

## Chapter 3

### Combativeness

*A*fter Congress declared war on 6 April 1917, German Lutherans hardly made a smooth transition from partisans for peace to flag waving patriots. Especially in the first months after declaration, Lutherans openly shared their objections to the conflict and ensuing government policies. Many felt no scruple with expressing their distaste because they had no idea what was required of them in a "total war." Many nineteenth century wars, such as the War of 1812, the Mexican-American War, and the Spanish-American War, witnessed open dissent and non-compliance with impunity; it would have taken great foresight to predict otherwise for the upcoming war.<sup>1</sup>

Another significant factor in Wisconsin Synod combativeness on the home front was their prominence in rural communities where ethnic Germans, and often Lutherans, maintained a majority of the population. This created an environment of positive reinforcement for activities and remarks against the war. Moreover, Wisconsin Synod Lutherans became exceedingly antagonized by government efforts to officially involve the church. Not only would this have broken Lutherans' strictly guarded church and state barrier, but it would have raised doctrinal scruples by requiring Lutheran religious conformity with their traditional political and religious counterparts. As countless religious denominations became intimate with the state and with each other during the war, many members of the synod feared the war would be a catalyst to the founding of a state church. This was a development the German Lutherans witnessed first-hand in their former country a century earlier. Throughout the

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<sup>1</sup> The Civil War is the obvious exception. Draft riots and their suppressions killed hundreds in New York and other areas of high foreign populations. Anti-draft demonstrations and social strife in the Midwest, especially among certain Wisconsin immigrants, has mostly been a neglected topic to-date.

process, it appeared Lutheran religious culture was under jeopardy, and this sentiment caused the strongest wartime protests from the synod.

## II. Reactions to the Declaration

The *Gemeindeblatt* displayed mixed emotions after the declaration. It posted a "Prayer for the War Time," and prayed that God "give us such hearts, that we honor in this evil time our government and willingly obey them and pray for them."<sup>2</sup> Later in the same issue, the publication claimed "the war party has implemented their will," and then questioned the decision making of Congress and the president:

What is war, everyone should know, because war is raging for three years in Europe, Asia and Africa, and we have all read it and were so shaken by the horrors and the bloodshed...One would have thought that our people would have considered it a thousand times before they would be plants in this sea. But the voices of the faithful admonisher are unheard.<sup>3</sup>

The *Gemeindeblatt* did not change its beliefs about the cause of the war, either, as it pointed to the countless weapons of war sent to the Allies under the guise of neutrality. It claimed the love of money determined the actions of the neutrality period, not the love for democracy. After making these arguments, it vouched for the loyalty of German Lutherans: "They will not trust us, and they put our loyalty into question, and will accuse us from all sides of being enemies; this is not true." This article reveals a common trend in the thought of WELS Lutherans during the war. That they could object to wartime measures but still attest to their loyalty to the United States seemed to them a natural and logical argument.

A month later, an article in the *Gemeindeblatt* gave a detailed account of the role speculators played in the outbreak of war, especially during the drought of 1916. "Speculators and gamblers in the stocks bid wheat and corn to further heights...and they resent the U-boats, that they might interfere with navigation and the stocks in which the port cities can accumulate."<sup>4</sup> These people did not consider the country first, argued the *Gemeindeblatt*. Instead, "We think America first, the American people first when it comes to the food: wheat, bread...and other necessities for the maintenance of clothing and shoes." Those necessities instead were shipped to Europe for European

<sup>2</sup> "Gebet zur kriegszeit," *Gemeindeblatt* 52:9 (1 May 1917), 129.

<sup>3</sup> "Krieg," *Gemeindeblatt* 52:9 (1 May 1917), 135.

<sup>4</sup> "Die Pflichten der Regierung," *Gemeindeblatt* 52:11 (1 June 1917), 165-166.

promises to pay which would likely go unfulfilled. Just as citizens have an obligation to the government, it claimed, the government also had an obligation to its citizens to cease these speculative activities, and it failed in that obligation. Once again, the *Gemeindeblatt* did not see itself as unpatriotic in stating this position, but rather called it "thoroughly justified Christian criticism."

WELS Lutherans did not confine their disposition to church publications. According to seminary professor J.P. Koehler, his colleagues, August Pieper and John Schaller, attended mass meetings and anti-war protests.<sup>5</sup> A lack of a Justice Department file suggests that they did not continue their activities beyond their early dismay of the declaration. Koehler himself chose to write both Woodrow Wilson and Wisconsin Senator Robert La Follette. This was likely a split audience: Wilson was highly unpopular among German Lutherans, while La Follette was considered a hero for his stand against war profiteering. In these letters, Koehler recalled that he remonstrated "with the president and former historian by calling attention to the history of the Prussian monarchy in contrast to the history of all democracies."<sup>6</sup> Koehler certainly made good points about the fragile and divisive nature of a democracy, and the WELS was about to bear witness to what happens when a majority gets drunk with power, but letters like this one could only fuel criticism and support the rumors of a Lutheran love for German autocracy.

Unlike his colleague Robert La Follette, Wisconsin Senator Paul Husting did not attempt to court the German Lutheran vote. To WELS Lutherans, he symbolized the new intolerance of the Democratic Party. During the neutrality period, Husting spiritedly defended Wilson's policies, voted for war, and branded those who advocated peace as disloyal. Thereby on his return home to Mayville, Wisconsin from Washington, he was given a large "welcome back" festival by two or three thousand "visitors." These visitors came from the counties surrounding Mayville, the most prominent German Lutheran counties in Wisconsin. The demonstration began with a marching parade of the



3.1: Senator Paul Husting

<sup>5</sup> Mark Braun, "Being good Americans and better Lutherans: Synodical Conference Lutherans and the Military Chaplaincy, *WELS Historical Institute Journal* 19 (2001), 25;

<sup>6</sup> John Philipp Koehler, Reminiscences, under the title, "Beginnings of the opposition in the Wisconsin Synod underlying the Controversies in the Years from 1924 to 1930." Unpublished manuscript, Koehler file, CHI, recorded 1930, 43.

visitors which stopped about 100 feet from the Senator's house, and there they "rendered a concert the like of which was never heard in Mayville before."<sup>7</sup> According to a Justice Department informant, "it was done to show Mr. Husting that his acts of Americanism in Washington were not approved." This activity brought a score of government officials to assess the situation. "We are in a hot bed of sedition here and I believe it is time that the Government does something to relieve the situation," read the report.<sup>8</sup> It suggested that the government appoint someone fluent in German to visit the towns of Mayville, Theresa, and Hustisford. Like many other anti-war demonstrations, swift government action put an end to nearly all public sentiment against the war in the Mayville area.<sup>9</sup>

### III. Notorious New Ulm

While reporting the actions and loyalty of Lutherans to the Senate Subcommittee of the Committee on the Judiciary, Captain George Lester on the whole painted an unflattering picture of Lutherans on the home front. He did, however, give them one compliment in his testimony:

But I must state this in fairness to the Lutheran clergymen, even those who were pro-German, that when the question of conscription came, there was no evidence, except in isolated cases, of any attempt upon the part of the Lutheran church to persuade the young men to evade military service. In other religious bodies there was a strong effort to defeat conscription, but when the conscription law was passed and the first draft there was no attempt to defeat its operation, except in one or two very isolated cases.<sup>10</sup>

As Captain Lester referred to the "one or two" isolated cases, he likely had in mind the notorious New Ulm, Minnesota "draft meeting" which took place on 25 July 1917. The demonstrations and petitions against conscription in New Ulm constituted the largest movement of its kind that took place in the United States during the war. It resulted in one of the strongest power demonstrations by the Minnesota Commission on Public Safety, as it forced the removal of the New Ulm mayor, the city attorney, and the president of the Wisconsin Synod's Doctor Martin Luther College.<sup>11</sup>

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<sup>7</sup> G. Clabaugh to Ralph Izard, 24 December 1917, OG 16703.

<sup>8</sup> A.A. Viall Report, "General Disloyalty Conditions," 16 February 1918, OG 16703.

<sup>9</sup> G. Clabaugh to J.H. Means, 18 May 1918, OG 16703;

<sup>10</sup> U.S., Congress, Senate, Committee on Judiciary, *Hearings on Brewing and Liquor Interests and German and Bolshevik Propaganda*, 66th Cong., 1st sess., 1919, p. 1791.

<sup>11</sup> This section will mostly focus on the activities and suppression of Wisconsin Synod Lutherans in the New Ulm incident. A overview concerning Mayor Fritsche and Attorney Albert Pfaender can be found in Daniel J. Hoisington's *A German Town: A History of New Ulm, Minnesota* (2004).

To better understand the causes of the forceful demonstration against the New Ulm citizens, it is important to comprehend the anxious attitude of public officials concerning conscription. After the declaration of war, conscription was by no means a foregone conclusion. In many ways, conscripting Americans against their will to cross an ocean to fight an enemy was a revolutionary concept. America's previous experience with conscription, the Civil War, encountered violence and rejection on both sides of the Mason-Dixon Line, and this happened while under the continuous prospect of invasion. How much more violence and rejection, public officials worried, would be encountered if that danger was not directly perceived by the public?

Many members of Congress failed to recognize this immediate need for conscription. During the debate over the first Conscription Act, one Senator made this clear:

I have thought that in a Republic like ours, where the public sentiment was supposed to control, a cause for war must be so plain and so just and so necessary that the people would rise as one man and volunteer their lives to support the cause. Do you find any such proposition suggested in the United States Senate or in this Congress today? No! We must, in order to raise and arm troops, adopt this same militarism that we have denounced and decried. In order to raise an army we must make compulsory universal military service.<sup>12</sup>

House Speaker Champ Clark of Missouri also preached that "in the estimation of Missourians there is precious little difference between a conscript and a convict."<sup>13</sup> Despite these rejoinders, the Selective Service Act passed both the House and Senate. After its passage, those opposed to the law felt public opinion might convince lawmakers to alter its provisions or reconsider the constitutionality of the draft. Nervous public officials, however, considered the debate over and done, and any continuation of it to be dangerous. Senator Newton Baker predicted to his peers that the streets would run red on the first registration day. Provost Marshall Crowder admitted, "There were many who feared the total failure of the selective service law."<sup>14</sup> Because of this, the success of the draft became the most sensitive topic to wartime officials, and any movement to defeat it would be dealt with swiftly and harshly.

The German American enclave of New Ulm was strongly opposed to the draft, for self-evident reasons. An APL agent visiting New Ulm before the

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<sup>12</sup> David Kennedy, *Over Here: The First World War and American Society* (New York: Oxford University Press, 1982), 18.

<sup>13</sup> *Ibid*, 22.

<sup>14</sup> Rutherford Pixley, *Wisconsin in the World War: An Account of the Activities of the Wisconsin Citizens in the Great War* (Milwaukee: Wisconsin War History Company, 1919), 188.

incident reported that everyone he met "in the vicinity of New Ulm was opposed to conscription."<sup>15</sup> How an organized movement against the draft originated, however, became elusive. Part of the reason is that after the swift government retribution, no one wished to be branded as the agitator. The individual who likely played the most prominent role in the draft meeting's formation was Frank Retzlaff, a hardware store owner and prominent WELS lay-member. Retzlaff claimed that a number of drafted men came to his store, and they wanted to know what their legal duties were in regard to the draft. The boys told Retzlaff that they planned a meeting at the Turner Hall that night, Monday, July 23, and they requested that he attend the meeting. Around fifty drafted men, Retzlaff, the New Ulm mayor and city attorney appeared for the original meeting. At this meeting, it was decided to have a mass public meeting two days later.<sup>16</sup>

Retzlaff went to work organizing this meeting. He later justified his decision: "The boys of this city have come to me for guidance and advice in this time of trouble, and I would not be doing my duty, if I did not stand by the boys."<sup>17</sup> He arranged a band to play in a parade, set up a speaking platform at Turner Park, and lined up speakers to address the crowd.<sup>18</sup> The meeting also received a boost from the People's Council, a pacifist association which hoped to organize opposition to the war through publications and mass meetings. The disgruntled German American population in New Ulm provided a perfect opportunity to execute an exemplar mass meeting which they hoped would have a ripple effect across the country.<sup>19</sup>

The main purpose of the upcoming meeting, Retzlaff later testified, "was to persuade the boys to submit and obey the law until it could be repealed."<sup>20</sup> Retzlaff argued that if the meeting had not been held, many boys would have refused to go to the training camps. Aside from this, however, participants testified that it was generally understood the meeting would petition the government to reconsider the constitutionality of the draft law and to send only volunteers to Europe. Whatever the original intentions, posters and flyers began circulating promoting a "draft protest meeting."<sup>21</sup> Word spread to

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<sup>15</sup> A.F. Kearney Report, "Conditions At New Ulm, Minn," 15 September 1917, OG 17438.

<sup>16</sup> John F. McGovern Report, 23 July 1917, OG 17438.

<sup>17</sup> *New Ulm Review* 1 Aug 1917.

<sup>18</sup> A. Bruce Bielaski to R.H. Van Deman, 1 September 1917, OG 1917.

<sup>19</sup> La Vern J. Rippley, "Conflict in the Classroom: Anti-Germanism in Minnesota Schools, 1917-1918," *Minnesota History* 54 (1981), 173.

<sup>20</sup> A.F. Kearney Report, 30 August 1918, OG 17438.

<sup>21</sup> A.F. Kearney Report, 15 September 1917, OG 17438.

neighboring areas about the upcoming event. After a midweek funeral service, Rev. William Albrecht of St. Johannes Lutheran in Sleepy Eye was reported to have told "all the men present of draft age to be sure and go to the anti-draft meeting in New Ulm."<sup>22</sup> Newspapers in Minneapolis and St. Paul published articles concerning the upcoming event, and rumors circulated that the National Guard would put a stop to it. The meeting was famous before it began.<sup>23</sup>

The procession started on a Wednesday evening with a parade of around 3,500 participants, which marched through the streets of New Ulm and made its way over to Turner Park. The crowd in the park was estimated between 7,000 and 10,000.<sup>24</sup> New Ulm's population at that time was a little over 3,000, so these figures show the significance of this event throughout the whole Minnesota River Valley. Once in the park, a series of speeches were made by prominent figures of the city. Retzlaff was the first speaker. He had been warned not to speak at the meeting because there were government secret service men present. Instead, Retzlaff invited all secret service men to sit on the platform, declaring he had nothing to say which he was not willing for them to hear, and that he would stand up for the drafted boys until there was not a drop of blood left in his veins. He later said, "If all the money in the state of Minnesota were piled on this table and offered to me that I would be willing for my boy to go across the ocean and fight in the trenches I would throw it in the face of the man who dared tempt me. I love my country from the bottom of my heart, but I am going to stand by the boys." Retzlaff then explained to the crowd that a number of petitions had been prepared, and he encouraged those present to sign. The petition read,

Avowing loyalty to this country and pledging in its defense the highest sacrifices to the extent of life itself if need be, and with full realization of the difficulties that beset a government in times of war, we respectfully petition the President and Congress of this nation not to transport or force across the ocean to the battlefields of Europe any men outside of the regular army, contrary to their desires, but that such matter be left to voluntary enlistment.<sup>25</sup>

After speeches by other prominent figures of the city, two professors at Dr. Martin Luther College, M.J. Wagner and Adolph Ackermann, were the last to

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<sup>22</sup> Agent to T.G. Winter, 24 Sep 1917, Brown County Historical Society Records.

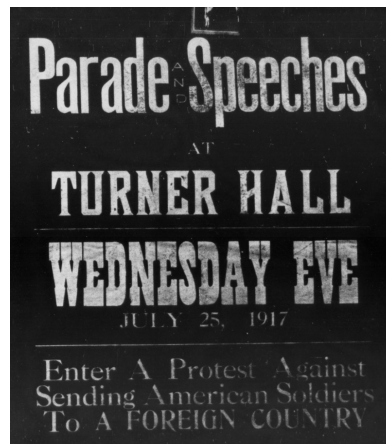
<sup>23</sup> *New Ulm Review* 29 Sep 1917; *Brown County Journal* 28 July 1917. The agent in charge, John McGovern, received criticism for allowing the meeting to take place. Detractors claimed that he had enough evidence to understand the nature of the meeting. This caused McGovern to be especially aggressive in the aftermath.

<sup>24</sup> John F. McGovern Report, "Protest Meeting at New Ulm, Minn," 25 July 1917, OG 17438.

<sup>25</sup> *New Ulm Review*, 1 Aug 1917.

speak. Wagner, a drafted man himself, agreed to Retzlaff's request for him to participate on the condition that he could speak on the topic of democracy. "This great assemblage proves that we are democratic," said Wagner to the crowd.<sup>26</sup> "The Constitution of the United States gives us the right to assemble and address a petition of redress to our government." He then declared the draft law to be undemocratic "because it forces people to fight against their desires...If we fight this war in an autocratic manner for democratic ideals, we are not consistent." Wagner called on the government to clearly define its war aims, which was a common plea at the time and a delicate way of suggesting that the real aims of the war were to enrich speculators and arms dealers.

