourg citizens. But Diebolt Esslinger the younger, son of the former Vogt sympathetic to the Peasants’ War and apparently not a citizen, lay in prison. In response to a complaint from Börsch, the Cathedral Chapter had imprisoned him as a rebaptized Melchiorite who withheld his child from baptism, maligned the authorities and extolled revolt. He insisted that the accusations were exaggerated, but the authorities still obliged him to reveal the names of fellow Anabaptists. Throughout the summer neither reminders of the law, appeals by chapter officials and Strasbourg Stettmeister Jakob Sturm, nor imprisonment persuaded him to change his views. At the end of the year, after the mayor of Schlettstadt and two nobles from Oberenheim intervened, Esslinger gained his release, but only after swearing a recantation oath: 1) that his Anabaptist views had been erroneous and he would admit the baptism of infants, 2) that he would obey the Börsch laws at all times, 3) that he would not lodge Anabaptists and would allow authorities to inspect his house at any time, 4) that he would not leave the town without authorization, 5) that he would not foment conspiracy or revolt in any way, 6) that he would remain a citizen of Börsch for the rest of his life, and 7) that he would pay the Börsch hospital 100 gulden (later reduced to eighty) within five years. By April 1538 he had sold one and a half vineyards for sixty-seven pounds, but sixty-four pounds were deducted from him, probably toward the penalty for the 1525 pillage of St. Leonard.

Meanwhile, delegates from the Cathedral Chapter and the Strasbourg Rat were struggling to resolve differences concerning Börsch residents. At the end of 1537 Johann Tsuchel, the chapter’s lawyer, named nine suspected Anabaptists from Börsch. Hans Vix, the miller Hans Müller, and probably the butcher Hans Esslinger and Hans Berner had just purchased Strasbourg citizenship but were still living in Börsch. Diebolt Esslinger was in prison. Diebolt Ohl and Jörg Offenbach had moved from Börsch into Strasbourg but still had property in Börsch. While Ohl had sworn the Anabaptist oath of March 1535, Vix, Berner, Hussen Otlig and Hans von Olen had withdrawn to think it over.

A key issue concerned payment for damages inflicted on the St. Leonard Collegiate during the Peasants’ War. A number of Börschers had been involved in the pillage, and the following years had seen a long running court battle between the chapter and the town of Börsch over who should pay for damages, with the chapter seeking to distribute the cost equally among all Börsch citizens, apparently at 100 gulden per person. Now, according to Tsuchel, Vix, Müller, Hans Esslinger and Berner had been involved in the St. Leonard plundering and had bought Strasbourg citizenship in order to avoid the reparation payments. In his view Strasbourg citizenship could not free them of these repayment obligations. Esslinger, he said, possessed some goods from the pillage that belonged to the chapter. Esslinger wanted to keep them without penalty and the chapter wanted him to pay for them. Others such as Offenbach and Ohl had misused the privilege of Ausbürger and freien Zug
by living in Börsch for most of the year. And worse, these men openly declared Anabaptist sympathies while enjoying Strasbourg citizenship.

The outcome of these discussions was that the Cathedral Chapter rescinded its expulsion order for Börschers who had become Strasbourg citizens and reduced the financial penalty for the St. Leonard pillage levied on all Börsch residents. But for suspected Anabaptists who refused to swear the chapter’s Anabaptist oath, or who sought immunity from chapter regulations by purchasing Strasbourg citizenship, or who had avoided the penalty by moving away and purchasing citizenship elsewhere, there would be no mercy. The chapter would single them out, make them pay the penalty, and then expel them by May 22, 1538. For its part, the Rat promised not to protect those who had refused the Anabaptist oath, but it would defend all who had sworn the oath like any other citizen. Thus it defended Hans Esslinger who had sworn the oath. The chapter was to renounce its claim to the goods from St. Leonard, and he was to repay their value. The chapter agreed to release him if he promised this reimbursement. A solution regarding Ohl was more difficult. The father of two stepchildren, he ferried them back and forth between Börsch and Strasbourg. While a Börsch citizen he had refused to swear the Anabaptist oath and had been expelled. This created a problem for his children and the administrator responsible for children (Kindvogt). The children were staying with a friend, but when the friend no longer wanted to care for them, the Cathedral Chapter had to find a home for them. Jörg Offenbach landed in prison in June 1538 because he could not produce the document to prove his Strasbourg citizenship. Within a week, however, he was free, the Ammeister having ordered his release and having appointed the Rat to deal with his Anabaptism. With his release came another summons from the Vogt to produce a certificate of Strasbourg citizenship within eight days or he would be banned from his Börsch property.

One Anabaptist in danger of expulsion was Hans Schmid, who chose instead to flee the town. His wife Martha pleaded to remain in Börsch with her child and property, saying she had no relations with her expelled husband and did not want to follow or shelter him. The chapter allowed her to stay with her child and property on condition that she have no contacts with Anabaptists and not entice her husband to return. Ten months later, however, the Rat opened a new investigation because she was pregnant.

Also in Börsch at this time were Andreas Götz and his wife. Götz had lived in Börsch for some time but refused to bear arms in defense of the community. In light of the Cathedral Chapter’s decision to expel or imprison unrepentant Anabaptists by May 22, he fled the town. While he was gone his wife sold one of their vineyards to pay debts. Without informing the chapter the Vogt confiscated her money, perhaps for the St. Leonard fund. No doubt Götz’s wife protested, for the chapter made him explain why he took her money and what conversations they had. The chapter ordered Götz to sell his Börsch assets, clear up all debts, and leave Börsch territory within eight days or be imprisoned. After paying his portion for the St. Leonard pillage and one guldén for other liabilities, Götz was allowed to keep the rest. Götz must have left the town; we do not hear of him again.

In late 1538 the Cathedral Chapter issued an Anabaptist article, perhaps parallel to that of Strasbourg’s issued earlier that year. A Börsch Anabaptist (perhaps Götz) refused to swear the article, so the chapter refused to restore his Börsch citizenship. The chapter was divided on whether to readmit the expelled Hans Berner to Börsch, and what to do about
Jörg Offenbach who owed money to the town but was a Strasbourg citizen. As for Anabaptists such as Berner and Diebolt Ohl who had moved to Ottrott to escape the chapter’s restrictive measures but continued to cultivate their property in Börsc, there was no doubt; they would be imprisoned.

As for the butcher Hans Esslinger the younger, the chapter brought two complaints to the Rat. First, he owed a debt to the chapter but the fifteen guelden he offered fell short of the full amount. The chapter agreed to accept his offer as sufficient on condition that the Rat force him to pay up. Secondly, the chapter complained that he had been misusing his citizen privileges: although his main residence was to be in Strasbourg, he continually kept a maid and a servant in Börsc. Esslinger replied that his main residence was in the city; his maid and servant were in Börsc simply because he could not build for them in Strasbourg. Since this infraction had occurred before his becoming a Strasbourg citizen, the Rat declined to defend him. His punishment is not known.

The Melchiorite, Diebolt Esslinger, meanwhile, appealed to the Cathedral chapter in April 1539 to have his fine of eighty guelden for the Börsc hospital reduced. Since sixty-four of the sixty-seven pounds he had earned from the sale of his vineyards the previous year had been taken from him, he was finding it impossible to pay the eighty guelden. The chapter denied his appeal and instead inquired into the Anabaptism of his wife. That September Esslinger abandoned Melchioritism, perhaps due more to the influence of ex-Melchiorites Peter Tasch and Johannes Eisenburg who were winning over their former co-religionists to the Strasbourg church than to the chapter’s tough stand.

In August 1539 the Börsc authorities, the Cathedral Chapter and the Rat began a series of discussions concerning Hans Berner, Jörg Offenbach and Hans Esslinger. The debate over Berner has been preserved. Berner complained that since his expulsion from Strasbourg for Anabaptism, the Börsc authorities no longer considered him a Strasbourg Ausbürger and were making him pay Börsc taxes. The magistrates decided that if he had not purchased citizenship elsewhere, then he was still a Strasbourg citizen and they would counter any challenge to his privileges, even if he was an expelled Anabaptist. As it turned out, he had become a citizen of Ottrott, so the Rat offered him no help. According to the chapter, Berner was a Melchiorite who deserved punishment. He would not swear the Anabaptist article, he wanted to live in Börsc while being a Strasbourg citizen, and even prior to acquiring Strasbourg citizenship, he had disobeyed the chapter’s orders. The Rat replied that Berner had been expelled because of Anabaptism, but prior to his Anabaptism, while right with the church, he should have been able to live in Börsc at least for the seasonal work. If he had transgressed prior to purchasing Strasbourg citizenship, the chapter should specify the crime and the punishment, and the Rat would deliver him to them. But the chapter should do nothing that would infringe on the Rat’s freedom.

In these discussions the magistrates willingly defended the Anabaptist Berner but their concern was neither for Berner the individual nor for religious tolerance. If he was a citizen elsewhere, they washed their hands of him. Their chief concern was legal and institutional — to preserve Rat privileges and hegemony vis-à-vis the Cathedral Chapter. Questions of power were more important than questions of religious orthodoxy.

The August discussions notwithstanding, November saw renewed complaints about Berner, Offenbach and Esslinger. Berner would give no response to the Cathedral Chap-
ter's Anabaptist article. Offenbach would not even appear when summoned, saying he was subject to other authorities. Further, against their oath to have their main residence in Strasbourg, Offenbach and Esslinger were staying in Börsch for long periods of time with hardly a day per month in Strasbourg. More and more people were following their example to the chapter’s disadvantage in terms of tax revenue. The Rat should oblige the men to honor the chapter, and it should consistently enforce the agreement delineating the Ausbürger’s rights. 

The Rat promised sure punishment where disobedience was clear, and cooperation with the chapter where there was ambiguity. In the end, the magistrates did interrogate the men regarding the Anabaptist article and their living in Börsch, and they did emphasize that settling down in Börsch when they were Strasbourg citizens was unacceptable. Regarding the Anabaptist article, Berner and Esslinger responded satisfactorily and were released, but Offenbach was detained for further questioning on infant baptism.

In April 1541 Börsch received a new Vogt, Lienhard Suchvatter. Immediately the Cathedral Chapter renewed its long-standing complaint that people who had become Strasbourg citizens were living permanently in Börsch, and often these were Anabaptists. Six or more lived in Börsch virtually the whole year with barely one month in Strasbourg. The chapter, of course, was loath to restrict the freedom of Strasbourg citizens, but it did want the law enforced, especially toward Hans Esslinger, Jörg Offenbach, Diebolt Ohl and Hans Berner. The Rat promised to discipline them if they were found to be breaking the law, and to reprimand the chapter if it was found to be violating their freedom.

Esslinger testified that he had a residence in Strasbourg. In the spring, when the heavy field work began, he would drive out to Börsch with his wife and children. One period of field work would follow right after the other, so he would not always return to Strasbourg. In early November he would return to Strasbourg with his family until February when vine cutting began. In the summer he would come into Strasbourg for a few days but his family would remain in Börsch. This last year it happened that a friend in Börsch invited him to a cattle slaughter feast around Christmas. While they were there, a great snowfall blocked their return to Strasbourg. So they stayed there until field work began. In Strasbourg, meanwhile, they always had a maid staying in their house.

Berner testified that this year he had spent six weeks in Strasbourg. He had many small children and it cost him dearly to transport them back and forth. This year an inheritance fell to him in Rossheim, and so, to complete this business, he stayed in Rossheim for a while with his wife and children. Then, as the seasonal work was soon upon them, to save money they moved to Börsch rather than back to Strasbourg. Whatever work the Börschers gave him, whether much or little, he would do it.