Ackermann, the president of DMLC, arrived after a very busy day and claimed he had not found time to prepare a speech. He said every citizen has a right to express his opinion. The reason he gave for his appearance was to testify to the "loyalty, patriotism and peacefulness" of the citizenship of New Ulm, and he would consider himself a coward if he did not testify for them in times like these.<sup>27</sup> Ackermann supported sending petitions to Congress and the president because their congressman, Franklin Ellsworth, did not work for the interests of his voters. "More than 80 per cent of the voters are of a different opinion about his duty than he is."<sup>28</sup> When loud applause followed this remark Ackermann replied, "I do not give a snap about your applause if you do not go to the polls and see to it, that this representative is not reelected." Like Wagner, Ackermann displayed a typical Lutheran pessimism toward a war to uplift humanity. "If they tell us it is a war for humanity they better create humanity in our own country first." For examples, he mentioned



3.2: Word of the meeting spread quickly through posters like this one, which found its way into the Justice Department files.

<sup>26</sup> *New Ulm Review*, 1 Aug 1917.

<sup>27</sup> Carl H. Chrislock, *Watchdog of Loyalty: The Minnesota Commission of Public Safety During World War I* (St. Paul: The Minnesota Historical Society Press), 135. Ackermann believed that there was "a great movement afoot to deprive the people and the press" of the freedom of speech.

<sup>28</sup> *New Ulm Review*, 1 Aug 1917.



the recent killings of blacks in East St. Louis and the deplorable conditions which working men and women had to work. "There is plenty to do in our own country without sticking our noses into other people's business, without fighting battles for Wall Street or John Bull." The crowd indulged throughout in much handclapping, stamping of feet, and shouting.<sup>29</sup> Ackermann's speech closed the official events of the meeting, now more properly termed a rally.

Those opposed to the draft considered the rally a complete success. Towns in the surrounding area must have felt that way as well. According to the *New Ulm Review*, Frank Retzlaff was "besieged with letters and telegrams asking for information, speakers, etc."<sup>30</sup> Other speakers and organizers from the New Ulm rally were "also receiving letters and telegrams by the score." Copies of the petition were requested from "all parts of the state, and from several points in South Dakota and Wisconsin." The New Ulm city attorney was reported to say that New Ulm was only a start and that meetings of that kind would be held all over the state and nation until the draft act was repealed.<sup>31</sup> The speakers at the New Ulm rally made arrangements to speak at similar events in the surrounding communities, hoping the fire would spread. This time, however, government officials and patriotic citizens were determined to stay one step ahead of the curve. Proposed meetings at Wabasso, Mankato, and Arlington were suppressed by strong arm tactics and threats. Despite the danger involved, meetings still materialized and speeches were given at many locations, some as close as Nicollet and Glencoe, others as far away as Iowa and South Dakota.<sup>32</sup>

Twenty miles north of New Ulm, a large anti-draft meeting was in the works at Gibbon, Minnesota. Government investigators caught wind of this meeting and hastily descended upon Gibbon, arriving the morning of August 3rd, the day the meeting was supposed to take place. Both the CPS and APL brought representatives to the scene. W.F. Nelson and John Boock of the CPS summoned the village council to a special session and requested them to forbid any "unlawful" meeting within the city limits. The council obliged and called Retzlaff—one of the speakers that evening—and notified him of this development. Retzlaff replied that "the speakers would come anyway, that nobody could stop them from coming."<sup>33</sup> The mayor of Gibbon, having left

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<sup>29</sup> John F. McGovern Report, "Protest Meeting at New Ulm, Minn," 25 July 1917, OG 17438.

<sup>30</sup> *New Ulm Review*, 1 Aug 1917.

<sup>31</sup> *New Ulm Review* 29 Sep 1917.

<sup>32</sup> A.F. Kearney Report, 6 September 1917, OG 17438.

<sup>33</sup> Robert F. Davis Report, 3 Aug. 1917, OG 47665.

town, was called on the phone and requested to return, which he did, whereby he ordered all the saloons in town to close at 8 p.m. The saloonkeepers, knowing the meeting would be a boon to business, defied the mayor and kept their businesses open.<sup>34</sup> All this time, crowds were gathering in Gibbon. The tension of the situation grew by the hour.

In the early evening, the speakers arrived from New Ulm. The three included Retzlaff, Ackermann, and Albert Pfaender, the city attorney. They "were insistent upon speaking and questioned the right or authority of the State Safety Commission to forbid the meeting."<sup>35</sup> The speakers asked Boock and Nelson to state their reasons for forbidding the meeting, and a heated argument followed. Nelson warned the speakers that meetings of this kind threw "monkey wrenches into the wheels of governmental machinery." After this quarrel, the two parties split up. The government officials called Governor Lind for further instructions, while the speakers and the visitors made for a grove about a mile outside the city limits to hold their meeting.

After the phone call, Boock, Nelson, the county sheriff, a Pinkerton Detective, and APL agent Robert Davis piled into Boock's car to search for the meeting. They eventually found the grove but they missed most of Pfaender's speech. Ackermann's speech came next, which Davis described as "the most nauseating to a patriotic citizen although he made no specific statements warranting official action."<sup>36</sup> Retzlaff mostly read letters of commendation from the New Ulm meeting and pleaded for sustained momentum for the movement. All the speakers "were very careful to advise their hearers that they should observe the law and answer to the draft but to remember that high legal rights had expressed the opinion that the conscription act was unconstitutional; that they had a right of free speech and petition and could voice their desire in a legal manner." Davis judged the crowd to be in the neighborhood of 2,500 to 3,000 people. Had the meeting stayed in town, it would have been much larger. Davis estimated around 5,000 had gathered in Gibbon, but not all made the trip to the grove. He did, however, report the crowd to be orderly. The *New Ulm Review* also painted a rosy picture of the evening:

The meeting is said to have been an exceptionally orderly character and several hundred of those present signed the petition asking congress to make a change in the conscription law, compelling drafted men to go to France to fight. The petition was

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<sup>34</sup> *New Ulm Review*, 29 Sep 1917.

<sup>35</sup> Robert F. Davis Report, 3 Aug. 1917, OG 47665.

<sup>36</sup> Robert F. Davis Report, 3 Aug. 1917, OG 47665.

identical to the one signed at the New Ulm meetings and elsewhere...No reports were received of any disorders.<sup>37</sup>

Those gathered at Gibbon did not take the village council's decision well. B. Nagell, the sister-in law of Boock, reported that someone told her, "if John Boock gets home tonight safe, he will be lucky."<sup>38</sup> Boock reported to the APL that within two days of the meeting depositors withdrew over \$46,000 from his bank. Davis concluded that much more manpower and reprisals were needed to quell the dissent in the Minnesota River Valley.

The retribution from the Commission and the Justice Department halted the momentum of the movement and eventually put it in full flight. Patriotic sentiment also wished for vengeance upon the city for its disloyalty. "Is it any wonder," asked a Minnesota paper, "that there are those who regret the Sioux did not do a better job at New Ulm fifty-five years ago?"<sup>39</sup> The neighboring town of Sleepy Eye placed a banner over its main street which read, "Berlin, Ten Miles East."<sup>40</sup> Businesses from as far away as Washington state boycotted goods from New Ulm. Agents for the state and national government interviewed people of the city and found a few informants to help make arrests and convictions. The most prominent informants in the city were Rev. Christian Hohn and Dr. G.F. Reineke of the German Methodist Church.<sup>41</sup> After their findings, the mayor of New Ulm, L.A. Fritsche, and city attorney, Major Robert Pfaender, were deposed by the Commission by the end of the year. The government appeared to possess limitless powers to quell discontent in the Minnesota River Valley.

Among those investigated were WELS figures Retzlaff, Wagner, and Ackermann. Retzlaff received much initial attention for his role as instigator and because he "possibly exerts the greatest influence" within the movement.<sup>42</sup> In the Justice Department's report, Retzlaff's store was deemed "a hang-out for disloyalists," and that all his employees, except for one, "are absolutely wrong."<sup>43</sup> One agent who visited the store claimed Retzlaff was defiant and that "he did not give a dam [*sic*] for the Public Safety Commission." One informant gave testimony about an ongoing boycott of loyalist institutions, and said that

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<sup>37</sup> *New Ulm Review*, 8 Aug 1917.

<sup>38</sup> Robert F. Davis Report, 3 Aug. 1917, OG 47665.

<sup>39</sup> *Princeton Review*, August 1917, found in Chrislock, 137. This quote refers to the Dakota War of 1862, where New Ulm was besieged by the Sioux and nearly overtaken.

<sup>40</sup> Daniel Hoisington, *A German Town: A History of New Ulm, Minnesota* (St Paul: Minnesota Historical Society, 2004), 78.

<sup>41</sup> Robert F. Davis Report, 21 August 1918, OG 17438.

<sup>42</sup> WGS to Commission on Public Safety, 24 Aug 1917, Brown County HSS Records.

<sup>43</sup> Robert F. Davis Report, 21 August 1918, OG 17438.

Retzlaff went to an owner of a boycotted store and asked him if he wished to sell out. Authorities then tried to determine if Retzlaff was the instigator of the boycott. Retzlaff, like many in a similar position, later attempted to cover himself through acts of patriotism. He paid out of pocket to provide a band to escort his son and other New Ulm drafted boys to Mankato, where they were entertained until they boarded their train for Des Moines.<sup>44</sup> An agent also noticed a poster in his store advertising a patriotic meeting to be held at Springfield, Minnesota. To be expected, the Commission was not convinced.<sup>45</sup>

Most troubling to authorities was Retzlaff's continued work against the draft. When Retzlaff left New Ulm for a week, agents did some digging and found he was in Chicago attending a meeting of the People's Council, the cosponsor of the New Ulm meeting. Upon returning, Retzlaff endeavored to open chapters of the People's Council throughout the area.<sup>46</sup> After establishing chapters in Nicollet and Courtland, Retzlaff headed to Swan Lake to hold a "secret meeting," but this was broken up by the sheriff.<sup>47</sup> An informant working in Courtland claimed that many men in this locality "now take the side of Germany and seem anxious that Germany win the war," and he attributed this sentiment "to the work of Retzlaff as he has a great influence in that township."<sup>48</sup> Because of his leadership against the Selective Service Act, Retzlaff was a high profile target. However, because his occupation made him less of a public figure than the others, and since the Sedition Act of 1918 had not been passed prior to his actions, Retzlaff's reprimand was comparably light. After he toned down his work among the German population, he was harassed and questioned by officials, but they never took action.<sup>49</sup>

The same cannot be said for one of the two DMLC professors. While M.J. Wagner was briefly looked into by the Commission and the Justice Department, the Commission determined that he was persuaded by Retzlaff to participate in New Ulm. After he desisted in his activities, his case was dropped.<sup>50</sup> Ackermann did not initiate the New Ulm incident either, but his involvement in spreading the movement beyond New Ulm antagonized public officials. One informant testified to an APL agent that

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<sup>44</sup> H.C. Hess to C.W. Ames, 9 Oct 1918, 103.L.8.2F, Folder 103, CPS Records.

<sup>45</sup> Robert F. Davis Report, 23 August 1918, OG 17438.

<sup>46</sup> Robert F. Davis Report, 21 August 1918, OG 17438.

<sup>47</sup> A.F. Kearney Report, 30 August 1917, OG 17438;

<sup>48</sup> J.P. Arnoldy Report, 18 September 1918, OG 17438.

<sup>49</sup> J.P. Arnoldy Report, 4 September 1917, OG 17438; A.F. Kearney Report, 7 September 1917, OG 17438.

<sup>50</sup> Special Agent in Charge J.E. Campbell to A. Bruce Bielaski, 17 January 1918, OG 17438.

Dr. A. Ackerman [*sic*], Prof in the Lutheran Theological College at this place, is one of the worst traitors to the United States in this section, and to his influence can be attributed to the fact that the Lutherans of this section are almost solidly disloyal; Ackerman for months had been making speeches thru Minnesota, Iowa and the Dakotas in which he condemns the position of the United States and upholds the position of Germany.<sup>51</sup>

Thus a crusade initiated against Ackermann to make him pay for his activities. T. G. Winter stated to agent WGS that he desired to have Ackermann investigated with the expectation that enough evidence might be found to take action against him. Ackermann acquired a tail very frequently during the months following the protest activities. Agents WGS and #83 of the Minnesota Commission followed Ackermann on his trips to the Twin Cities. They made certain not to arouse suspicion from Ackermann and kept their distance to remain discreet. The investigation could prove at times to be very mundane. Agent #83 reported Ackermann entering department stores, making purchases, traveling to an Indian Mound park, watching the short film "Battle of the Somme," and even attending a baseball game. So far, all they could report was an entertaining lifestyle.<sup>52</sup>



3.3: Adolph Ackermann,  
DMLC President

Prospects seemed much better for finding evidence when Ackermann travelled to Trinity Lutheran Church in St. Paul to conduct a special service commemorating the 400th anniversary of the Reformation and 25th anniversary of the Joint Synod. The event was attended by thousands and earned a write up from the *Northwestern Lutheran*.<sup>53</sup> What the *Northwestern* did not know was that all three services held throughout the day were attended by a government

<sup>51</sup> A.F. Kearney Report, "Conditions at New Ulm, Minn.," 6 September 1917, OG 17438.

<sup>52</sup> WGS to Commission on Public Safety, 21 Aug 1917, Brown County HSS Records. Later in the investigation, agents were less careful about being discreet. Agent WGS "telephoned" Rev. A.C. Haase of Trinity Lutheran Church in St. Paul to inquire his trip itinerary. Haase may have intentionally given WGS a wrong location on the first day, as WGS "waited until 6 p.m. but failed to see Ackerman [*sic*]."

<sup>53</sup> "Biennial Meeting of the Ev. Luth. Joint Synod, August 15-21," *Northwestern Lutheran* 4:17 (7 September 1917), 134.

agent. The day proved unfruitful for an investigation, but agent WGS became thoroughly educated about the history and doctrine of the Lutheran Church. After the 10:00 service, he reported, "Nothing but religion was mentioned."<sup>54</sup> At the 3:00 p.m. service, "Ackerman [*sic*] confined all his speech to the history of the Lutheran Church and the Synod." After the last service in the evening, WGS briefly penned "nothing spoken that was not of a religious nature." Afterwards, Ackermann continued to go about his business. He travelled to Watertown, Wisconsin in November to give a presentation concerning Luther's philosophy of education at a teachers' conference. The *Gemeindeblatt* reported, "The talk was quite fascinating, as was to be expected."<sup>55</sup>

Despite these fruitless investigations and the changed behavior of Ackermann, the Commission decided to take action. After the CPS summoned Ackermann and interviewed him on his role in New Ulm and the surrounding area's unrest, Commissioner Lind on 20 November 1917 moved that Counsel Tighe "mail...testimony taken at [Ackermann's] hearing to the trustees of Martin Luther College at New Ulm and ask their approval or disapproval of the stand of Professor A. Ackerman [*sic*] as given by him therein."<sup>56</sup> The next day Tighe did as told and asked the DMLC board its "opinion as to the propriety of Dr. Ackerman's conduct...[and] as to whether his position represents the position of the college...and as to what, if any, action you may be proposing to take." With Ackermann branded as disloyal, the CPS did not leave the board many options, saying it would "not tolerate the continued operation" of any educational establishment where the "teachings and instructors...are not unquestionably loyal."<sup>57</sup>

The DMLC board tried to prolong the process and delay action on Ackermann as long as possible. Time was needed, said the board chairman, for every member to review the transcript during the busy holiday season. An anxious Tighe on 9 January 1918 admonished the board and asked it to "fix a limit beyond which you will not expect the Commission to withhold action."<sup>58</sup> The board chairman replied that another month was needed, and it would report "no later than February 20, 1918." This was unacceptable to Tighe, and he wrote back that he intended to report the condition of the Ackermann case

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<sup>54</sup> WGS to Public Safety Commission, 21 August 1917, Brown County HSS Records.

<sup>55</sup> "Staatskonferenz der Lehrer," *Gemeindeblatt* 52:24 (15 December 1917), 374.

<sup>56</sup> Minnesota Commission of Public Safety, *Report of Minnesota Commission of Public Safety* (St. Paul: L.F. Dow Co., 1919), 219.

<sup>57</sup> *Ibid*, 220.