Offenbach testified that in Strasbourg he lived in a corner house with one room and two closets. In late October he drove in from Börsch to Strasbourg with his wife and children. They stayed in Strasbourg until Shrove Tuesday in February. Occasionally, when engaged by citizens of Börsch to cut straw, he traveled to Börsch in the winter. During the summer, for the times of heavy field work, he lived in Börsch. He hoped the Börschers thought well of him, for he had helped them in their work. When not in Börsch, his residence there was empty.

The Rat concluded that Esslinger and Berner had stayed in Börsch too long. Ohl was let off with a warning to keep himself straight and “not cause complaints,” probably because
the previous month he had become a Strasbourg citizen and had abjured Anabaptism. With this word, the chapter sent the Börsch authorities a copy of the Anabaptist article for him to swear if he wished his ban from Börsch lifted.\textsuperscript{76}

Ohl did not swear the article, and soon new complaints about him arose. Suchvatter, the Vogt and the chapter objected to the *Wiedertäuferherren*\textsuperscript{77} that although Ohl had been expelled from Börsch for Anabaptism and was a citizen of Strasbourg with a residence in the city, that summer (1541) he attempted to settle his wife in Börsch. He should live where he was a citizen. After the *Wiedertäuferherren* met with him, Ohl surprised the chapter with an offer to swear the Anabaptist article.\textsuperscript{78} Just then the chapter learned that he had secretly moved his household goods back into Börsch. When questioned on this, Ohl replied that the Rat had told him the move should be possible if he made his request properly to the Vogt. But when Suchvatter asked him to swear the Anabaptist article, he refused, saying that having already sworn before the Rat, he had no obligations to the Vogt.\textsuperscript{79} When the magistrates confronted him with these accusations, he meekly promised to behave obediently as they wished. In the end the reports of Suchvatter the Vogt and of Ohl the citizen did not agree and the magistrates could not tell who was right or wrong. And so they decided to hear both sides again.\textsuperscript{80}

According to the Cathedral Chapter, Ohl had broken virtually every law in the book. Prior to purchasing Strasbourg citizenship, Ohl had been imprisoned and expelled from Börsch for Anabaptism. Since the Rat did not tolerate sectarians and since he would not swear Strasbourg’s Anabaptist article, he had moved from place to place, finally settling in Ottrott where he had bought a house. Then he moderated his Anabaptism, swore Strasbourg’s Anabaptist article, purchased Strasbourg citizenship and returned to Börsch. The chapter had asked only that he not misuse the privileges of Strasbourg citizenship and that he swear its Anabaptist article like all other suspected Anabaptists who wished to live in Börsch. But when summoned to swear, he refused, saying that as a Strasbourg citizen he would answer only to the Rat. And despite a prohibition, Ohl secretly moved his household goods from Ottrott (rather than from Strasbourg where he should have had his main residence), claiming that the Rat had told him it would be permitted him if he requested properly. Now he wished to live in Börsch permanently, for he had no home in Strasbourg as a citizen should have. Moreover, besides being in Börsch illegally, Ohl refused obeisance to Börsch authorities. In essence, Ohl was evading Strasbourg’s supervision by living in Börsch and was flouting Börsch’s authority by claiming loyalty to Strasbourg. The Cathedral Chapter wanted no more of this Strasbourg citizen.\textsuperscript{81}

Ohl, in response, declared that Anabaptism was not first of all why he was expelled from Börsch. He had left because the Börsch authorities had ordered him to a Catholic *Heiligenpfleger* where he was to make wax, candles and do other things he did not want to do. The Börsch authorities had given him a certificate of honorable departure signed with a seal which he now submitted as evidence. He admitted that while a Strasbourg citizen he had been imprisoned and expelled for Anabaptism and had moved to Ottrott. But he had abjured Anabaptism when he swore Strasbourg’s Anabaptist article and had restored his citizenship half a year earlier. In Strasbourg he was renting a house with Georg Lederlin, another Strasbourg citizen, and was paying half the rent. Except for the times of heavy field work when he was staying in Börsch, he wished to live in Strasbourg. When he had recently
returned to Börsch to work, he had assumed that as a Strasbourg citizen who had sworn the Anabaptist article, he could, during the working season, live in the same house he had owned before. He denied speaking insolently to the Börsch authorities. Rather, when the Vogt had confronted him with the chapter’s Anabaptist article, he had not wanted to let the Börsch authorities demand something of him which the Rat did not command—even as some magistrates had advised him! He did wish to keep himself free from complaints. Regarding his main residence, Ohl said that he did not have enough household goods to furnish two homes. He was prepared to carry his beds, for himself and his child, back and forth. He was committed to staying in Börsch only during the times of heavy field work, if only to keep the Börsch authorities happy.82

The Rat’s exact verdict on this exchange is not known, but Ohl found favor with some magistrates and they took time to deliberate. The Cathedral Chapter judged it wisest to wait for the Rat’s decisions regarding Ohl, Berner, Hans Esslinger and Offenbach before taking further action.83

Nine months later, in April 1542, another event concerning Ohl pitted the Rat against the Börsch authorities. Ohl’s first wife having died, he had remarried and now had stepchildren. When he had moved to Strasbourg and had become a citizen, he had brought his stepchildren with him. In order that the daughter from his first wife, who had been a Strasbourg citizen, receive citizenship from her mother, Ohl placed her under the guardianship of Strasbourg’s Symon Scher of Rossheim. Now the child’s grandmother died, leaving an inheritance of 3000 gulden. The Börsch authorities, however, also claimed jurisdiction over her and hoped she would not become a Strasbourg citizen. Ohl now asked the Rat to help with the inheritance—not for him but for Symon Scher the child’s guardian. This time, where revenue was involved, the Rat eagerly claimed its prerogatives and jumped to Ohl’s defense. Since the girl had lived in Strasbourg and her mother had been a citizen, the Börsch authorities should let her claim her inheritance in Strasbourg.84