<sup>58</sup> Chrislock, 155.

to the CPS on February 5, and that if the board acted early enough he would include that in the report. His final warning made the situation rather clear: "The Commission prefers that the elimination of pro-German teachings and teachers from the state's religious and educational institutions should be made by those directly in control of such institutions, but it will not hesitate to act itself...where those in control fail to."<sup>59</sup>

With their hands tied, the board agreed to meet on January 29 and gave into the demands of Tighe the next day, as they wrote, "Complying with the request of the Committee and board Prof. Ackermann has tendered his resignation, same to take effect immediately."<sup>60</sup> When tendering his resignation, Ackermann declared, "*Recht muss Recht bleiben!*" or, "What is right remains right!"<sup>61</sup> And thus Ackermann's twenty-four years of service at Dr. Martin Luther College came to an abrupt end. The decision came as a shock to many. "Like a bolt from a clear sky came the announcement...that Prof. Ackermann had resigned his position as director of the Dr. Martin Lutheran College," wrote the *New Ulm Review*. Amid the anger, the *Review* pointed fingers:

The College board of trustees would never have taken the action...if pressure from above had not been brot [sic] to bear upon them, and it is currently reported that citizens from here kept the matter alive and that even if the Public Safety Commission had wanted to forget their plans to have Prof. Ackermann ousted they were prevented from doing so by activities from here.<sup>62</sup>

Following his resignation, Ackermann remained involved in Wisconsin Synod affairs, but was in limbo until the end of the war. Until he was assigned a parish, it is believed he worked at a local jewelry store.<sup>63</sup> He presented at a Joint Conference of Southwest Minnesota in October 1918, where he was listed as "Prof. Ackermann (die alte)" in the *Gemeindeblatt*.<sup>64</sup> Synod officials were unsure what to do with him, however. In 1919, after the war, he was listed as a candidate for an opening at Northwestern College in Watertown, Wisconsin. No record is given of his installation, but he is listed in a synod report in 1920 as a pastor of the Essig-Brighton congregation in the vicinity of New Ulm. Earlier that

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<sup>59</sup> *Ibid*, 156.

<sup>60</sup> *Ibid*, 156.

<sup>61</sup> Edward C. Fredrich, *The Wisconsin Synod Lutherans: A History of the Single Synod, Federation, and Merger* (Milwaukee, WI: Northwestern Publishing House, 1992), 138;

<sup>62</sup> *New Ulm Review*, 6 February 1918.

<sup>63</sup> Morton Schroeder, "Adolph Ackermann, Chauvinism, and Free Speech," *WELS Historical Institute Journal* 2 (1984), 17.

<sup>64</sup> "Die Gemischte Konferenz von Sudwest-Minnesota," *Gemeindeblatt* 53:20 (29 September 1918), 316.

year, the Minnesota District of the Wisconsin Synod met and exonerated Ackermann from charges of un-American activities. The Synod stated that Ackermann was the victim of "vicious politicians and fanatical patriots."<sup>65</sup> Sixteen years later, he was elected president of that same district.

The German Lutherans at New Ulm fit the profile of those who openly combated government war policies and programs. It is no accident that the largest confrontations occurred in what government officials described as "islands of Germanism." The German enclave environment emboldened many to fight for their beliefs, trusting that they were among like-minded individuals. While the New Ulm incident likely stemmed more from ethnic motivation than religious, it is also important to consider that Lutherans understood universal military service to have an assimilating effect, which would cause difficulty in their attempt to perpetuate a religious counterculture. Provost Marshall Enoch Crowder, in his book *The Spirit of Selective Service*, listed the assimilating effects of soldiery as the primary benefit of the draft.<sup>66</sup> This rhetoric was repeatedly preached in the congressional debates concerning the Selective Service Act. This may explain why the "Lutherans of this section" were more "solidly against the draft" than other ethnic Germans, and why two German Methodist leaders became the primary informants in the city. Another factor that contributed to the confrontation came from the mistaken belief that freedoms of speech, petition, and assembly were established and honored rights during this period. Ackermann, for his part, was imprudent to think he could separate his extra-curricular activities from his calling as a professor. Once German Lutherans in New Ulm understood that they were not so alone, but shared a community with informants and government agents who did not respect their freedoms, their behavior changed accordingly.

#### IV. Church and State

Unlike protests against the war and the draft, which both ignited and dwindled in rapid succession, the Wisconsin Synod announced strong religious objections throughout the war, even after government censorship and retribution became widespread. In an age when pastors outnumbered college professors by a ratio of more than seven to one, United States officials

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<sup>65</sup> *New Ulm Review*, 20 June 1920.

<sup>66</sup> Enoch Crowder, *The Spirit of Selective Service* (New York: The Century Company, 1920), 24.



understood the sway that religious leaders held in public opinion.<sup>67</sup> Hence they enlisted the church in efforts to bolster home front programs and to increase war time enthusiasm. Evangelical church bodies enlisted without scruple, as Seminary Professor John Schaller of the Seminary described it, "It is the insidious habit of the Reformed churches to meddle with all manner of things that are not the business of the Church on the part of the government."<sup>68</sup> Contrarily, WELS leaders saw these efforts as a blunt assault on the church and state divide, which had always been a defining characteristic of the Lutheran church. Another Lutheran stronghold, doctrinal unity as a basis of joint worship, also caused Lutherans to object to government initiated joint religious ventures. These positions made the church easy prey for vigilantes or government officials who either exploited war enthusiasm to attack WELS religious objections or were completely unaware of the religious aspect of their opposition.

The Wisconsin Synod's first major brush with the Committee on Public Information came over "Liberty Loan Sunday." The CPI announced the event with the following promotion:

It is the earnest wish...that the gospel of the "Liberty Bond" be preached from every pulpit Sunday, June 3, 1917...It is suggested that every minister, either himself or through a committee of his congregation, volunteer to act in the capacity of agent in the taking of applications for bonds and the placing of the applications with such banks as the members may desire.<sup>69</sup>

The CPI then included five possible sermon outlines which preachers could use to display God's favor for the Allied cause and God's love for democracy. Churches of all creeds and denominations were organized for the effort and divided into three groups: Protestant, Catholic, and Jewish. The CPI was enthused by the reaction among the clergy nationwide. "Liberty prayers" were said and "Liberty anthems" were sung in the churches. For example, a Syracuse, New York newspaper published a sampling of sermon titles from area congregations the following week, which included "The Loan and Liberty," "The Cost of Going Forward," "Little Loans Help," "Keep the Home Fires Burning," "In the Trenches," and "The Destroyed Churches of France," among others.<sup>70</sup> William Gibbs McAdoo, the US Secretary of Treasury, urged congregations to

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<sup>67</sup> William Thomas, Jr., *Unsafe for Democracy: World War I and the U.S. Justice Department's Covert Campaign to Suppress Dissent* (Madison, WI: University of Wisconsin Press, 2008), 4.

<sup>68</sup> John Schaller, "Religious Freedom Endangered," *Northwestern Lutheran* 6:11 (1 June 1919), 86-88.

<sup>69</sup> 25 March 1918; "Was alles den Pastoren zugemutet wird!" *Gemeindeblatt* 52:13 (1 July 1917), 200.

<sup>70</sup> *Syracuse Herald*, 27 April 1918; *Alton Evening Telegraph*, 29 March 1918; *Chicago Tribune*, 25 March 1918.

use church funds to purchase Liberty Loans and to donate church bulletin space for the use of Liberty Loan advertisements. The first attempt to transition the church into the right arm of the state went quite smoothly.

This event triggered the strongest protest from the *Gemeindeblatt* during the war. Its title translates to "What is Expected of all our Pastors!" Inside it chastises both church and state for forgetting its proper role. By participating in a government endeavor, "the church has forgotten its God-given profession," said the article. "The war is for the state, not the church. The state has a sword, not the church."<sup>71</sup> The *Gemeindeblatt* spared no criticism for the state, either. Referring to the "bond sermons," it called the outlines "silly and blasphemous drivel...It sounds as if someone from the state is subjecting the church to ridicule." The article then dissected and dismantled the government issued sermon outlines. On the Luke 4:18 outline, for example, the article scoffed at the connection between Jesus setting spiritual prisoners free and Americans liberating Europe. It then argued on semantics, claiming the government chose that text because "the English translation has the word freedom in there." Because the first Liberty Loan Sunday was such a financial success, protests like this from the Wisconsin Synod could not turn the tide. Liberty Loan Sunday became a frequent occurrence whenever the government needed an extra push in war funding.

A month after Liberty Loan Sunday, Herbert Hoover, at that time head of the Food Administration, sent a letter to the Wisconsin Synod asking its pastors on 1 July 1917 to preach from the pulpit on the conservation of food. Instead of relaying that message to its pastors, the Synod published its objections in the *Northwestern Lutheran*:

Just now our perplexity has been further increased by a direct request for an answer whether we would comply with the...request in Mr. Hoover's letter, in order that our answer might be reported to headquarters in Washington. We are perplexed to know whether or not Mr. Hoover's letter was a command instead of a request. If a command we would like to know its basis of authority. If not complied with...we would like to know what construction is to be placed on the failure to comply.<sup>72</sup>

The criticisms in the rest of the article made that failure plainly obvious. "We have never used the pulpit as a platform from which to discuss *current events* or *political* or *social* movements," said the *Northwestern*. The letter appears to have found a waste basket, "We have disposed of all such secular documents according to previous custom." A final point slammed the door on any future participation:

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<sup>71</sup> "Was alles den Pastoren zugemutet wird!" *Gemeindeblatt* 52:13 (1 July 1917), 200.

<sup>72</sup> "The Pulpit and the Food Problem," *Northwestern Lutheran* 4:14 (July 21, 1917), 109.

We are not well versed in the meaning of military necessity, but being brought face to face as we are these days with the complete disregard of the Lord's day practiced by those who are devoted to the up building of our great war machine, we feel more than ever the need of bringing the nation to a realization of the greatest danger which confronts it, the danger of forgetting God, of forfeiting his blessings, and of inviting His wrath.<sup>73</sup>

In a separate article, Hans K. Moussa of the *Northwestern Lutheran* commented on the absurdity of teaching German Lutherans about conservation and personal economy. "It does seem like carrying coals to Newcastle to have homes invaded by officious persons that have never in their lives practiced economy and have these tell others about economy; others who have been forced by grim necessity to weigh every ounce of food before they venture to use it."<sup>74</sup> The churches which fell victim to this scheme received special attention from the *Northwestern*. In an article titled "Gardens Displace Sermons," Fred Graeber was bemused at a Unitarian congregation that omitted its worship services and replaced them with a joint venture to plant victory gardens. "It would appear that somebody is sadly mixing what is the Lord's and what is the state's," lamented Graeber.<sup>75</sup>

The portrayal of the war as a religious conflict also annoyed the synod. A common perception which the WELS confronted was expounded in the *Western Christian Advocate*, a Methodist Episcopal publication: "Democracy is Christianity in Government," and "Democracy is Christ proclaiming universal brotherhood."<sup>76</sup> By placing Christ on the side of democracy, many churches attempted to turn the First World War into a religious crusade. In response to the *Advocate*, the *Northwestern Lutheran* simply commented, "What confusion! It is high time that some Christians find out what Christianity really is."<sup>77</sup> Along similar lines, the United States Treasury Department issued a circular which included the sermon of a Rev. Marquis. This sermon made an overwhelming case for a religious war:

In the Bible, both Old and New Testament, the righteousness of a war for human liberty is clearly revealed and well sustained. This war of our Nation has an essentially religious character. The warfare to which America is called is so missionary that investment in the bonds is a religious act; participation in a crusade against oppression...The Churches are...in a position to make our land a better Republic of God....The issues of this war are,

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<sup>73</sup> *Ibid*, 109.

<sup>74</sup> Hans K. Moussa, "Food Conservation," *Northwestern* 4:17 (7 September 1917), 130-131.

<sup>75</sup> F. Graeber, "Gardens Displace Sermons," *Northwestern Lutheran* 4:10 (21 May 1917), 74.

<sup>76</sup> "What Confusion!" *Northwestern Lutheran* 4:14 (21 July 1917), 112.

<sup>77</sup> *Ibid*, 112.

to an unprecedented degree, moral and finally religious, and they call, therefore, preeminently, for the rallying of all our spiritual forces from the start.<sup>78</sup>

A WELS responder, after inquiring where exactly the Bible promotes wars for human liberty, recognized this argument from previous experience. "This is much more than simply the Calvinistic doctrine of a theocratic state, which shall use force to make men good," said the article, "On religious grounds, as disciples of Jesus, in a Messianic capacity, the United States has entered the war! Shall we permit religious fanaticism to add a new horror to the world war?"<sup>79</sup> Wisconsin Synod abstinence from joint religious ventures became more comprehensible in wake of this ideological divide, as most of these ceremonies would make suppositions about God's will which the Wisconsin Synod could not accept.

One of the foremost reasons German Lutherans deplored this condition of affairs was that they knew from experience where this road led. During the 19th century, Prussia dismissed doctrinal differences between Lutheran and Reformed and created an amalgamation between the two through the Prussian State Church. During the war, the Prussian State Church acted as Germany's own version of the Committee on Public Information and used theological arguments to increase war enthusiasm. Many evangelical churches in the United States proposed to do the same: "Their slogan is, Down with the Creed!" according to John Schaller, continuing, "this movement openly applauds the efforts of a multitude of alleged Christians to achieve deliverance from the irksome yoke of the definite dogma."<sup>80</sup> The war created opportunities to use patriotism as pressure, "If Americanism calls for a state church, the mob spirit will see to it that a state church is established without law, and with utter disregard of the most elementary human rights." In this way, the Wisconsin Synod's argument—that it stood up for American principles—held some weight because a strong barrier between church and state differentiated America from the European belligerents. To many proponents of this movement, however, the Wisconsin Synod's obstinate rejection on religious grounds was a cloak for

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<sup>78</sup> F. Graeber, "Press Censorship and Religious Liberty," *Northwestern Lutheran* 4:13 (7 July 1917), 101.

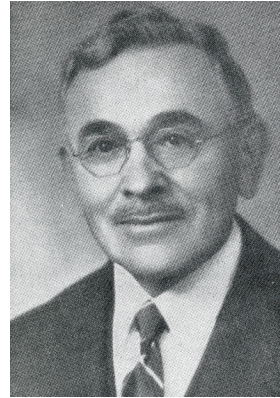
<sup>79</sup> *Ibid*, 101.

<sup>80</sup> John Schaller, "Religious Freedom Endangered II," *Northwestern Lutheran* 6:12 (15 June 1919), 92-93. The amalgamation of the Lutheran and Reformed churches in Prussia caused many non-complying Lutheran clergymen to migrate to the United States in search of freedom from state control. It played a major role in the countercultural tendencies of the German Lutherans of the Midwest. Any push for American "unity," no matter how well intended, naturally met suspicion.

pro-Germanism and a roadblock to home front solidarity. Many pleaded for widespread investigation to root out the subversion of the Lutheran church.

## Chapter 4 Special Visitors

*Three* weeks after the declaration of war, Rev. Emil Dornfeld of St. Paul Lutheran Church in Marshall, Wisconsin received a phone call from a man representing the *Milwaukee Free Press*, a publication which had favored peace during neutrality. This phone caller wished to gauge the opinions of Dornfeld and his congregation concerning the war situation. Dornfeld weighed his words during the conversation, but gave some indication where he leaned on the issue. He praised Wisconsin Senator Robert La Follette's stand against the war declaration, and said "there should be more men like him." The caller also asked for a lot of personal information. Dornfeld revealed that he was "forty years old; married and [had] five children, three to seventeen years old," and that he "[had] been pastor of this church for seventeen years and [had] a congregation of about 100 members."<sup>1</sup> When asked of his congregation's position, Dornfeld dodged the question and claimed his "people were very generous and noble." This interview never made it to the *Milwaukee Free Press*, not for lack of interesting content but because the caller was not from the *Free Press* at all, but instead Operative W.T.E., an agent of the American Protective League reporting to the Department of Justice in Washington, D.C.



4.1: Rev. Emil Dornfeld

The phone call with Dornfeld convinced W.T.E. to visit Marshall and find out more about the minister. He engaged the postmaster at Marshall in an attempt to uncover disloyalty through his mail. The postmaster could not give any substantial information, only that Dornfeld received "a great many letters

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<sup>1</sup> Wm. S. Fitch Report, 28 April 1917, OG 13652.

from Milwaukee and other towns in Wisconsin."<sup>2</sup> W.T.E. then instructed the postmaster to reroute all suspicious mailings to Special Agent Fitch of the Justice Department. The postmaster appeared willing to cooperate, and even gave further evidence of Dornfeld's disloyalty, telling W.T.E. that Dornfeld "will not attend Memorial Day exercises or graduating exercises in the public high school and has not done so in the past altho [*sic*] each year has been extended an invitation."<sup>3</sup> Upon hearing this, W.T.E. reported to the Justice Department that "this case will require further investigation," and he reminded the postmaster not to alert the town to the ongoing investigation.