Occasionally the Cathedral Chapter and the Börsch authorities did place their trust in suspected Anabaptists. Hans Vix, an Anabaptist who had purchased Strasbourg citizenship in 1537, had repeatedly and without success asked for readmittance after being expelled from Börsch in 1538. Finally, in the fall of 1542 he accompanied his request with a swearing of the chapter’s Anabaptist article. Since he had otherwise behaved decently and the Börsch authorities had no objections, Vix again received Börsch citizenship.85 About the same time, the mayor of Börsch and the chapter granted Jörg Offenbach power of attorney over the assets of Adam Müller, a Börsch citizen who had fled the town because without permission he had performed military service in France. Offenbach, like Müller, was a Strasbourg citizen, and by granting Offenbach this authority, the Börsch authorities no longer had to concern themselves with Müller’s affairs. Offenbach was, of course, ordered to exercise his responsibility honestly.86

Distrust outweighed trust, however, as the old grievances of 1541 surfaced again in the summer of 1542. According to the Börsch authorities Hans Esslinger and Diebolt Ohl were ignoring the town’s ban and were overstaying their allotted time in Börsch. And because they were Strasbourg citizens, they gave the Börsch authorities no respect. The Rat promised to enforce the law against them where necessary, and where not necessary, to clarify the situation.87 But upon receipt of Esslinger’s and Ohl’s written version of the conflict, the Rat
instructed the authorities to drop the charges and just remind the men to return to Strasbourg when the times of heavy field work were done. This was not to the Cathedral Chapter’s liking. Within a week the authorities had ordered Esslinger and Ohl to pay for their crimes or suffer the consequences. The men, fearing a permanent criminal record, sought the Rat’s counsel. The Rat persuaded the chapter and the Börsch authorities to compromise. In order not to infringe on Strasbourg privileges, the Vogt offered to settle for a fine rather than criminal charges and consider the case closed. The Rat, anxious to preserve the peace, judged this a good compromise and urged the men each to pay half the fine.

This settlement was short-lived. By November (1542) the chapter again protested that Esslinger, Berner, Ohl and Offenbach were staying in Börsch permanently, and that neither summer nor winter was “fire and light” to be seen in their Strasbourg homes. If they came into Strasbourg, say, for Christmas mass, their wives and children remained in Börsch. In all seasons they drove into the field and worked. If this were the norm, all Börsch inhabitants would want to become Strasbourg citizens. Although the chapter had reminded them that they were violating their oath and were to have their main residence in the city, they persisted in this misbehavior.

The Rat now reviewed for the chapter the substance of their conversations with the men during the summer. First, the men doubted that all other Börschers would similarly seek to become Strasbourg citizens. Secondly, people in Börsch were not complaining about their having purchased Strasbourg citizenship while still working in Börsch. In fact, people from other places also had moved to Börsch, held Strasbourg citizenship and worked. During the off season from November to February they lived in Strasbourg, and the rest of the year, during the times of heavy field work, they were free to live in Börsch. Work in the vineyards would begin in February and continue almost steadily until November. If they got perhaps one or two weeks to rest between the times of heavy field work, to drive to and from Strasbourg with wives and children each time would be disastrous. Still, during these breaks they did not work, and often they were in the city. But this year, because of the plague, the Börsch people themselves had told them to stay out of Strasbourg. Ohl complained that for hauling wood in the forest the authorities had fined him three pounds which he refused to pay. He had not been hauling for himself but for another Börsch citizen, and as payment he had been given some of the wood. Berner, accused of working, admitted that he had gone to work on his property but had not intended to offend Börschers who stayed at home. Henceforth he wanted to live at peace with them. Both men had begged for pardon and asked to be shown their rights and the limits of Strasbourg’s freedom. The Rat had dug up the Speyer Rachtung of 1429 that defined the relations between the bishop and the city. It had pointed out the freedom of Strasbourg citizens to earn their income outside of the city, the need to have their main residence in Strasbourg, and that wives and children live in the city from St. Martin’s Day (November 12) until Epiphany (February 2). Because of the complaint that these men rode into the fields the entire year, the Rat had stressed that, except for the times of heavy field work, they were to remain in their main residences in Strasbourg, even if for only one or two weeks.

With this review of the summer’s conversations, the Rat now moved to the present. Since the plague was an exceptional situation that required all persons to remain in the countryside, the Rat asked the Börsch authorities to forgive their transgression this time, and the
Rat would order the men to keep to the agreement. At the same time, the magistrates did not wish to monitor their citizens’ activities too strictly; they preferred to have their citizens feel welcome rather than feel they were being spied on. If the need to earn an income required that they be outside the city, they should feel free to come and go without worrying about the Rat.

At this point Esslinger, Berner, Ohl and Offenbach arose to counter the charges that they remained in Börsch permanently against their citizen oath and that they used the town’s wood and pasture. All four men claimed innocence and ignorance: they wished to live in Strasbourg as citizens, even if they had to shelter in a stable. They did not know that accusations of oath-breaking were being leveled against them, for they thought they were acting rightly. To this Tüschelein, the chapter’s lawyer, retorted that they had sworn an oath and now were not keeping it. And if the authorities disciplined them for oath-breaking in Börsch, they vanished to appeal to the Rat. Certainly from Epiphany (February 2) to St. Martin’s Day (November 12) there was much to do in the vineyards and they had to stay in Börsch until it was done. But they should know the limits of Strasbourg privileges in order not to upset either the Rat or themselves. Another canon added that when told they were breaking Strasbourg’s civic oath, the men only cast themselves upon the privilege of Strasbourg citizenship and carried on. Although the Cathedral Chapter had submitted numerous complaints, little had been done. Again the four men protested ignorance. They did not want to accuse Tüschelein of lying, but their main residence with wives, children and servants was in Strasbourg. When the heavy field work started in February, one kind of work followed right after the other, and so they kept a servant in Börsch in order that nothing happen to the grapes. They took care not to disturb others.

This time the Rat agreed with the chapter that since they were living in Börsch permanently, they were breaking the oath, for clearly the oath stipulated that their best house was to be in Strasbourg. Its deliberations began immediately (November 1542) with the understanding that since becoming Strasbourg citizens, Esslinger, Berner, Ohl and Offenbach had remained permanently in Börsch together with their wives and children rather than return to their Strasbourg homes. Even if they came in briefly, their wives, children and servants remained in Börsch. All year they drove to their fields to work while being exempt from local taxes. In effect they had more privileges than the citizens of Börsch, many of whom now also wished to move to Strasbourg. Action on recommendations (which are missing), however, waited until the summer of 1543, and this made the Cathedral Chapter impatient.

The Rat must have applied some pressure for, in 1543, two of the Anabaptists made conciliatory moves. In July the chapter informed the Börsch authorities that Hans Müller had recanted. While he had earlier obtained Strasbourg citizenship, he now requested Börsch citizenship. As he was willing to swear the Anabaptist article and the citizen oath, the chapter recommended that Börsch reaccept him. Then, in December, Hans Berner, having surrendered his Börsch citizenship when he became a Strasbourg citizen, asked to renew his Börsch citizenship. The Börsch authorities reported no objectionable behavior. As Berner had sworn the Cathedral Chapter’s Anabaptist article, the chapter invited him to receive citizenship in Börsch on condition that he swear the civic oath and the chapter’s Anabaptist oath once again before the Börsch authorities.

Five months later, however, in May 1544, a high level delegation from the Cathedral
Chapter delivered the same complaint against Berner, Esslinger, Ohl and Offenbach: these citizens of Strasbourg were remaining in chapter territory permanently without returning to Strasbourg. A proper investigation was imperative. In addition the Rat was asked to investigate another Strasbourg citizen named Diebolt Schwein from Kestenholz. He also lived in Börsch, though not with his wife, and in the last two years had spent no more than two weeks in Strasbourg.101

Meanwhile, as if clashes with the Börsch authorities and the Cathedral Chapter were not enough, Diebolt Ohl faced conflict on another front. In October 1543 Martin Brennenstein, the Catholic priest of Bischofsheim near Rossheim had expropriated a vineyard from Ohl because of debts. The mayor of Bischofsheim claimed the move was just,102 but according to Ohl it was unjust. He had received the vineyard from his wife and had owned it together with his brother-in-law for forty years in peace. Now, unannounced, without legal authorization and on the basis of the naked word, the mayor had seized the vineyard for the priest and with a thirty pound payment, ordered Ohl not to harvest it. Although the priest had never harvested this vineyard for the past forty-three years, he now drew from it ten omens of wine. Claiming his Strasbourg civic rights, Ohl sent a defiant letter to the priest and the mayor, resolved to take the priest to court, and asked the Rat to help restore both his property and his costs to him. The Rat warned the mayor that the seizure violated the rights of Strasbourg citizens and called for Ohl’s property, wine and legal expenses be restored to him.103 The mayor rejected Ohl’s charges and insisted that their move was justified.104

The next month the Rat heard arguments from both sides, with the priest being represented by the bishop’s lawyers.105 In December the Rat ruled that the priest had in fact violated Ohl’s civic rights. Both parties signed an agreement that the priest would restore the vineyard and reimburse Ohl for the wine he had drawn from it, and they would settle further differences in court.106 Ohl believed he had lost more than ten omens of wine and that this court case would cost him considerably. Against this the priest argued that Ohl had not made his annual payments to the church, and for each year owed him one omen of wine in interest. On both sides, then, they claimed their rights, and the Rat believed a third party would have to determine the real truth.107

Our sources are silent for three years. In August 1547 the case resurfaced. Although the magistrates had ruled and the priest was now making no trouble, his 1543 expropriation permit was still in his hands. In order to avoid future problems, Ohl wished to obtain that permit. But since the priest was outside the Rat’s jurisdiction, it could not force the permit from him. Ohl could only contest it in court.108 The Rat sent the priest a letter, but he refused to surrender the permit. The reversion of the land to Ohl, he said, was not proclaimed, the issue was not settled, and he wished to reopen the case.109 The Rat advised Ohl to wait a month to see if the priest would initiate something. If nothing happened, the Rat would again call on him to surrender the permit or meet Ohl in court.110

A year later, in November 1548, little had changed. The priest still had the expropriation permit which, Ohl feared, would trouble him in the future. The case dragged on with the priest pleading illness and not responding to letters. The Rat’s call to surrender the permit offended him, he said, for in his view this undermined the authority of the mayor who had installed him as priest. Moreover, he had no obligation to appear before the Rat. Court was where outstanding differences were to be settled.111 As letters seemed futile and as the Rat
could not coerce the priest, it advised Ohl formally to launch a lawsuit against him.  

The final outcome of this case is not known. But in terms of the three-way struggle between the Rat, the Catholic church and the Anabaptists, it is clear that the Rat overlooked religious scruples about Anabaptists to resist the encroachments of the resurgent Catholic church. This example of land seizure because of non-payment of tithes also demonstrates that as much in the 1540s as the 1520s, economic oppression by religious and political authorities could drive commoners to religious radicalism or reinforce them in it.