Dornfeld's profession as a German Lutheran minister in a small German American town made him a top priority to the Justice Department. In a report to Bureau of Investigation director A. Bruce Bielaski, a US attorney claimed that "wherever there is a large German element in the population, the German Lutheran ministers...are, in my opinion, largely responsible for the hostility and opposition to the policies of the Government."<sup>4</sup> Bielaski assured the sender that the report was read with interest. The crusade of the APL and the Justice Department against Lutheranism proved that these institutions shared this sentiment as well. In its course, ministers like Emil Dornfeld were sought out despite committing no prior infractions. The focus on Dornfeld's specifically Lutheran doctrinal behavior—his avoidance of ecumenical worship—is very telling. Whenever a search did find objectionable traits in a Lutheran minister or member, agents tenaciously pursued the subject to secure indictments. In the process, agents suppressed many fundamental constitutional rights—including religious rights—of Lutherans.

## II. The Anatomy of an Investigation

Many popular rumors circulated about the Lutheran Church during the war. These often gave the impression that it was the church of the enemy. One story spread that Lutheran ministers, as part of their initiation, swore allegiance to the Kaiser.<sup>5</sup> A YMCA official even suggested the Lutheran church received direct funding from the German government, "probably by pneumatic tube

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<sup>2</sup> *Ibid*, 1.

<sup>3</sup> *Ibid*, 2.

<sup>4</sup> Agent to A. Bruce Bielaski, 13 Aug 1917, OG 37083.

<sup>5</sup> William Thomas, Jr., *Unsafe for Democracy: World War I and the U.S. Justice Department's Covert Campaign to Suppress Dissent* (Madison, WI: University of Wisconsin Press, 2008), 69.

through the Atlantic Ocean."<sup>6</sup> Agents often initiated investigations from rumors and hearsay. In one example, a Lutheran church was investigated because its church bell rang shortly after a German victory in battle.<sup>7</sup> Two weeks after the declaration of war, two Wisconsin Lutheran Seminary students were held up by investigators, whereby their satchels were searched for bombs.<sup>8</sup> Whenever Lutheran ministers gathered in large numbers, investigators suspected malevolent intentions. In Grand Rapids, Wisconsin, for example, agents were alerted to a pro-German meeting about to take place in that city. Upon further research, investigators concluded that "this was the regular meeting of the German Lutheran Church."<sup>9</sup>

The APL and the Justice Department typically instigated an investigation whenever they received accusations from locals or heard rumors of disloyalty concerning a minister. In southeastern Wisconsin, for example, Attorney William Coerper of Milwaukee wrote the Department claiming that Rev. F.J. Bliefernicht of Huilsburg, Wisconsin told people at a church festival that "there was no particular reason for the entry of the United States into the war."<sup>10</sup> The festival just happened to be a celebration of Bliefernicht's 25th year in the ministry, an event which earned an impressive write-up in the Synod's bi-weekly publication, the *Gemeindeblatt*.<sup>11</sup> An APL agent then visited Huilsburg and questioned Coerper and others about Bliefernicht's attitude. The agent concluded that Bliefernicht was "decidedly pro-German in his sentiment," but quickly closed the investigation saying that "altho [*sic*] Bliefernicht is a bothersome individual, he is harmless."<sup>12</sup>

Many of these individuals forwarded rumors to the Department hoping they would take action against personal enemies. In Wauwatosa, Wisconsin, Rev. Henry Gieschen confronted members of his congregation who were involved with a lodge—an activity prohibited by Lutheran doctrine because lodges often contradicted Lutheranism's belief in salvation through faith alone. After these members quit the church, one of them sent a rumor to the Justice Department stating that Gieschen, "upon the death of one Nehring, a soldier in

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<sup>6</sup> "Ein Regierungbeamter," *Gemeindeblatt* 53:18 (1 September 1918), 287.

<sup>7</sup> W.B. Farrar to Intelligence Officer, Camp John Wise, 18 September 1918, OG 338884. Farrar believed that the church rang the bell to signal German citizens to come purchase newspapers discussing the German war victories.

<sup>8</sup> Otto Engel to H.R. Zimmerman, 26 April 1917, OG 5025.

<sup>9</sup> R.B. Spencer Report, 10 November 1917, OG 7324.

<sup>10</sup> Wm. S. Fitch Report, 4 May 1917, OG 14184.

<sup>11</sup> "Amtsjubilaen," *Gemeindeblatt* 52:11 (1 June 1918), 170.

<sup>12</sup> Wm. S. Fitch Report, 4 May 1917, OG 14184.



the United States Army, made the remark that if the body was shipped to Wauwatosa in the uniform of a soldier and draped in the American flag, he would refuse to conduct the burial service."<sup>13</sup> Upon receipt of this rumor, an APL agent visited Wauwatosa to investigate. He proceeded to Gieschen's home and interviewed him. Gieschen proved he had buried Nehring with full military honors, and that Nehring was dressed in his uniform and the casket draped in the American flag. He convinced the agent, who reported, "the statement alleged to have been made by Rev. Gieschen was misconstrued and there is no truth in it." Nonetheless, the agent saw an opportunity to investigate Gieschen's war stance. He asked Gieschen what work he had done to further the war effort from the pulpit. The agent reported that Gieschen "did not consider the church the proper place to make pleas to raise money for war needs and that it was against the Lutheran Church to bring politics into the pulpit." Upon this, the agent closed the investigation. Gieschen proved to be fortunate, for when Lutheran ministers declined on spiritual grounds to promote bonds and other war programs from the pulpit, investigators usually believed this to be a convenient cloak for pro-German leanings.

The actions of ministers during the tense neutrality period also prompted investigations after war was declared. Revs. Theodore Hartwig of Hartland, Wisconsin; August Bartz of Winthrop, Minnesota; and August Vogt of Dowagiac, Michigan all received attention because they previously favored peace.<sup>14</sup> After tailing Bartz, who "was opposed to the shipment of ammunitions before the United States entered the war," an APL agent decided that "[h]e has apparently changed his point of view...he is all right now."<sup>15</sup> August Vogt also appeared to have changed his behavior: "[I] have not heard any complaint about his utterances or having drawn pictures placed in public places." However, the agent discovered that Vogt "has an elaborate picture of the Kaiser in his home,"<sup>16</sup> which prompted further investigation. Since Vogt was born in Germany in 1860 and moved while a young child, the agent endeavored to

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<sup>13</sup> P.J. Kelly Report, 10 Oct. 1918, OG 317186. The lodge was one of the most pressing issues for Confessional Lutherans. Lodges and other secret societies typically unified Christians under a common denominator of "morality," which Lutherans believed would undermine their "faith alone" doctrine.

<sup>14</sup> APL Report, "Applicant for Chaplaincy," 20 August 1918, OG 37082; Report: "Alleged Violation Conscription Act," 18 July 1917.

<sup>15</sup> Wm. S. Fitch Report, 24 Aug 1917, OG 37082.

<sup>16</sup> Wm. S. Fitch Report, 11 March 1918, OG 167232.

ascertain his citizenship status. If he was an alien enemy, any legal bounds for an investigation or internment could be more easily ignored.<sup>17</sup>

Investigations typically reached a dead end rather quickly. A German-speaking investigator visited the church of Rev. Henry Schmitt in Eagle River, Wisconsin only to hear Schmitt tell his congregation, "Perhaps the Germans are being punished for their sins," and later, "As Christians we are bound to obey the law, and as citizens to be loyal to this country."<sup>18</sup> Trying another angle, the investigator visited the local Red Cross secretary, who testified that Rev. Schmitt donated \$5.00 and became a member of the local chapter, and "he had not been solicited," but instead "he wished to join." Realizing he made an unnecessary investigation, he "thought it best not to call on Rev. Schmidt [*sic*] and give him any inkling that he had been under observation by the Department of Justice." Another investigator looked into Rev. J. Haase of Randolph, Wisconsin, and interviewed three separate people in town. The first claimed Haase to be "unquestionably loyal and not a talkative man."<sup>19</sup> The second labeled Haase "a reticent man, and well liked in the community," and that he had never heard anything of a seditious or disloyal character being attributed to Haase. Not yet convinced, the agent interrogated a third witness, who claimed he had never heard of any seditious remarks emanating from Haase. For this agent, the spy catching would have to wait for later date.

While investigating Rev. Paul Hinderer of South Shore, South Dakota, an agent became very frustrated in his attempts to acquire information about the minister. Here, the Wisconsin Synod Lutherans' inclination to forming a close knit religious culture frustrated the agent, who wrote that "on being questioned on matters pertaining to activities of Hinderer they have refused to give anyone information...[and] have been very careful in making friends with strangers and have confined their relationships to those personally known as of German descent."<sup>20</sup> Noticing that his investigation was going nowhere, he decided to postpone any more activity until June, "as the German farmers of the vicinity [would] by that time have completed their farm work" and would be spending more time in the South Shore saloons, whereby "direct evidence [would] be more easily obtained." Having missed the last passenger train leaving South Shore, the agent left on a freight train at 2:10 a.m., and no record indicates his return.

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<sup>17</sup> "Looking Back in Dowagiac," *The Dowagiac News*, 3 July 1963.

<sup>18</sup> A. Viall Report, 27 Nov. 1917, OG 105855.

<sup>19</sup> Julius Rosin Report, 28 April 1917, OG 12889.

<sup>20</sup> AC. Moore Report, 10 May 1917, OG 18330.

Investigators often harbored ill feeling toward Lutheran teachings, and some made this plain in their reports to the Justice Department. Visiting a German Lutheran Church in Adrian, Michigan, an agent did not hear any disloyal remarks, but instead reported listening to "an orthodox, antiquated sermon based on the Bible."<sup>21</sup> Another investigator visiting a Wisconsin Synod church in White, South Dakota, found "German books written by professors of the Minnesota Lutheran Synode [*sic*], dealing with the teaching of Luther and in these books, there are remarks that are absolutely not fit to be brought to the American people while this country is at war with Germany."<sup>22</sup> A third complained to the Minnesota Commission of Public Safety concerning the Lutheran hymnal:

Go to this address and ask for the hymnbook for the Ev-Luth. Congregations of the unaltered Augsburg Confession...This German hymnbook is used throughout the States, therefore also in Carver County [MN]. Turn to the index. Find the patriotic hymns. You look in vain. They are not there. I'll admit I have found a verse or two in the middle or at the close of some hymn. But there are no patriotic hymns indexed.<sup>23</sup>

This hymnal was published long before the war; Wisconsin Synod Lutherans traditionally did not sing hymns which glorified the state. This stemmed from their disapproval of a belief in a "tribal God," and a denial that America was "God's chosen nation." The synod often accused both American evangelicals and their own brethren in Germany of falling into this "dangerous" and "heathen" belief. To agents, especially the ones with an evangelical background, Lutheran doctrine was often harmful to the war effort, even un-American.<sup>24</sup>

### III. Problem Areas

Amid their crackdown on Lutheranism, the American Protective League focused particularly hard on two areas in the Midwest: the Minnesota River Valley in South Central Minnesota and Western Wisconsin near the city of La Crosse. Both these locations included towns and cities of high German Lutheran concentration, and included events which drew the authorities' attention. In the

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<sup>21</sup> Jenny C. Law Hardy to A. Bruce Bielaski, 17 Aug. 1918, OG 290766.

<sup>22</sup> M. Eberstein Report, 23 Jan. 1918, OG 133065.

<sup>23</sup> W.C. Rehwaldt to Chas. W. Henky, Publicity Director, 13 December 1918, 103.L.9.2F, CPS Records.

<sup>24</sup> See Chapter 1 for Wisconsin Synod's rebuke of a belief in a "tribal God" during the neutrality period, or Hans K. Moussa, "The Fifty-fifth Psalm," *Northwestern Lutheran* 2:7 (7 April 1915), 50-51. Hans K. Moussa even shared some misgivings concerning the effects of the popular Christian hymn "Onward Christians Soldiers" in his article, "Correcting Paul," *Northwestern Lutheran* 1:19 (7 October 1919), 153.

Minnesota River Valley, the anti-draft movement that commenced in New Ulm forced the APL to keep a close watch over the area for the rest of the war. An agent noted that New Ulm "gained quite a lot of notoriety on account of its element of pro-Germanism."<sup>25</sup> Another decried its effect on the Germans of Minnesota: "It cannot be denied that the effects of the New Ulm meeting have carried far, especially in sections of this state in which people of German race or extraction are of the majority."<sup>26</sup> In Western Wisconsin, Otto Engel's American Liberty League, based in Norwalk, held considerable sway in this part of the state during the neutrality period. Authorities worked extra hard to stamp out the peace sentiment that still pervaded at the outbreak of war. Investigations of Lutheran ministers in these two areas then proved to be particularly thorough and invasive.

Shortly after the outbreak of war, Rev. Henry Boettcher of Immanuel Lutheran in Gibbon, Minnesota withdrew his account from John W. Boock's bank of that city. The two were "at swords points" ever since.<sup>27</sup> Boock served as county chairman of the Committee on Public Safety, and he hoped to use his position to "see the other fellow humiliated," and to make an example of Boettcher. On 18 July 1918, Boock wrote the American Protective League stating that Boettcher was "none to [sic] demonstrative in his patriotism," and he urged the APL to curb the minister. The APL did not appear to take the appeal seriously, replying that the German ministers in that county were "not making any open statements and as long as they do not I waver to take no steps to antagonize them. I believe if we leave them alone they will come around alright."<sup>28</sup>



4.2: Rev. H. Boettcher

Everything changed once the New Ulm episode erupted a week later, in which Gibbon held an anti-draft meeting of its own. Boock told the APL that Boettcher was responsible for securing the speakers for the Gibbon meeting, and this time authorities were willing to listen. Boock labeled Boettcher a "radical pro-German," and listed examples to prove his supposition.<sup>29</sup> According to Boock, he advised his parishioners "not to read newspapers and periodicals

<sup>25</sup> P.A. Neff to National Committee of Patriotic Societies, 3 June 1918, OG 213154.

<sup>26</sup> Robert F. Davis Report, 3 Aug. 1917, OG 47665.

<sup>27</sup> W. O'Brien to Public Safety Commission, 18 July 1917, 103.L.8.4, CPS Files, p. 148.

<sup>28</sup> *Ibid*, 148.

<sup>29</sup> Robert F. Davis Report, 3 Aug. 1917, OG 47665.

printed in English," saying English papers were all bought up by England, and "to only believe what is read in the *Volkszeitung* and *Viereck's Weekly*." He claimed an elaborate picture of the Kaiser adorned the Boettcher home, and then told the following story to prove his opposition to patriotic programs. Two ladies visited the Boettcher home to solicit contributions for the Red Cross. The ladies called on Mrs. Boettcher and asked her to contribute, when "the Rev. in an adjoining room overheard the request and in scant attire and smoking a pipe entered the room where the ladies were" and launched a "tirade" against ladies and the Red Cross, "impugning the motives of the ladies saying the money would not reach the Red Cross." When the women attempted to explain, he told them to get out of the house. Prior to that incident, according to Boock, Boettcher gave \$5 to another Red Cross solicitor, "throwing it down, saying he would give it but it was the most unwilling money he ever parted with." Further investigation revealed a rumor that the minister told a soldier a story about a transport ship bound to France which "mutinied and started back for New York, and that a British warship fired upon the transport, killing many soldiers, [which] compelled it to go to France." Investigators attempted to visit Boettcher at his home, only to receive no answer at the door.

The congregation at Immanuel also received special attention. Boock attempted to compile a farm labor census to organize and maximize the crop output of the county. The farmers, however, "absolutely refused to fill out the blank," and "claimed in doing it they were working for the interests of J.P. Morgan and Company."<sup>30</sup> Boock was certainly under a lot of pressure to take care of this issue. One member of the CPS told the secretary to "write Boock and drive home the fact that he is the 'boss' of the county and it is up to him to see that the township chairman gets the reports from the farmers."<sup>31</sup> Red Cross workers also came across difficulty when dealing with congregation members. Boock claimed that "many if not all the ladies who were members of [Boettcher's] congregation refused to donate and all gave the same reason for refusing, namely: that the girls who collected this money used it to buy themselves new dresses and that it was a graft."<sup>32</sup> This made Boock believe that Boettcher instructed his members to give this response to solicitors. Due to Boock's activities in the CPS, congregation members also withdrew funds from his bank in droves. Thus his pocketbook also increased the vigor of Boock's crusade.

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<sup>30</sup> John W. Boock to Chas. W. Hanke, 18 July 1917, 103.L.8.4, CPS Files.

<sup>31</sup> H.E. Wreisner to S.W. Fraiser, 18 July 1917, 103.L.8.4, CPS Files, P.148.

<sup>32</sup> Robert F. Davis Report, 3 Aug. 1917, OG 47665.

Of all the stories circulating about Boettcher, only the one concerning the mutinies in the Atlantic could be considered an indictable offense, but this statement was also considered the most questionable evidence against Boettcher. He was never taken into custody. An improved situation in the Gibbon area also appeased authorities. Boock reported to the CPS later that year concerning the Liberty Loan in Gibbon:

Things are coming my way...sentiment is changing fast and the people who were strongly anti are now working for the loan. You are at liberty to state that Sibley County is doing nicely and considering the circumstances, is going to do its share. The Liberty Loan Campaign has in my estimation done more than anything else in uniting people and putting them behind the government.<sup>33</sup>

While the Liberty Loan played its part, an ever looming government investigation certainly altered the behavior of Boettcher and his congregation. In the early months of the war, Lutherans openly dissented to government policies under the assumption of free speech rights. The investigation made clear that certain speech and behaviors would not be tolerated.