Renewed Catholic Strength, 1548-1555

The victory of the emperor in the Smalkaldic War of 1546-47 led to the imposition of the Augsburg Interim in 1548 and Catholic worship in Strasbourg. While the Interim strengthened leaders in Catholic jurisdictions, elsewhere – in both the city and the country, and among both nonconformists and Strasbourg Reformed church members – it provoked fear, protests and unrest. One Anabaptist couple burdened by the Interim was Hans Schmid and his wife. Schmid was a miller who owned the Börsch mill and served the village. By May 1549 he had purchased Strasbourg citizenship without informing the Börsch authorities, appraised the mill’s value for possible sale, and completed repairs on it. Only then did he inform the Vogt of his actions, renounce his Börsch citizenship, and request permission to move away. The Vogt had no objection if he wished simply to move. But if it was his intent to draw the Cathedral Chapter into a court case with the Rat, then he would not be permitted to move or remove his assets. Schmid asked the Rat for help, claiming that the Börsch authorities hindered his move because he had become a Strasbourg citizen. The Cathedral Chapter in turn complained that he had illicitly taken wood from Börsch’s forest. Despite the Rat’s more delicate position under the Interim, it still came to the Anabaptist Schmid’s support and requested that the chapter allow the move. Such defense of nonconformist citizens would not always be the case.

If the Interim raised fear among some Anabaptists, it seems to have emoldened others to make themselves more visible. By the spring of 1549 the Rat received reports that the Anabaptists were increasing again. At the same time the dominance of the emperor weakened the Rat’s willingness to protect its Anabaptist citizens who were living under Catholic administrations. In the spring of 1549, just as Bucer was leaving for exile, the Cathedral Chapter apprehended a number of Anabaptist women after seizing an Anabaptist writing. Among them one Ottilia and two daughters of Jörg Offenbach held firm to their Anabaptism. Ottilia was imprisoned in Geispolsheim, the official seat of the Cathedral chapter. Offenbach’s daughters landed in separate cells and all their belongings were registered. When they still rejected the Interim and the chapter’s regulations, they were imprisoned until further instructions from the chapter. Other dissidents received similar measures. The Rat did not intervene on their behalf.

Meanwhile the Börsch authorities complained that Diebolt Ohl and Jörg Offenbach were not only living in Börsch permanently but now were also acclaimed Anabaptists. Offenbach had reportedly declared that if his daughters recanted Anabaptism, he would disown them. Both men had acknowledged that in swearing the Anabaptist article they actually swore...
whatever they wished. Now by refusing to attend the Catholic church in accordance with imperial law, they not only set themselves against it but also influenced others to follow their example. Some were finding their Anabaptism strengthened. Offenbach, however, protested that the Börsch authorities had several times prevented him from establishing a residence in Börsch, saying that if he wished to earn his living, he should work on unclaimed land. They had also accused him of illegally carrying a gun in the district, and he was to put it away. This gun, he said, was not to be used in the district but to protect himself as he traveled in and out. He now asked the Rat to help him live in peace. 118

After hearing both sides, the Rat reminded Ohl and Offenbach to observe the Ausbürger statute, and accordingly asked the chapter to allow them to earn their living in Börsch during the times of heavy field work. 119 The chapter responded that the "fire and smoke" never went out in their Börsch homes: if the man was in Strasbourg, the women and children remained in Börsch and if the women and children were in Strasbourg, the man was in Börsch. The Interim edict was for all, but Strasbourg citizens who lived in Börsch permanently were not observing it. The chapter challenged the Rat to calculate how many weeks per year these citizens were living in Börsch. 120 Once again the magistrates dug into past applications of freien Zug and the Ausbürger agreement. 121 They found that seven years earlier in 1542, 122 over the same issue involving some of the same personalities, the Rat had approved the original agreement with some modifications, and when the plague swept through, it had instructed people not to drive in and out of the city. Once again the Rat told the Cathedral Chapter to leave its citizens alone. It would warn them not to misuse their citizen privileges and at all times to live without cause for complaint. 123 In response the Börsch authorities and the chapter's highest officials reminded the magistrates of their many previous complaints: citizens of Strasbourg were living permanently in Börsch, and some of them were Anabaptists. As much as the chapter wished to remain neighborly, this offense had to stop. Once again the Rat reiterated the 1393 agreement that a Strasbourg citizen was free to drive out with wife and children and make use of vineyards and pasture to earn a living. A word of warning, it hoped, would end misuses of this privilege.

For the chapter delegates this was not good enough. Many, they feared, would seek Strasbourg citizenship. Besides, this agreement was intended for people such as military personnel who lived in Strasbourg and sometimes moved away to earn their living, rather than for those who spent the entire year outside the city. With the Interim in force, it was time for the chapter to exercise its new clout. Since the emperor had ordered this issue resolved, the Rat would be wise to calculate how long these men were living in Börsch. Persons with six vineyards would need about two weeks of heavy field work for each. In addition to the twelve weeks of heavy field work, they would need time in the fall from Michaelis (September 29) to St. Martin's Day (November 12) to preserve the wine. The rest of the time they should live in Strasbourg, or, if they wanted to live outside the city, they should make do on unclaimed land. If the magistrates would not cooperate as requested, the chapter would be obliged to settle this matter unilaterally according to the imperial resolution. 124

The Rat promised immediately to appoint a committee to draft recommendations for Ausbürger, but it also hoped that if Strasbourg citizens opted to stay in Börsch in bad weather, they would not be jeopardized. The Rat also reminded the delegates that members of the Cathedral Chapter especially were granted free use of Strasbourg's bridges and
roads. Within two weeks a response was ready. The Rat delegates admitted that it would be odious for a Strasbourg citizen to keep a permanent home for an entire year under another government and to make use of its vineyards and pasture. Further, there was a clause in the agreement that Ausbürger should have their main residence in Strasbourg. Thirdly, there was the proviso that if one misused Strasbourg privileges, one could also lose them without need of appeal to the emperor. Considering the need for good will in the Interim, the Rat asked to negotiate. Against the chapter’s estimate of two weeks per period of heavy field work, the Rat recommended one month per period. In the end the delegates proclaimed a compromise of three-week work periods with allowances for bad weather, and canons could travel as before with unbroken freedom on all roads. Citizens were to remain within these measures or be punished.