Ten miles west of Gibbon, community strife in Fairfax, Minnesota spilled over into a Justice Department investigation. An APL investigator noted "a great deal of strife between the town and country around it."<sup>34</sup> The Minnesota governor primary election of 1918 highlighted this rift. The countryside, which consisted mostly of Wisconsin Synod farmers, voted solidly for Congressman Charles A. Lindbergh, an anti-war and anti-central bank candidate. The town, which consisted of a more English-speaking element, cast their votes completely—with the exception of two votes—for current governor J.A.A. Burnquist. The agent also noted that "practically all the farmers in that section belonged to the Nonpartisan League," an anti-war organization which the Justice Department detested. This discord escalated when the school superintendent, R.D. Bowden, gave public speeches in the school which contrasted "German inhumanity...with actions of other more humane nations." The following school year, the Fairfax school board voted to depose Bowden as superintendent. Because the majority of the school board were German Americans, the cry rang out that the superintendent was being persecuted for his patriotic speeches. The move led an APL agent to label Fairfax a "hotbed of sedition," and the CPS stepped in to halt the dismissal of Bowden.<sup>35</sup>

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<sup>33</sup> W. Boock to Chas. W. Hanke, 27 Oct. 1917, 103.L.8.2F, CPS Files, p. 101,2.

<sup>34</sup> A.F. Kearney Report, 27 Sep 1918, OG 213154.

<sup>35</sup> A.P. Neff to National Committee of Patriotic Societies, 27 May 1918 and 3 June 1918, OG 213154;

Patriotic informants in Fairfax revealed to APL investigators that the "disloyal influence centers around Im. F. Albrecht," pastor of St. Johannes Lutheran church in Fairfax. "This man is the moral backbone of the Hohenzollern influence here," claimed an informant, who also suggested the school board members were firmly under Albrecht's control.<sup>36</sup> They claimed Albrecht was "a vociferous shouter for every influence on the German side from La Follette down to local copperheads," and that "seditionists and disloyal agitators make this man's home their headquarters and evidently go to him for advice and aid." Any mention of German atrocities, "he immediately condemns as nothing but class hatred." To prove their theory that Albrecht fomented the move against superintendent Bowden, they shared an incident where Albrecht approached Bowden after one of his speeches. Albrecht told Bowden that he was "teaching class hatred and teaching enmity against the Germans and that he (Albrecht) would not stand for such falsehoods being taught in the schools and proposed to see that the talks stopped forthwith." The APL pursued an indictment of Albrecht, for this could teach the Lutherans in the countryside a lesson for opposing a patriotic superintendent.

The investigation into Albrecht searched deeply, but it completely faltered. The chief informant, P.A. Neff, "was unable to give any specific information or to make any direct charge" against Albrecht. The only proof he could give was that Albrecht opposed the war before the declaration was made. Frustrated, the agent wrote to his Justice Department superior that "whatever information [Neff] had was based entirely upon rumor." C.W. Heimann, a member of the school board and Albrecht's church, was subpoenaed, but his testimony put a dagger into the investigation. He revealed that superintendent Bowden lost the Fairfax school system its yearly \$1,100 state agricultural appropriation because of his "poor management," and that the opposition to Bowden was based on his inefficiency, not his loyalty talks. Heimann showed investigators his large contributions to the war effort to prove his patriotic sentiments. He also illustrated the not-so-guiltless characteristics of the vigilantes of Fairfax, stating that a "Vigilance Committee" painted his bank yellow shortly after declaration of war. As Lutherans from Gibbon pulled their accounts from



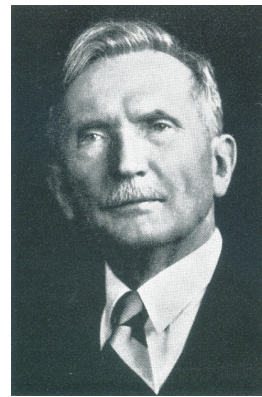
4.3: Rev. Im. Albrecht

<sup>36</sup> A.F. Kearney Report, 27 Sep 1918, OG 213154.

Boock's bank in Gibbon, a better advertisement than the coat of yellow paint on Heimann's Fairfax bank could hardly be conceived.<sup>37</sup>

In the heavily-watched region of western Wisconsin, Rev. Emmanuel Palechek's congregations at Chaseburg and Stoddard regularly received APL visitors. One week a German speaking informant reported that after a church service, Palechek read to members an article in the *Christian Herald* to inform them about the Conscription Act. When it quoted a part of Wilson's Proclamation claiming that the draft was "in no sense a conscription of the unwilling," Palechek in angst cast aside the paper and said it was "rotten." The agent reported the speech "seemed to be an effort to poison the hearts of the young men against America."<sup>38</sup>

The APL subpoenaed Palechek "in order that he may be thoroughly grilled."<sup>39</sup> He was interviewed by an APL agent and a United States attorney. "A storm scene ensued," according to the APL agent. Palechek admitted to the *Christian Herald* incident, but denounced other rumors circulating about him. He claimed that his young men would cross the seas and fight but "they would never approve of the war." The attorney was particularly strong in upbraiding Palechek for his positions, but "it seemed to have little effect on him." Palechek responded that he had not transgressed the law in any way. The APL agent agreed: "[this] seems to be true...In fact, he seems to be so well up on the definition of treason that Mr. Wolfe and myself feel he had been advised by some one." Nevertheless, the agent told Palechek that for his actions he would be listed as a suspect at Washington. This did little to curb the minister's activity. Three months later, Palechek was once again brought before the Grand Jury. This time, he made the alleged statement, "I am an American citizen and as an American citizen I wish to see our boys kept at home and not supplying England and being the catspaw of England."<sup>40</sup>



4.4: Rev. Palechek

<sup>37</sup> *Ibid*, 3-4.

<sup>38</sup> R.B. Spencer Report, 16 June 1917, OG 26572. Palechek gave the speech because "he had been requested by the Governor to notify all young men to register." This is what led Palechek to read Wilson's proclamation to his congregation after the service.

<sup>39</sup> R.B. Spencer Report, 16 June 1917, OG 26572.

<sup>40</sup> Charles Daniel Fry Report, 17 Sep. 1917, OG 26572.



The APL also investigated Palechek's work with the war programs. W.F. Goodrich gave testimony that he called Palechek and encouraged him to preach in favor of the Red Cross the following Sunday. He reported Palechek to have "been very abrupt and surly" when asked to do his duty, and shirked committing any sermon time to the cause.<sup>41</sup> His congregation at Stoddard represented two-thirds of the population of that town, but only five out of "some one hundred" Red Cross members in Stoddard belonged to Palechek's congregation. His congregation in Chaseburg fared no better during the first Liberty Loan drive. The cashier at the Chaseburg State Bank reported St. Peter's congregation "subscribed only \$2,500 worth of bonds out of a total subscription of \$25,000...which they could easily have done."<sup>42</sup>

Many of the church members were summoned by the APL and questioned concerning their minister. G.A. Wrobel, a member at the Stoddard congregation, said, "I have known Palechek for twenty-three years, and have never heard him make a derogatory remark about this country. Palechek has a son in the army at present; so it isn't likely that he would be in favor of anything that would injure his boy."<sup>43</sup> Zelma Wrobel claimed that Palechek mentioned the Red Cross at church, saying, "it is a good thing that we should give and help the soldiers. You can join if you wish." Charles Anderson of the Chaseburg congregation claimed that "while Paleshek [*sic*] did not advise his members to join the Red Cross, he said they should contribute since it was a good and worthy cause." The APL members considered the congregation members disloyal, so they received this testimony with a condescending ear. One agent claimed, "members of his church are so under his control that they will not say anything against him." To exemplify this, he alleged that, at Palechek's bidding, forty parishioners cancelled their subscriptions to the pro-war *La Crosse Tribune* and subscribed *en masse* to the *Milwaukee Free Press* and *La Follette's Magazine*.<sup>44</sup>

Despite intensive interviews and undercover work, an indictment could never be secured against Palechek. An agent reported his frustration: "he will continue these disloyal remarks right up to the point where he believes he will be amenable to the law."<sup>45</sup> Cases like Palechek's increased the APL's demands

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<sup>41</sup> D.H. Barry Report, 29 Dec. 1917, OG 119524;

<sup>42</sup> The German Lutheran was typically stereotyped as frugal and to have disproportionately large savings.

<sup>43</sup> R.B. Spencer Report, 16 June 1917, OG 26572;

<sup>44</sup> D.H. Barry Report, 29 Dec. 1917, OG 119524.

<sup>45</sup> R.B. Spencer Report, 16 June 1917, OG 26572.

for a stricter sedition law, which they received in May 1918, too late to prosecute Palechek for his actions. Palechek, however, received a far worse punishment than any government could inflict. His son, Walter Palechek, was wounded in France.<sup>46</sup>

#### IV. Into Custody

While investigations served a good purpose, the real goal of APL agents was to put German spies and sympathizers behind bars. They succeeded six times in placing Wisconsin Synod pastors into custody. Some of these arrests left a more permanent trace than others. Not much is known today about the arrests of Revs. Gotthold Thurow of Wisconsin Rapids or H.M. Hendricksen of Gresham, Nebraska. Thurow, according to Rev. Otto Engel, was interned for a short time "by hotheads according to rumor."<sup>47</sup> This happened shortly after the outbreak in war, when the fear of German spies was at its height. In early 1918, Hendricksen was arrested for remarks in a private conversation which "obstructed recruiting and enlistment." On 18 April 1918, he was tried and convicted for his statements.<sup>48</sup>

The other arrests left a much larger paper trail. Herman Atrops of Zion Lutheran Church in White, South Dakota was under suspicion because he "worked strong to keep America out of war."<sup>49</sup> In January 1918, an informant named Werner Hanni visited Atrops at his home. The two talked for four hours. When interrogated by Hanni about his beliefs, Atrops openly shared his convictions. "Athrop [*sic*] says is [*sic*] somebody would ask him what America's case was to enter the war, he would say, that the Americans were listening to the wrong God...they went in it for the money." Hanni specifically grilled Atrops about his position before the war broke out. He admitted he sent petitions to Washington, but "he thinks they were never read and have been thrown in the waste basket." When asked about the 1916 election, Atrops claimed he did not vote for president because "both men, Wilson and Hughes were Easterner's [*sic*] and controlled by Wallstreet." Hanni then inquired what Atrops did with the government requests to preach for the Liberty Bonds, Food Pledge, and other matters. Atrops responded that "he naturally did not do such a thing and the

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<sup>46</sup> D.H. Barry Report, 29 Dec. 1917, OG 119524.

<sup>47</sup> Otto Engel to H.R. Zimmerman, 26 April 1917, OG 5025.

<sup>48</sup> American Civil Liberties Union, *War-time Prosecutions and Mob Violence* (New York: National Civil Liberties Bureau, 1918), 14, 18; Alleged Violation Conscriptio Act, OG 37082.

<sup>49</sup> M. Eberstein Report, 23 Jan. 1918, OG 133065.

Government can't do anything with me, because the constitution of this country believes in having the church separated from the state." This response especially antagonized Hanni, who reported, "Athrop [sic] thinks he can do anything he likes on account of being American born."

Hanni then perused through White to determine the effect Atrops had on the community. He discerned that Atrops "is doing lots of harm in this section of the country."<sup>50</sup> For example, the editor of the *White Leader* once clipped an article from *Brookings News* which condemned the "Huns." Several German Americans from White went to see the editor and "told him that if he prints another article like it they would stop the paper...today he has not the courage to say the least thing about Germany. The editor is dependent on his paper and the Germans made a coward out of him." Atrops's congregation also exhibited treacherous behavior. While they subscribed \$700 for the German Red Cross before the war, they donated only \$200 for the American Red Cross, "and after long arguments with the Red Cross Solicitors." White was such an "island of Germanism" that children of the second and third generations did not learn English, including Atrops's daughter, who "cannot speak English but speaks good German," which likely was not an exaggeration. Disgusted with his findings, Hanni recommended that "it is absolutely necessary to deal with Athrop [sic] very severe; conditions in White have become unbearable for the loyal Americans." The Justice Department agreed; Atrops was arrested for a short time by the U.S. Marshall of the Southern District of South Dakota for making seditious and pro-German statements, most of which were made in the interview with Hanni.<sup>51</sup>



4.5: Rev Herman Atrops

Rev. Carl Auerswald served the congregations at Marinette, Wisconsin and Menominee, Michigan, both near the state borders in the Upper Peninsula. This region, by virtue of its abundance of coal deposits, was of heavy importance to the war effort. Price controls on coal and other fuels set by the Fuel Administration also deeply angered the local population, so investigators considered the towns of Marinette and Menominee to be high priority areas. Amid the policing, an agent visited a church service at Christ Lutheran in Menominee, whereby he alleged Auerswald made disloyal and seditious

<sup>50</sup> *Ibid*, 2.

<sup>51</sup> "Report: Alleged Violation Conscription Act," 18 July 1918, OG 37082.

statements to his congregation. Anxious authorities called for his arrest, and he was taken into custody in November 1917.<sup>52</sup>

Auerswald chose not to be represented by counsel at his trial, "as he had signified his ability to conduct his own defense." His trial turned into a family quarrel. J.J. O'Hara conducted the prosecution against Auerswald for his alleged seditious statements. O'Hara's father-in-law, Michael Doyle, the mayor of Menominee, was not in sympathy with O'Hara's position on Auerswald. According to an APL agent at the trial, Doyle "forced himself into the proceedings, assuming the role of counsel for the defendant and used every means possible to secure the acquittal of his client."<sup>53</sup> Doyle secured another attorney to defend Auerswald, named Bruno Schultz. The APL agent described Schultz's demeanor as "such a flagrant miscarriage of justice that if the American flag which had been ordered for the court room, had been hanging at the time of the trial he would have taken it down." After this storm scene subsided, Auerswald was still convicted for his statements but received no further jail time. His punishment was a fine of \$100, more than a month's salary for a WELS minister.



4.6: Rev Carl Auerswald

#### V. Rev. Edgar Guenther

In 1911, Rev. Edgar Guenther, a first year seminary graduate, began his work at the Wisconsin Synod's mission among the Apaches in Arizona. After a year of hard work, he and his wife, Minnie Guenther, began a mission school at East Fork, Arizona. Minnie was especially popular among the Apaches and also in synod publications. She was even honored with the title of national "Mother of the Year" later in her career. At the time, the Apache mission was the only mission of the Synod which reached out to a different culture, so the Guenthers' work was often in the synod spotlight. For example, the *Northwestern Lutheran* reported a special trip made by the Guenthers and an "Indian boy," who "arrived at Milwaukee during the sessions of the synod by auto, having covered the distance of 2,400 miles in sixteen days. The travelers carried a camping outfit with them....Their appearance plainly shows the benefits one may derive

<sup>52</sup> Wm. S. Fitch Report, 22 October 1917, OG 308131; A.A. Viall Report, 22 November 1917, OG 308131.

<sup>53</sup> Wm. S. Fitch Report, 22 October 1917, OG 308131.

from living in the open. On Monday forenoon the missionary addressed the synod in behalf of our work in Arizona."<sup>54</sup>

Edgar Guenther's mission at East Fork was in close proximity to Fort Apache, where many soldiers trained during the war. Guenther often traveled to Fort Apache looking to serve any soldiers from the Wisconsin or Missouri Synods. One day at Fort Apache, the commanding officer there, A.J. Tittinger, reported that Guenther "failed to come to attention or a respectful attitude at retreat formation when 'to the Colors' was sounded by the field music."<sup>55</sup> A few days later, on 21 May 1918, he was arrested by orders of Tittinger. He reported that Guenther was "very anxious not to bring the name of his mission into publicity." In order to make reparations for this offense, Guenther agreed to Tittinger's request to "perform in public an act of fealty to the flag on the date and hour to be designated by the Commanding Officer...to express his patriotism to the National Colors, the ideals and government that it represents, thereby exonerating himself from the stigma of being disloyal and unpatriotic." Upon performing this, Guenther was free to leave. Unknown to Guenther, however, this was only the beginning, as Tittinger reported, "To allay his suspicions that he is under surveillance I have informed him that after he had complied with the agreement as mentioned...that I would consider the incident closed as far as my official capacity was concerned."<sup>56</sup> The Department of Justice was then brought up to speed of the situation and asked to cooperate in Guenther's investigation. The Department happily replied they were "very much interested...for the reason that some suspicion has attached to other representatives of this same faith."<sup>57</sup>

The APL and the Justice Department travelled to the East Fork Mission to uncover Guenther's disloyalty. One of their first findings was that "he continued to keep a picture of the Kaiser hanging in his house in a conspicuous place."<sup>58</sup> Many of Guenther's fellow citizens at East Fork were eager to share



4.7: E. Edgar and Minnie Guenther

<sup>54</sup> *Wisconsin Synod Proceedings*, 1912, p. 32; Friedrich 170; NW 21 July 1917, "A Long Auto Trip."

<sup>55</sup> A.J. Tittinger to Wm. Neunhoffer, 1 June 1918, OG 209062.

<sup>56</sup> R.L. Barnes to A.J. Tittinger, 4 June 1918, OG 209062.

<sup>57</sup> Wm. Neunhoffer to Tittinger, 4 June 1918, OG 209062.

<sup>58</sup> E.T. Needham Report, 20 August, OG 209062.

evidence of disloyalty. One public teacher "in the Indian Service" reported Guenther saying to him, "I do not believe my church is the place for the flag (we were discussing the American flag having been taken down by a Lutheran preacher), anything pertaining to politics has no place in the church." The teacher claimed that Guenther expressed his intention to place a flag on top of his church, "but I have noticed it has not been done and it is my belief he got uneasy and said this for a bluff."<sup>59</sup> A "House Keeper" at the United States Indian Schools informed investigators that she twice visited Minnie Guenther and asked her to assist the Red Cross by knitting, and that Mrs. Guenther both times turned her down, saying "she had no time to give to the Red Cross work."<sup>60</sup>



*4.8: National Director of Military Intelligence M. Churchill advocated a hard line for Guenther.*

These findings caused Edgar Guenther to be arrested *again* by military authorities on 22 August 1918 for charges of disloyalty. He was held until his military trial eight days later. In the meantime, a "careful search in his house" attempted to find incriminating correspondence or enemy propaganda.<sup>61</sup> Agent Breniman reported that no evidence was found, "except a few letters which...related to church correspondence." Some of these letters were written in German, and "translated by me after careful search for hidden meanings or other incriminating matter." At the trial, the charges against him could not be substantiated for lack of reliable witnesses, who gave "evasive, indefinite answers....It turned out to be nothing more than friendly neighbors taking a too active interest in other peoples [*sic*] affairs."<sup>62</sup>

Guenther's second release from prison did not signal the end. Tittinger reported that "although the guilty [*sic*] of Mr. Guenther has not been established he will be under surveillance until further orders from Department Intelligence Office."<sup>63</sup> Another officer, H.L. Barnes, was enthused by Guenther's release. He told his superiors, "Now I believe I can get enough evidence to hang

<sup>59</sup> Marlborough Churchill to A. Bruce Bielaski, 11 June 1918, OG 209062;

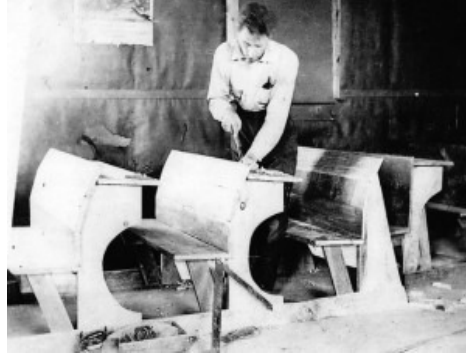
<sup>60</sup> E.T. Needham Report, 20 August 1918, OG 209062.

<sup>61</sup> G.H. Wende Report, 22 Aug. 1918, OG 209062.

<sup>62</sup> Chas. E. Breniman Report, 5 Sep. 1918, OG 283505.

<sup>63</sup> A.J. Tittinger to H.L. Barnes, 5 Sep. 1918, OG 283505.

him."<sup>64</sup> Mr. Brittian, the Guenther's neighbor, told Barnes that "while he and Mr. Peterson were calling on subject, Mrs. Guenther opened amusements by playing 'The Watch on the Rhine.'" Once they met with Guenther and asked him to contribute spiritually to the cause, Guenther stated "that the Church was not the place to talk about the Red Cross and Liberty Bonds, and that no flags should adorn the interior," although, he added, "he would place one outside his mission." Brittian also shared that "when he tells Gunther [*sic*] how the Allies are beating the Germans, he gets red in the face and walks away." Barnes noted that every two weeks Guenther



4.9: Rev. Edgar Guenther constructs desks at First Lutheran School on the Apache Mission from donated scrap wood.

took a trip to Globe, Arizona, to meet with other Lutheran ministers. Guenther's other neighbor, Mr. Funk, informed Barnes "that it has just been since the war that Rev. Gunther went to Globe, Arizona so often." This was, in fact, true. In 1918, the synod made Guenther the acting superintendent of all the missions in Arizona, and this required him to travel to Globe to complete his work as superintendent. Barnes and Bureau chief Bielaski concluded that further investigation into Guenther "and the other Lutheran ministers who attend these conferences," required the investigation to relocate to Globe, Arizona.<sup>65</sup>

The Department of Justice and the APL kept a close watch on Guenther for the rest of the war. In November 1918 an agent "was lying on the ground very close to Rev. Gunther's house," and claimed he heard the Reverend say, "The Captain kept him posted."<sup>66</sup> He naturally assumed this to be a captain heading a German spy organization, which would prove Guenther to be a



4.10: Minnie Guenther was awarded National Mother of the Year in 1967

<sup>64</sup> E.T. Needham Report, 5 Sep 1918, OG 209062;

<sup>65</sup> VH Report, 12 Nov. 1918, OG 2090962.

<sup>66</sup> H.L. Barnes Report, 6 November 1918, OG 209062.

German spy. A second search of his home resulted in the finding of a tripod. This could have meant that Guenther was surveying the defenses of Fort Apache in preparation for a German attack. Guenther, on being questioned, said he had been using the tripod to survey land for the Apaches. The end of the war did not result in the termination of the investigation, though it did remove its momentum. On 10 December 1918, a full month after the ceasefire, Bureau chief Bielaski prodded along his investigators, asking, "Please advise me as to the status of this matter, giving reference to reports rendered on the subject."<sup>67</sup> One agent apologized that "the influenza epidemic has kept me very busy." This appears to be the end of the investigation into Guenther, who continued his work at the Apache mission until his death in 1961, completing a half century of work there. In 1950, he became the first and only non-Apache to be honored with membership in the White Mountain Apache Tribe. Minnie survived her husband by twenty years and continued her work among the Apaches until her death.<sup>68</sup>

#### VI. Rev. John Gauss

At the "German island" of Jenera, Ohio, Rev. John Gauss of Trinity Lutheran Church earned a reputation for his outspoken nature. Because of this characteristic, he became one of the dominant personalities of the Wisconsin Synod. His hometown in Jenera hosted two monumental Michigan Synod conventions, in 1912 and 1916. He then served as secretary for the newly formed Michigan District of the Wisconsin Synod in 1917. At the advent of an unpopular war for German Americans, however, these characteristics also made him one of the likeliest candidates in the synod to incite an investigation. Indeed, the Justice Department eventually took notice of Gauss and the town of Jenera, which could have reasonably boasted to host the most investigators per capita during the war.

It did not take long for the first complaint to arrive at the Justice Department. In May 1917, Dr. M.S. Williamson, a surgeon from Findlay, Ohio, wrote to the Department of the Interior protesting about the German Americans in Jenera, who were "walking confidentially among their friends and spreading arguments among people who [were] not well informed."<sup>69</sup> This behavior was detrimental to the interests of the country, according to

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<sup>67</sup> A. Bruce Bielaski to G.H. Wende, 10 December 1918, OG 209062.

<sup>68</sup> "Rev. Guenther, 50-Year Apache Missionary, Dies," *Tucson Daily Citizen*, 1 June 1961.

<sup>69</sup> M.S. Williamson to E.M. Salzgaber, 25 May 1917, OG 20186.



Williamson. Furthermore, "The principal leader is the Rev. John Gauss of the German Lutheran church...he doesn't preach denunciatory sermons to his congregation, but is still so Pro German that he can't hide his animosity in public." Gauss joined the Red Cross "after he learned that he was liable to be reported to the authorities...but his Pro German propaganda has not ceased and his [*sic*] is now he thinks immune from suspicion." To keep his reporting a secret from the eyes of stenographers, Williamson wrote this letter in pen. The Department of the Interior then passed this letter over to the Justice Department for further action.<sup>70</sup>

The Department of Justice, although aware of the situation, did not investigate immediately, as "all agents were now swamped."<sup>71</sup> The APL chief of northern Ohio, O.D. Donnell, was furious that the department let precious time lapse, and "demanded a warrant for Rev. Gauss."<sup>72</sup> Finally, in September, an agent named R.E. Pfeiffer and "other volunteers" visited the city and reported their findings. Pfeiffer claimed that "Rev. Gauss educates town (possibly 1,000 population) and farming community mostly German to argue German side and against U.S. policy." The attitude of Jenera was rotten to the core. The town marshal "orders anyone who makes patriotic statements to 'shut up.'" National Guard officers visited Jenera to try a recruiting speech, and said "they never saw such a cool reception." Citizens were alleged to have said, "I'd like to stick a knife in Wilson's heart," and, "I'd like to tie Wilson to a horse and drag him thro [*sic*] the clearing and burn him on a brush pile." No U.S. flags were displayed in Jenera. The volunteers believed the community was still raising funds for the German Red Cross. A local store continued to publicly display medals commemorating a German battle victory over Russia in August 1914. Pfeiffer begged Washington "to send secret service man who can speak German, and let him spend a week painting, or working, in Genera [*sic*], and they claim he can send at least ten men to the penitentiary."<sup>73</sup>



4.11: Rev. John Gauss, 1918

<sup>70</sup> E.M. Salzgaber to A. Bruce Bielaski, 29 May 1917, OG 20186.

<sup>71</sup> R.E. Pfeiffer Report, 25 September 1917, OG 20186.

<sup>72</sup> L.M. Cantrell Report, 7 February 1918, OG 20186.

<sup>73</sup> R.E. Pfeiffer Report, 25 September 1917, OG 20186.

Pfeiffer himself secured the services of Joseph Gerstner, a private detective for a steel car company and a former member of the Austrian secret service. Gerstner had experience investigating discontented German American laborers and seemed like a good fit for the job. Gerstner worked as an insurance salesman in Jenera, setting his prices too high to actually have to sell the insurance. On the first day he attended a meeting on behalf of the Liberty Loan, at which only seven people in the entire community appeared. Before long the lights mysteriously went out "and being unable to find the cause, the meeting adjourned."<sup>74</sup> Gerstner had difficulty securing information, noting that "the few loyal citizens are afraid and refused to testify, although, they relate on hearsay that different men have made threats against the president." He was "unable to get acquainted with Rev. Gauss, but heard he received much of his mail from Milwaukee." He even invaded the home of one of the suspected German sympathizers, finding copies of *Viereck's Weekly* and *The International*, a socialist publication. Despite the extra effort, this weeklong stay in Jenera achieved very little toward securing any indictments.

By November 1917 the German Americans of Jenera became painfully aware of the ongoing investigation. Chief Donnell, while still upset at the lack of indictments, "feels that indirectly our activities has [sic] produced good." Rev. Gauss "has suddenly had a change of heart and reported to Theodore Bayless, County Chairman, 50 food pledge cards."<sup>75</sup> Trinity Lutheran Church also published a resolution in the county newspapers expressing their patriotism and specifically denying alleged rumors that Gauss "ever designated resistance to law or to our land." This changed attitude was more genuine than the investigators perceived. In a private letter to one of his congregation members in the army, Gauss urged him to "try to be a good soldier, do your duties with joy and show that you, as a Christian boy, learned to obey your officers." Gauss also told the soldier, "nothing new and interesting has happened here since your departure," conveniently leaving out the widespread investigation of the town.<sup>76</sup> Due to this changed nature of the citizens of Jenera, any further investigations would likely reveal few ongoing disloyal activities. The Department of Justice and APL thus changed their approach; they now sought out loyal citizens in the area who could give testimony of previous disloyalty. While their search revealed many offenses, this type of evidence held less weight in the court of law.

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<sup>74</sup> R.E. Pfeiffer Report, 11 and 13 Oct. 1917, OG 20186.

<sup>75</sup> Robert E. Pfeiffer Report, 15 Nov. 1917, OG 20186.

<sup>76</sup> John Gauss to Pvt. John Marquart, 14 Oct. 1917, Gauss Family Records.

The investigation found several witnesses who testified against Gauss. George Turner, a loyal barber in Jenera, claimed that Gauss, who had never previously conversed with Turner, confronted him while he was standing in front of a store in August 1917 and "read from a book written by Henderson, which book is well known and supposed to be against the Allies."<sup>77</sup> Reverend Gauss opened the book on the street and read a selection as follows: "It wasn't so about [Germany] cutting off hands and dismembering women and children." Gauss then allegedly told Turner, "You don't like that, do you barber? That's in favor of Germany. We know what you talk about in your shop." He also claimed that Gauss and his fellow Germans often could be seen "standing in a very heated discussion, shaking their hands and talking in animated conversation....The instant an American walks up this conversation will stop immediately." Alvin Reeder, a "staunch American," informed investigators that Gauss told him "[We] are getting tired of the people saying that the Germans here are burning grain elevators, blowing up ships, destroying shipyards, planting bombs, etc., and they are not going to stand for it much longer. There is one fellow in this town that has already gone too far and this person has had his day." Reeder construed this statement as a threat to the individual who spread those stories. Peter Bormuth of Jenera made an affidavit that Gauss claimed that President Wilson ought to be shot. Investigators appreciated this testimony, but looked for stronger evidence to convict Gauss with violation of the Espionage Act.

The "star witness" in the case against Gauss became Oren J. Urban, a twenty-six year old APL agent and drafted soldier. Urban recorded many conversations he had with Gauss which proved his disloyalty. Shortly after he was drafted, Gauss allegedly told him, "You will not have to go to war. Wilson will back down on the attitude he has taken against Germany." Urban, instead of being reassured, claimed he took offense and declared he was going to France either way. Gauss then told him, "None of the Americans will ever get to Germany—they will be sunk on the ocean by submarines and they should be sunk, for we're meddling in something that isn't our business."<sup>78</sup> This conversation had no witnesses, but another one in a jewelry store did, Urban remembered "that Gauss said he had just returned from Wisconsin and that [Urban] should not believe the American papers."<sup>79</sup> This statement set off

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<sup>77</sup> L.M. Cantrell Report, 17 March 1918, OG 20186.

<sup>78</sup> *United States v. John Gauss*, The United States District Court for the Northern District of Ohio, 7-12 October 1918.

<sup>79</sup> William A. Cuff Report, 23 April 1918, OG 20186.

another "hot argument" between the two. Urban then reported activities at Trinity's church choir practices, where Gauss allegedly said, "Germany never intended to come over here."<sup>80</sup> Since Urban was supposed to leave for camp in mid-May, agent William Cuff suggested a deferment for Urban because of his importance to the case against Gauss.<sup>81</sup>

On 11 April 1918, the Justice Department issued warrants for the arrest of Gauss and three others in Jenera. Two days later, agents flooded the town. A report had surfaced that "a large quantity of arms and ammunition were stored in the Lutheran Church."<sup>82</sup> These were reported to be in such sufficient quantity as to "blow up the whole town."<sup>83</sup> The church was searched "from the cellar to the tower, also barn in the rear of church, and Rev. Gauss' home, but found nothing in the line of arms and ammunition." After this fruitless search, agent M.F. Cantillon requested Gauss to accompany him to the post office, where he met United States Marshall Bartley. Bartley then served the warrants on the four men present, whereby he took the prisoners to Toledo, with Cantillon "acting as guard." After setting a "not guilty" plea, Gauss was detained in jail. The United States Commissioner set the bond for the four men at \$90,000. Adjusting for inflation, this amount equates to a bail of over one million dollars in 2012. Members of Gauss's congregation raised this exorbitant sum within two days and bailed out their minister and his fellow prisoners. This development perturbed one agent, who complained he had been warned "in the case Rev. Gauss was arrested the Pro-Germans would furnish all the money Gauss needed."<sup>84</sup>

Now set free, Gauss began setting up his defense. First, he attempted to discern what had been said about him in testimony. He visited Bixel's Jewelry store and asked the owner, David Bixel, if he remembered anything from his reported conversation with Urban. Bixel told Gauss that he did not remember the specifics, but that from the conversation he figured Gauss to be pro-German. Gauss replied, "That is a conclusion, you can't go by conclusions...Don't you know that my wife is sick, don't you know what this means to me?"<sup>85</sup> Instead of this plea melting Bixel's heart, he reported this conversation to the Department of Justice. Gauss also called Chris Arras of Jenera over the

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<sup>80</sup> William A. Cuff Report, 25 April 1918, OG 20186.

<sup>81</sup> William A. Cuff Report, 10 Sep. 1918, OG 20186.

<sup>82</sup> M.F. Cantillon Report, 13 April 1918, OG 20186.

<sup>83</sup> *Lima News*, 15 April 1918.