Until the emperor’s victory in the Smalkaldic War strengthened Catholic forces and brought the Interim to Strasbourg, the Rat dallied on its commitments to the Cathedral Chapter and winked at transgressions of Ausbürger in villages like Börsch. The chapter’s increased clout with the threat of imperial action behind it drove the Rat to negotiate in better faith.

In the fall of 1549 a barrelmaker named Hans Keller purchased Strasbourg citizenship but continued to ply his craft in Börsch. For a whole year he appealed to the Cathedral Chapter for permission to live permanently in Börsch and was always put off. In October 1550 he suddenly received immediate expulsion orders from the mayor and the chapter, allegedly because he was a Strasbourg citizen. Delay would result in imprisonment. Keller claimed willingness to move to Strasbourg with his entire household, but in this busy season he could never clear out in a single day. He asked the Rat to arrange a two or three week extension. The Rat replied that since he had purchased citizenship without obtaining full citizenship rights and had lived outside the city without the Rat’s permission, the Rat did not know what to expect of him or how to handle the case. Moreover, he had been imprisoned for Anabaptism. The Rat promised to consider his case if he would swear the Strasbourg Anabaptist article. Keller immediately claimed to support the article but asked for time to consider until the Rat’s next session.

This case reveals hidden agendas and ambivalence all around. Perhaps because of the Interim, the Rat was hesitant to challenge the Cathedral Chapter and the Börsch authorities over the expulsion of their citizen Keller. When it finally agreed to defend him on condition that he swear the Anabaptist article, Keller was hesitant to compromise his Anabaptism for the sake of civic protection. While the Rat wished to please both the chapter and its citizens, Keller sought to enjoy both his Anabaptism and Rat protection.

In the fall of 1550 the old complaint against Strasbourg Ausbürger who lived permanently in Börsch and made use of Börsch’s pasture and woods, arose again, particularly with respect to Diebolt Ohl and Jörg Offenbach. This time the Rat and the chapter hammered out specific measures in short order: Ausbürger would receive three weeks for each of the six periods of heavy field work and six weeks for the fall grape harvest. In case of rainy weather lost work days could be filled in elsewhere. On a sterner note, the Rat warned Ohl and Offenbach that failure to abide by these measures would cost them their protection from the Rat.

For all the Rat’s greater strictness toward Ohl and Offenbach, the struggle between the Börsch authorities, the Cathedral Chapter, the Strasbourg Rat and Börsch Anabaptists con-
continued for at least another five years with some of the same characters and some new ones. In the fall of 1555 Diebolt Ohl, Jörg Offenbach, Michel Reiser and Lienhart Gut, all Strasbourg citizens, appealed to the Rat that the Börsch Vogt had prohibited all Börsch citizens from any kind of personal or commercial interaction with them. The magistrates took time to deliberate. Three months later, when the time to go out and work was soon upon them, the men again asked that the Rat grant them freedom to do business. To verify this report, the Rat questioned the canons individually about the matter and then interviewed the men again.

The outcome of this matter is not known, but the pattern of the previous two decades continues. Anabaptist Ausbürger continued to stretch the rules regarding residence in Börsch to the breaking point in order to live permanently in the country, under Strasbourg’s protection but far from its direct supervision. The Börsch authorities and the Cathedral Chapter continued to complain to the stronger Rat about such violations. And the Rat continued to temporize in an effort to humor the chapter without acceding to its demands and to maintain its historic privileges.

Conclusion

The case of Börsch illustrates that daily life for the religious nonconformists in the villages around Strasbourg was largely mundane, concerned with physical, emotional and spiritual survival. This is in keeping with their social location. These were not among Strasbourg’s decision-making elite who traveled to interconfessional colloquies and negotiated with the emperor to avert the Smalkaldic War. Nor were they strong radicals who sought to transform society at its root. On the whole they were lower-class villagers seeking to work regularly, to feed their families, to build homes, to avoid expulsion by the authorities, to arrange for their children’s inheritance, to worship freely, and to get along with their neighbors. The reluctance of some to swear the Anabaptist articles and their refusal to cooperate with the Interim does point to deep religious convictions, but the issues that normally occupied their energies were domestic. These Anabaptists and their more conforming neighbors were probably much the same.

Further, this case reveals how exhausting it must have been to be an Anabaptist or, more broadly, a religious nonconformist in the sixteenth century. Strasbourg’s authorities were relatively more tolerant than those of other cities. Yet for a whole generation of Börsch Anabaptists, hardly a year went by without harassment by authorities, a complaint to the Rat, or a court case. Further, we see that not all these conflicts dealt with religious doctrine or ethics. For the most part these clashes over the right to farm land at certain times without paying taxes were economic.

The thirty year story of the Anabaptists in Börsch also exposes the constant tug-of-war between Strasbourg, the Cathedral Chapter and the Börsch authorities. Always some Augsburger overstepped their privileges and overstayed their welcome by settling permanently in the countryside without paying local taxes. If these Augsburger were religious dissidents, they were guilty of a double crime—of being Anabaptists and of misusing their Augsburger privileges. Tension arose when Strasbourg came to their defense, especially when this defense violated the long-held agreement between the Cathedral Chaper and the
In these cases, the magistrates also suffered inner tension between civic and religious duty. Religious duty called for exclusion of religious nonconformists such as the Anabaptists. Civic duty called for preservation of Strasbourg's historic privileges. When these were in conflict, as when the arrest of Anabaptist citizens resulted in victory for the village authorities, usually loyalty to the city won out. In most cases, in order to guard Strasbourg's hegemony, the magistrates winked at religious heterodoxy rather than yield to village authorities, and nonconformists were frequently able to benefit from this. Thus, in some other villages religious nonconformists benefited from large numbers, or from village authorities, or from sympathy from their neighbors. But in Börsch, where their number was lower, nonconformists survived by playing competing powers — magistrates, the Cathedral Chapter and village authorities — off against each other.

Notes


3 Deppermann, 274-75.


6 TAE IV, No. 1727, p. 329.


10 Situated just outside Börsch since the thirteenth century, the St. Leonard collegiate was dependent on the cathedral provost who doubled as provost of the collegiate. Rott, "Boersch," 103-104, 106.

11 Rott, "Boersch," 103, 106.

12 Three or four men named Müller Hans appear in Börsch, and it is not always clear who is who. Rott, "Boersch." 103-108; TAE III, No. 793, p. 101, n. 6; TAE II; p. 551.

13 The l'ôt' was the village's official representative to the Cathedral Chapter.

14 Rott, "Boersch," 103-104. Within the city of Strasbourg, the notary Fridolin Meiger, arrested as an Anabaptist in March 1529, confessed to Bucer that at the beginning of the peasant uprising he had hoped that the innumerable usury incomes whose injustice he knew only too well would finally be cleared from the countryside. TAE I, No. 172, p. 222. On Anabaptists and the Peasants' War, see James Stayer in "Anabaptists and Future Anabaptists in the Peasants' War," MQR 42 (1988), 99-139; and "Reublin and Brôtli," Archiv Internationales d'histoire des idées 87 (1977), 83-102.

15 He last appears as l'ôt' on November 28, 1525, after which he is replaced by Anthony Schreter. Rott, "Boersch," 104, 107.

16 Rott, "Boersch," 104.

17 Rott, "Boersch," 104-105.


19 TAE IV, Beilage, No. 197a, p. 416, No. 197c, p. 417.

20 TAE IV, Beilage, Nos. 209b, 209c, p. 421, No. 213b, p. 424.

21 TAE IV, Beilage, No. 215aa, p. 424.

22 TAE IV, Beilage, p. 424, fn. 2.

23 TAE IV, Beilage, No. 350b, p. 474.

24 TAE IV, Beilage, Nos. 356aa, 356ab, pp. 484-485.

25 TAE IV, Beilage, No. 358b, No. 358c, pp. 488-489.

26 Probably the same as the miller Hans Schmid. TAE III, No. 825, p. 151; TAE IV, No. 1661, p. 287.

27 This move allowed them, as Strasbourg citizens, to own lands near Börsch and live there for part of the year without paying taxes to the Börsch government or to the chapter. The Catholic bishop and the chapter did not appreciate this reduction in their incomes and authority, and repeatedly attempted to restrict these Aushburger privileges. Already in 1529 the Rat had complained to the chapter about the bishop's efforts to restrict the freedoms of Strasbourg's Aushburger. The purchase of Strasbourg citizenship also enabled Aushburger occasionally to disobey Börsch laws and claim allegiance to the higher authority of the Strasbourg Rat.

28 TAE IV, Beilage, No. 359a, pp. 489-490; No. 371a, p. 491.

29 TAE IV, Beilage, No. 361a, p. 491.

30 TAE IV, Beilage, No. 371a, p. 491.

31 TAE IV, Beilage, No. 698a, p. 546.

32 TAE IV, Beilage, No. 698a, p. 546.

I wonder to what extent Esslinger’s Melchiorite Anabaptism was motivated by religious (rejection of pedobaptism), eschatological (à la Hoffman), social (demands for more justice) or political (reverse the existing order) considerations. While the first two criteria represent input from after the Peasants’ War, the latter two resemble his father’s views, and suggest a direct connection between the peasant uprising and Anabaptism.

The Stettmeister was Strasbourg highest official.

The Ammeister, Strasbourg’s second highest officer, was responsible for the daily administration of the city.
In 1547–48 and 1563–64 Diebolt Esslinger would reappear as one of Börsch’s two innkeepers. Rott, “Boersch,” 105, 108.

The Wiedertäuferherren were a commission established by the Rat in 1530 to monitor the activities of religious nonconformists. They continued until 1573. TAE I, No. 235, pp. 289–290.

TAE III, Nos. 1115–1116, p. 476.

TAE III, No. 1117, p. 477.

TAE III, Nos. 1122, 1124, 1125, pp. 483–486.

TAE III, Nos. 1120, 1122, 1130.

TAE III, No. 1130, p. 490.


TAE III, No. 1181, p. 520.

TAE III, No. 1202, p. 530; No. 1212, p. 534.

TAE III, No. 1218, pp. 536–537.

TAE III, No. 1190, p. 524.

TAE III, No. 1191, p. 525.

TAE III, No. 1193, p. 526.

TAE III, No. 1196, p. 527.

TAE III, No. 1197, p. 528.

TAE III, No. 1222, pp. 538–541.


TAE III, No. 1224, p. 543.

TAE III, No. 1223, p. 542.

TAE III, No. 1224, p. 543; No. 1228, p. 546.

TAE IV, No. 1278, p. 26; No. 1305, p. 44.

TAE IV, No. 1301, p. 40.

TAE IV, No. 1329, p. 57.

TAE IV, No. 1334, p. 61.

TAE IV, No. 1368, pp. 95–96.

TAE IV, No. 1311, pp. 46–47.


TAE IV, No. 1317, p. 50.

Perhaps the lost agreement of 1393 (TAE II', No. 1660, p. 285), or perhaps the Speyer Rachtung of 1429 between the city and the bishop. TAE II', No. 1653, p. 283.

In addition to citizenship with full rights, for a lesser fee the officials of Strasbourg’s Schultheiss institution granted citizenships with limited rights (Schultheissenbürgerecht) to poorer immigrants. Officials often did not bother to investigate the applicants’ religious orientation, and religious nonconformists often took advantage of this. TAE II', No. 611, p. 390, n. 1, 4; TAE III, 11-12; No. 1127, p. 487, n. 1; TAE II', No. 1399, p. 114, n. 1; J. S. Oyer, rev. of TAE III and II', MQR 67 (1992), 102-103.