<sup>84</sup> William A. Cuff Report, 23 April 1918, OG 20186. This figure is nearly twice the amount that Jenera raised for Liberty Bonds throughout the entire war.

<sup>85</sup> *Ibid*, 2-3.

telephone and asked him if he had ever said anything to Arras which might be actionable. Arras could not recall anything specific. After he hung up the phone, Arras instantly received another call from an APL agent. The agent "took Arras by surprise when he asked him what it was Gauss had said over the telephone." Arras did not give any particular information, only that "Gauss is very much worried over the predicament he finds himself in."<sup>86</sup> Gauss had other reasons to be worried as well. His original attorney, Mr. Campbell, did not enthusiastically work for the interests of the defendants, even later telling investigators that he "believed them to be guilty of disloyal activities." Even though they already paid him \$3,200, they left Campbell and switched to the law firm Graves & Stahl, who had earned a reputation for defending individuals indicted under the Espionage Act. When informing Campbell that they must seek other counsel, Campbell told the defendants to "plumb to Hell."<sup>87</sup>

The prosecutors also made the most of their time to build the case against Gauss. Nearly every aspect of Gauss's life became material for the investigation. While following Gauss, one agent spotted him "shooting a squirrel out of season."<sup>88</sup> Gauss received a \$25 fine for this infraction. Agents reported that Gauss three times received a package from Milwaukee, "about one foot square and 18 inches long." After further digging, they discovered these packages "were mailed out by the Northwest Publishing Co., Milwaukee, Wisc."<sup>89</sup> The packages contained German language books for the school at Trinity Lutheran. Investigating further, agent Cantrell reported "Gauss teaches German and German ideas to about 20 German children in that settlement, in the basement of his church on Thursday, Friday, and Saturday of every week...He is supposed to be preparing them for confirmation under the Lutheran Church principles."<sup>90</sup> This school especially irked the "stanch Americans" because it kept the children out of the public schools the last two days of each week, where they could be taught true American ideals. During this time period, Mr. Urban—the father of the star witness—and other prominent men from the county travelled to Columbus in an effort to have the school discontinued. Cantrell lamented that they "were unsuccessful in this effort."

The prosecution anticipated that the defense would use Gauss's record with the Red Cross and Liberty Loans to portray his loyalty. Thus they attempted

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<sup>86</sup> William A. Cuff Report, 25 April 1918, OG 20186.

<sup>87</sup> T.H.B. Patterson Report, 10 October 1918, OG 20186.

<sup>88</sup> "Ohio Briefs," *Newark Daily Advocate*, 12 Dec. 1917.

<sup>89</sup> L.M. Cantrell Report, 17 March 1918, OG 20186.

<sup>90</sup> L.M. Cantrell Report, 26 March 1918, OG 20186.

to undercut this strategy. They found witnesses to testify that Gauss was not emotionally involved in his Red Cross work. J.O. Shine, an APL agent and distributor of express mail in Jenera, reported that in December 1917 Gauss asked him if he had any express for him. Shine responded that he had an express bill from Cleveland, but the package had not arrived, to which Gauss responded, "Oh, well, that doesn't make any difference anyhow. It's only that Red Cross stuff." Gauss made this comment in the presence of two visitors from out of town. One of them spoke up after Gauss left, which was included in the report as follows, "What sort of a g- d- s- o- b- is that fellow? If he would come into our town and say such a thing he would get his g- d- head knocked off."<sup>91</sup> Roy Thomas, a farmer from out of town, reported that while Gauss was distributing Red Cross literature, he handed a leaflet to Thomas and said, "The biggest piece of hypocrisy about this thing is that they...claim to treat friend and foe alike, but they let the German soldiers bleed to death."<sup>92</sup> The prosecution also tried to prove that all monetary displays of patriotism only served a defensive purpose. The first and second Liberty Loan drives, which took place before the investigation, accrued a combined \$1,700 from Jenera. The Third Liberty Loan took place well after the investigation became apparent, and \$46,000 was raised.<sup>93</sup> Investigators tirelessly worked around the clock until the final days to pursue this evidence. They were able to hand in their report one day before the trial began.

The long awaited trial commenced on 7 October 1918. Having invested countless hours toward putting Gauss behind bars, several APL and Justice Department agents attended the trial. The developments in the trial both shocked and outraged them. One agent who attended the opening statements bemoaned "the liberty allowed Scott Stahl of the firm Graves & Stahl," who took over an hour and "was permitted to make a complete argument of the case in which he mentioned names of the witnesses that would be called by the prosecution and informed the jury how he would contradict their evidence."<sup>94</sup> The agent had never in his twenty years of experience "heard an attorney mention the witnesses and state his methods of contradicting their evidence" in the opening statements. The following days proved to be worse. United States Commissioner Frank G. Crane commented to an APL agent, "I left that Gauss trial and think it's the most unusual trial I ever heard, I listened to that man for

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<sup>91</sup> L.M. Cantrell Report, 17 March 1918, OG 20186.

<sup>92</sup> William A. Cuff Report, 25 April 1918, OG 20186.

<sup>93</sup> T.H.B. Patterson Report, 5 Oct. 1918, OG 20186.

<sup>94</sup> T.H.B. Patterson Report, 7 October 1918, OG 20186.

45 minutes preaching a sermon on the stand to impress the jury with his innocence." The agent responded, "I understand that yesterday he was upon the stand for an hour and a half doing the same thing." Crane then shared an encounter with Scott Stahl, Gauss's attorney. Coming up an elevator together, Crane asked Stahl, "Well, is your client innocent?" Stahl "looked at me with that grin of his and said, 'All our clients are innocent,' as much as to say that all a defendant needed was to retain the firm of Scott & Graves in order to be found not guilty."<sup>95</sup>

After the closing statements, the jury deliberated for eighteen hours, then returned with a verdict of "not guilty." The ruling left the investigators completely dejected, and they found little solace that the affair was "being criticized by various persons about the Federal Courts."<sup>96</sup> After the verdict, even the judge mentioned his surprise and admonished Gauss to "avoid further suspicion by adopting anglicized [church] services."<sup>97</sup> Having failed to catch their big fish, the Justice Department dropped all charges against the other defendants.

Gauss could not rest easy yet. On Friday, 18 October 1918, a "trophy train" carrying roughly twenty-five marines stopped at Jenera to display souvenirs from the war. One marine addressed the crowd that gathered: "I have been told by many people that Jenera is a pro-German place. My plan would be not to line these pro-Germans up against the wall and shoot them but to place them in their wooden shoes and...send them back over to Germany."<sup>98</sup> After smashing the saloon sign in town—the only saloon in Hancock County—into "toothpicks," a party of ten marines were shown to Gauss's home. Gauss had just returned from a synod conference and was unaware of any trophy train in town. One of the marines entered the home to find Gauss tending to his wife and four daughters, who were ill with influenza. The marine ordered Gauss to accompany them to the trophy train. They marched him down the street and placed him in front of the train, demanding that he must buy another \$100 worth of Liberty bonds. Gauss replied that he already bought all that he was able. It was then suggested that Gauss could meet this requirement by taking out a loan, to which Gauss agreed. After signing, Gauss was permitted to leave, whereby the marines forced two other Jenera men to do likewise and then left town.

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<sup>95</sup> T.H.B. Patterson Report, 10 Oct. 1918, OG 20186.

<sup>96</sup> T.H.B. Patterson Report, 9 Oct. 1918, OG 2018.

<sup>97</sup> "Pastor is Found Not Guilty of Disloyalty," *Toledo Blade*, 12 October 1918.

<sup>98</sup> "World War I," *The Echo Examiner* 10:36 (Winter 2011), Eagle Creek Historical Organization.

While one of the most dramatic examples, Jenera was one of countless "German islands" that were harassed and investigated during the war. Their existence alone irritated anxious public officials who labeled these towns as proof of the failure of Americanization. The smashing of the saloon sign also epitomized their frustration at these immigrant groups' failure to conform to "American" morality. The attempt to shut down Trinity Lutheran's confirmation school suggests the religion's association in the minds of investigators with foreign customs and morals. Lutheran ministers also served as a public symbol toward those ends. Rev. Gauss's electric personality, however, made his a higher profile case than many of the others. His perseverance also allowed him to weather this storm. In the summer of 1919 he followed the advice of the judge and started supplementary English services at Trinity.<sup>99</sup> He served the congregation for a total of fifty-two years, and later became president of the Michigan District of the Wisconsin Synod. He passed away at Jenera on New Year's Eve, 1949.

#### VII. Rev. Otto Engel

Two days after President Wilson delivered his war message to Congress, G.B. Horner of Ripon, Wisconsin forwarded to the White House peace propaganda he received from the American Liberty League, whose president was Otto Engel. Horner believed that "it is likely that this man Engel is being watched," yet he wanted to ensure that the government was aware of his activities.<sup>100</sup> Horner need not worry. For good measure, numerous other circulars from the American Liberty League poured into Washington from other disgusted citizens. The Justice Department was then forwarded all these complaints, whereupon they added them to their already existing file on Engel. The subsequent investigation of the minister proved to be the most thorough and intrusive for any member of the Wisconsin Synod. The Justice Department placed such a high importance on Engel's case that Bureau director A. Bruce Bielaski was consistently briefed on its undertakings. The thoroughness of the investigation of Engel exemplifies the importance the Justice Department placed on proper wartime opinion and speech.<sup>101</sup>

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<sup>99</sup> John Gauss Biographical Folder, Wisconsin Lutheran Seminary Archives.

<sup>100</sup> G.F. Horner to President Wilson, 4 April 1917, OG 5025.

<sup>101</sup> Henry P. Hamilton to Col. James Stewart, 6 April 1917, OG 5025; Jessie A. Clason to Paul Husting, 6 April 1917, OG 5025; J. Clabaugh to J.N. Jefferson, 14 April 1917, OG 5025; J.Clabaugh to R.D. Hood, 14 April 1917, OG 5025.



Less than a week after the declaration, operative A.L.S. travelled to Milwaukee on a fact-finding mission for the Justice Department. He interviewed Henry C. Campbell of the *Milwaukee Journal*, who supplied A.L.S. with the particulars. Engel, the pastor at St. Jacob Lutheran Church in Norwalk, Wisconsin, was "a young man, 32 years old, 5'7 or 8" tall, 170 lbs., dark hair and a clean cut fellow."<sup>102</sup> Engel was born in Lodz, Poland, and he "organized the American Liberty League in an attempt to preserve peace." After discovering that Engel was also currently visiting Milwaukee, A.L.S. sought out Engel and questioned him about his activities. Engel "declined to state how much money had been spent by his league or how many members he had," stating his records were all up at Norwalk. While A.L.S. wrote dismissively of Engel's case, Military Intelligence Director Marlborough Churchill felt convinced that Engel was a high profile target:



4.12: Rev. Otto Enael

Engel is somewhat of a confused character, so that at first sight he may be considered as a harmless idealist, an eccentric, whose observation and investigation does not pay. But I have no doubt on account of my personal knowledge, that he is a rabid pro-German, who would not even spare his own life, if he can aid Germany and German agents.<sup>103</sup>

Now aware that he was being watched, the prudent move would have been to tread lightly. Engel, however, remained combative. A letter, signed "A Disgusted American," was furtively sent from Engel to select United States Representatives, calling the proposed Espionage Bill "a reign of terrorism....Every man's liberty, property, right of ordinary free speech, or opinion is henceforth without constitutional guarantee....If we have no more constitutional rights then abolish the Constitution."<sup>104</sup> He then drafted a letter to his chief writer, Ernst Goerner, urging that the German Americans "must be mobilized for this time that is coming...We have formed an American Legal Defense Committee, whose object it will be to protect those people who are pestered by ultra-patriots."<sup>105</sup> Engel refused to disband the American Liberty League, and continued to collect and distribute pamphlets which bemoaned the high cost of living and other ill effects of the war. He travelled twice to Minneapolis to take part in a convention of the People's Council, the

<sup>102</sup> Wm. S. Fitch Report, 10 April 1917, OG 5025.

<sup>103</sup> Marlborough Churchill to A. Bruce Bielaski, 28 September 1917, OG 5025.

<sup>104</sup> Otto Engel to Senators or Representatives, 14 April 1917, OG 5025.

<sup>105</sup> Otto Engel to Ernst Goerner, 24 April 1917, OG 5025.

organization which opposed the draft and helped instigate the episode in the New Ulm area.<sup>106</sup>

All this while, Engel's indignation for the "ultra-patriots" refused to abate. In personal correspondence with Goerner, he called them "howlers," "conspirators," "professional snoopers," "insolents," and "traitors," who worked for the "establishment of an absolute tyranny."<sup>107</sup> One of the publications of the Liberty League, "Shameful Facts," exposed the actions of the Wisconsin Loyalty Legion, "the pack that claims patriotism as its own." He even taunted their efforts, telling Goerner, "The Wisconsin State Council of Defense wants to get at me...this affair can become interesting." In February 1918, when telling Goerner of a "government spy" in Norwalk, Engel claimed he was there "probably to find out if I am a descendant of a Chinese Prince."<sup>108</sup> Around this time, Engel started "collecting material pertaining to the curtailing of the rights of German Americans, including cases in which German school-books and manuscripts or other property [were] being destroyed, contrary to law." Engel ultimately planned to write a book of his discoveries.<sup>109</sup>



4.13: Bureau Chief A. Bruce Bielaski personally oversaw investigations into Revs. Ed Guenther and Otto Engel.

Investigators increased their vigor in 1918 when they attempted to decipher Engel's mailings. The Wisconsin Synod's Northwestern Publishing House received a visit "with a view of ascertaining the extent of dealings Engel may have had with them."<sup>110</sup> The publishing house claimed it only executed one order for printing for Engel, which were eight hundred postcards carrying a poem entitled "Pirate Island," which was "a typical expression of German Anglo-fobia [*sic*]." These were produced during the neutrality period, so it did not violate the Espionage Act. Not completely satisfied, an agent returned ten

<sup>106</sup> Otto Engel to Ernst Goerner, 5 August 1917, OG 5025; See Chapter 3 for the relationship of the People's Council in the New Ulm Episode.

<sup>107</sup> Otto Engel to Ernst Goerner, 25 November 1917, OG 5025; Otto Engel to Ernst Goerner, 27 March 1917, OG 5025; Otto Engel to Ernst Goerner, 18 April 1918, OG 5025; Otto Engel to Ernst Goerner 7 March 1918, OG 5025; Otto Engel to Ernst Goerner, 3 December 1917, OG 5025.

<sup>108</sup> Otto Engel to Ernst Goerner, 25 February 1918, OG 5025.

<sup>109</sup> Otto Engel to Ernst Goerner, 1 March 1918, OG 5025.

<sup>110</sup> John E. Ferris Report, 16 March 1918, OG 5025.

months later and personally inspected the records of the publishing house. Finding only religious purchases by Engel, it became apparent the publishing house was a dead end.<sup>111</sup> Also busy during this time was John Kerrigan, the postmaster at Norwalk, who recorded every piece of Engel's incoming and outgoing mail. He informed the Justice Department that "on several occasions he sent out five hundred first class letters at one time, and once he sent out about one thousand letters."<sup>112</sup> Engel often evaded observation by receiving his mail directly through the railroad station agent, Charles Cronk. Cronk was a member of Engel's American Liberty League and in sympathy with his work. Frustrated, investigators then decided to intercept Engel's mail, noting that "several pieces of printed matter have been withdrawn from the mail and turned over to the United States Attorney."<sup>113</sup> Postmasters across the country, from Seattle to New York, intercepted mailings from Engel and rerouted them to Washington.

In April 1918, APL operative C. Wesley Bong and Rev. J.G. Smith of Tomah, Wisconsin conspired to go undercover to catch Engel in disloyal talk. Rev. Smith travelled to Norwalk and addressed the expectedly unreceptive crowd on the subject "Why We Entered the War." At the end of his presentation, as planned, he opened up the floor for questions. As a "member of the audience," operative Bong vociferously asked Smith questions which "branded [Bong] as a red-hot pro-German socialist."<sup>114</sup> Bong asked these prearranged questions in a way to allow Smith to give him a good drubbing. This maneuver had its desired effect. Having gained the confidence of those present, Bong and N. Neumann of Norwalk engaged in a conversation about the war. Bong pleaded ignorance on many of the war questions and asked Neuman for information to avoid future embarrassments. Also uninformed, Neuman was unable to give information, but suggested "that if I would ask the minister that had charge of the brick church in Norwalk, he could give me the information." So far, everything worked according to plan.

The next morning, Bong visited Engel's home. Bong reported that he attempted to appear "much worried and disturbed over the publicity I had given myself by making the questions at the meeting the night before, and said to him that I guess I had 'slopped over' pretty badly...that I wanted to ask him some

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<sup>111</sup> Leo J. Brennan Report, 11 January 1919, OG 5025.

<sup>112</sup> R.B. Spencer Report, 5 April 1918, OG 5025.

<sup>113</sup> J.F. Nicholson Report, 21 May 1917, OG 5025.

<sup>114</sup> R.B. Spencer Report, 5 April 1918, OG 5025.

questions...so that I could have a further talk with Rev. Smith."<sup>115</sup> Engel turned suddenly to him and said, "Mr. Bong, you are a stranger to me." Bong reassured him that he visited on Neumann's suggestion and that he was trustworthy. Persuaded, Engel asked Bong what he wanted to know. Bong asked Engel concerning a few "commonplace and unimportant matters." Engel "seemed disposed to dismiss the matter with a wave of the hand," and said, "Oh, it is very easy to answer questions like that." Yet he still refused to give Bong information, telling him "We are in war now and it doesn't matter what a man is at heart, he must appear to be loyal." Engel then gave some advice to Bong concerning his fake life insurance business, and Bong went on his way.

In the last statement of his report, Bong informed his superiors that "Engel is moving to Randolph, Wisconsin."<sup>116</sup> Indeed, Engel had recently accepted a call to Friedens (Peace) Lutheran Church in Randolph, and moved within a week of Bong's investigation. The *Gemeindeblatt* recorded Engel's installation in Randolph on 7 April 1918, and closed with a prayer that "God put on him many blessings!"<sup>117</sup> Since this move crossed Justice Department district lines, it caused an entire overhaul of the investigation. Supervision transferred from Agent W.N. Parker of the Western Wisconsin District to Agent R.B. Spencer of the Eastern Wisconsin District. Spencer, the more aggressive of the two, was brought to speed on the investigation through memorandums prepared by Bureau chief A. Bruce Bielaski and Military Intelligence director Marlborough Churchill, who also requested that "a cover be placed on his mail" at his new address.<sup>118</sup>

On 25 August 1918, Engel preached a dedication sermon for the new church of St. Johannes (John) in Pardeeville, Wisconsin.<sup>119</sup> Around the same time, Agent Spencer made final preparations for a raid of Engel's premises. Less than a week later, a U.S. Commissioner issued a search warrant, and three agents descended upon Randolph and entered Engel's home. They conducted a "painstaking and thorough search of the entire premises and residence of Rev.

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<sup>115</sup> *Ibid*, 91.

<sup>116</sup> *Ibid*, 92.

<sup>117</sup> "Im Auftrage," *Gemeindeblatt* 53:9 (28 April 1918), 140. In the Wisconsin Synod system, individual congregations themselves make a "call," or request, to certain synod ministers whenever they have a vacancy. The minister, Engel in this case, deliberates this new "call" and current "call." It is unlikely that the Randolph congregation knew about the ongoing investigation when they "called" Engel.

<sup>118</sup> M. Churchill to A. Bruce Bielaski, 10 August 1918, OG 5025.

<sup>119</sup> "Kircheweihe," *Gemeindeblatt*, 29 September 1918, 53:20, p. 311.

Otto Engel.<sup>120</sup> Pamphlets, books, letters, circulars, and other correspondence were taken—"five large sacksfull"—and brought to Milwaukee for inventory and translation.<sup>121</sup> Not satisfied that the search was thorough enough, four agents returned to Randolph ten days later, "where a further search was made of the personal effects and everything in the dwelling occupied by Rev. Otto Engel."<sup>122</sup> The agents then worked their way over to the church, going through "approximately fifteen thousand pounds" of printed matter and newspapers from various parts of the world, and also the library of about two thousand volumes. Everything that appeared to be of a contraband nature was brought to Milwaukee. Still unsatisfied, agents made a *third* raid of Engel's home on 14 September 1918, this time removing Engel's entire card index system from his home.<sup>123</sup> Since most of the confiscated material was in German, numerous agents were assigned to translation and laboriously worked this assignment for months. Several letters between Engel and Germans were unearthed and inspected, and not-yet-mailed pamphlets were collected and stacked. His largest collection was about 400 pamphlets entitled "The German-Americans in War," criticizing home front policing. These and others were taken into evidence.<sup>124</sup>

After the searches, Special Agent in Charge Spencer arranged his most daring maneuver yet. He struck a deal with Ernst Goerner, who was Engel's most prominent writer for the American Liberty League. If Goerner could accompany an agent on a mission which secured evidence from Engel, his punishment would be reduced. Goerner and a "confidential informant" arrived in Randolph early morning on Sunday, 29 September 1918. They took separate trains from Milwaukee to not raise any suspicion, and waited outside Friedens Lutheran Church until the services were over. The two met Engel around noon as he was leaving the church. The informant reported that Engel "was very disappointed that Goerner came to visit him, as he said the town was so small, and that the secret service knew of every step he made."<sup>125</sup> Goerner asked Engel to have an interview with him and his "friend," but Engel "said he was very busy, it being Sunday." He did, however, agree to meet Goerner at a hotel at 3 p.m., "and told us in a sneering way that if we could stomach some Liberty

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<sup>120</sup> Wm. H. Steiner Report, 1 September 1918, OG 5025.

<sup>121</sup> J.C. McFetridge Report, 1 September 1918, OG 5025.

<sup>122</sup> Wm. H. Steiner Report, 12 September 1918, OG 5025.

<sup>123</sup> Wm. H. Steiner Report, 14 September 1918, OG 5025.

<sup>124</sup> Wm. H. Steiner Report, 4 October 1918, OG 5025; Frank F. Wolfgram Report, 7 November 1918, OG 5025.

<sup>125</sup> R.B. Spencer Report, 1 October 1918, OG 5025.

Bond and patriotic talk, that we should come to the aviation field at 2:30 in the afternoon." At the field, Engel gave a talk in honor of a lieutenant belonging to his congregation who was in Randolph with the "flying machine" that he piloted. Engel addressed the large crowd for fifteen minutes, where "he spoke mostly about the loyalty of the Lutherans, and of the Germans."

Although he agreed to meet Goerner at 3 o'clock, Engel did not arrive at the hotel until 4:15.<sup>126</sup> He took them to a private room to have a conversation. Once in the room, the agent reported that Engel "told us that he had only been asked that morning after church to make the talk at the aviation field, and that he jumped at the chance, he said he would take every chance he could get to do any patriotic speaking in the town in order to clear himself." The informant also observed that "I never saw a man as nervous as Engel was while we were in the hotel, his hands shook so that he could not hold a piece of paper." The informant asked Engel what made him so nervous. Engel was "surprised to think that I knew he was in such a state," and then said that "the secret service people knew where he was that very minute...that they have watched him for the past three years. That he was receiving no mail...[and] that a couple of men in his church had already asked him who the two strangers were." Engel then told them what they already knew, that his place had been raided three times, and he "partly blamed Goerner for his troubles." Engel told Goerner that he "was too CARELESS," and also too reckless in distributing his propaganda. Engel claimed he appealed to Governor Philipp after the raids but it did not do him much good. He was certain he would be indicted, and that "he would have to make arrangements for his family, before they were indicted." After this statement, the informant inserted in the report, "My opinion is that he might attempt to make a getaway."<sup>127</sup>

At this point, Engel "was more nervous than ever," and, knowing that Goerner's train left at 4:45, he often checked his watch and reminded the visitors that they should be leaving. Before they left, both men quickly tried to secure any evidence against Engel. Goerner handed Engel some letters and asked him to read his views on the draft law, but "Engel was so nervous that he could not hold the paper, and did therefore not read it." The informant then asked Engel which of his activities he considered the most damaging, to which he replied his international correspondence from before the war which were taken in the raids. Engel then said his greatest fear was that other pastors would be implicated from his correspondence with them. Running out of time,

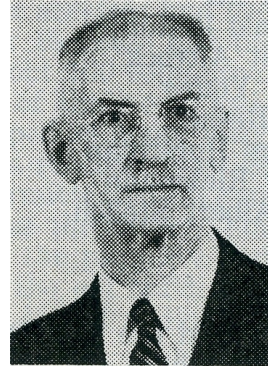
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<sup>126</sup> This was likely a calculated move to reduce the amount of time he would meet with Goerner.

<sup>127</sup> *Ibid*, 206-210.

Goerner and the informant had to leave. Goerner gave Engel the address of a man named Pearson through whom he could reach Goerner. On their way back to the train, the informant judgmentally scribbled, "There are a bunch of autos in the yard of the church. No auto-less Sunday in Randolph."<sup>128</sup>

Engel's greatest fears were realized in early October when the Justice Department simultaneously raided the homes of four others—including three Lutheran pastors—on account of their acquaintance with Engel. Revs. J.J. Bizer of Brillion, Wisconsin and William Stehling of Waupun, Wisconsin had their homes and churches scrupulously searched, but "nothing of a contraband nature was found."<sup>129</sup> WELS minister Herman Zimmermann of West Salem was also given a surprise search because it "appears he has been closely connected with Otto Engel." Both his home and Christ Lutheran Church were thoroughly searched, and the agents found "several letters, pamphlets, magazines, and books...considered to be of value to the Department." These items were seized and taken to Madison. Agent J.C. McFetridge then interrogated Zimmerman concerning his relationship to Engel. Zimmermann claimed he recently "had not been in regular contact with Otto Engel, nor has he received for distribution from Engel any pamphlets" for pro-German propaganda. Instead of trying to clear himself by disowning Engel, Zimmermann stated "that Engel is a man who had been very much wronged, as Engel was far more loyal than lots of others."<sup>130</sup> This led McFetridge to report that "regardless of subject's statements to the contrary, Agent feels satisfied that subject has been closely connected with Engel." Engel's family members did not escape the investigation. An agent inspected the bank accounts of Julius Engel, the father of Otto, and concluded that "Julius likely helped fund [Otto's] activities."<sup>131</sup>



4.14: Rev. Herman R. Zimmermann

Eventually, the Department considered nearly all of Engel's acquaintances as material witnesses, including children. Agents travelled to Norwalk to find Engel's former catechism students. One searched the town and found twelve year old Phillip Koepke, who took private lessons from Engel

<sup>128</sup> *Ibid*, 209-210.

<sup>129</sup> Frank F. Wolfgram Report, 2 October 1918, OG 5025; Wm. H. Steiner Report, 2 October 1918, OG 5025; H.W. McLarty Report, 2 October 1918, OG 5025.

<sup>130</sup> J.C. McFetridge Report, 2 October 1918, OG 5025.

<sup>131</sup> Wm. H. Steiner Report, 29 January 1919, OG 5025.

during the winter of 1917-1918. Koepke told investigators that Engel was always busy reading and writing, but he had no idea for what purpose.<sup>132</sup> Eleven other former students were tracked down and questioned, their ages ranging from twelve to sixteen. One twelve year old student admitted that she helped Engel fold circulars right before war was declared, and another claimed she addressed some envelopes. Gretchen Neuman admitted to the most work for Engel. She "did typewriting last summer, addressed envelopes, and also wrote some personal letters, though she cannot identify the letters she wrote as she did not put her initials or any other mark on the letters."<sup>133</sup> When asked to identify any circulars, none of the students were able to. Most of the students appeared short in their answers to the agents, likely out of fear and intimidation. The interrogation of young adolescents exemplifies how far the Justice Department was willing to go to secure an indictment for Otto Engel.

At this point, Special Agent in Charge Spencer received a report that Engel "was in a very nervous state and would make a full statement to a representative of this Department if he was approached."<sup>134</sup> Spencer assigned himself the task of the visit, and brought along a stenographer. Finding Engel at his house, he advised Engel that "there was no compulsion on him to make a statement." Engel "appeared to be very nervous" but made the statement that "he had not knowingly done anything since...the declaration of war against Germany, which according to his heart and conscience, was hostile to his country." He told Spencer that he was willing to answer any specific questions concerning his international correspondence. Spencer did not demand explanation on account that "evidence against Engel looking to a violation of the Espionage Act seems to be strong and the disclosure of the Government's evidence did not seem to be wise at the time." Engel then repeatedly stated that in the past few months he had been making patriotic speeches and doing everything he could to assist the government in war work. Several times, Engel asked Spencer for advice as to how he should proceed or what he could do in the future to make himself right with the government. "No advice, of course, was given." Spencer on the whole found the interview unsatisfactory. Before he left, he chastised Engel, saying that if his conscience truly was clear concerning his activities, "then he must be a German and not an American."

Fearing an indictment to be inevitable, Engel approached a WELS lawyer, Ernst von Briesen, who had previously criticized Engel for taking part in

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<sup>132</sup> W.D. Bird Report, 15 November 1918, OG 5025.

<sup>133</sup> Frank F. Wolfgram Report, 27 November 1918, OG 5025.

<sup>134</sup> R.B. Spencer Report, 4 October 1918, OG 5025.



politics. Engel asked von Briesen if he would take care of his legal matters should he be indicted by the Grand Jury. Von Briesen refused, however, and told him he "did not wish to have anything to do with matters of this kind."<sup>135</sup> In another private conversation, Engel told an acquaintance that he expected an indictment at any time.<sup>136</sup> Indeed, the Justice Department at one point seemed as assured of an indictment as Engel. However, after all the translating and undercover investigations, the Department was never able to uncover a "smoking gun" which could prove a clear violation of the Espionage Act or Sedition Act. In late November, one month after confident reports to his superiors, Agent Spencer admitted the case to be "very weak."<sup>137</sup> In desperation, Military Intelligence Director Churchill even suggested to Bielaski that he "ascertain Engel's citizenship with a view to interning him in the event that no more stringent action can be taken in the case."<sup>138</sup> In early 1919, with the war over and passions subsiding, investigators made one last ditch effort to prove a connection between Engel and the German government. One witness even testified that Engel wrote German Attaché Heinrich Albert in 1916 requesting propaganda material, and that the German government even included Engel in their list of German agents and sympathizers. Not only was this witness somewhat unreliable, but this action took place during neutrality.<sup>139</sup> The Engel case, at one point roaring hot, continued to dwindle as the months of 1919 passed. The Justice Department consoled themselves by becoming fully occupied in the new communist scare.

After enduring years of torment, Engel could finally begin to place this episode behind him. In 1923, he became the synod's first foreign missionary, as he was assigned to work among the war weary Germans in Lodz, Poland.<sup>140</sup> In a twist of irony, Rev. John Gauss, who also received a thorough investigation, wrote to the Department of State claiming Engel's "mission is of a purely religious nature."<sup>141</sup> When applying for his passport, however, a reverberation of the former investigation arose, as an investigator noted that during the war Engel was "considered a pro-German and was a member of the Worlds Peace

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<sup>135</sup> Frank Wolfgram Report, 18 February 1919, OG 5025.

<sup>136</sup> Frank Wolfgram Report, 28 February 1919, OG 5025.

<sup>137</sup> R.B. Spencer to A. Bruce Bielaski, 25 November 1918, OG 5025.

<sup>138</sup> M. Churchill to A. Bruce Bielaski, 21 October 1918, OG 5025;

<sup>139</sup> M. Churchill to A. Bruce Bielaski, 28 September 1918, OG 5025.

<sup>140</sup> Edward C. Fredrich, *The Wisconsin Synod Lutherans: A History of the Single Synod, Federation, and Merger* (Milwaukee, WI: Northwestern Publishing House, 1992), 164, 166.

<sup>141</sup> John Gauss to Department of State, January 1922.

Association."<sup>142</sup> After deliberation, it was eventually decided to disregard this infraction and allow Engel to do his work. He was especially active at this mission, and even established the Evangelical Lutheran Free Church of Poland, which broke away from the Augsburg church, the state-subsidized Lutheran church of Poland. Engel's later work in the spiritual and physical relief efforts in Poland are well-documented in Wisconsin Synod history.<sup>143</sup>

While fighting for a cause to benefit his people, Engel put himself far too deeply into the political spotlight for a Wisconsin Synod preacher. Ernest von Briesen's reprimand shows that not all German Lutherans approved of Engel's extracurricular activities away from the pulpit. However, the Justice Department's obsession for correct public opinion on the home front can hardly find a better archetype than Rev. Engel's case. The cooperation of opposing preachers, postmasters, newspaper editors, and other public figures in the investigation of Engel show how all-encompassing this crusade against dissent could become.

Otto Engel's case was an anomaly to the other investigations of Wisconsin Synod ministers. Most other ministers received attention for activities and statements they made with naive perceptions that they were not being watched. Even those arrested, like John Gauss and Edgar Guenther, conscientiously modified their behavior after it became apparent they had a target on their backs. Engel, on the other hand, continued to protest developments during the war through the American Liberty League, even though he became plainly aware that investigators were watching him. This behavior lasted until the numerous searches of his home and the apparent inevitability of his indictment.

Engel, as with all the synod pastors, could have quashed all suspicions by complying with the perception that religious leaders should serve as propagandists for the war effort. As shown in this segment, agents frequently grilled the "erring" ministers and asked why they refused to act like other ministers and propagate proper war themes from the pulpit to help win the war. Typically, however, this was where Wisconsin Synod ministers remained most defiant. Not only would this have caused antagonism from members of the congregations, but the Wisconsin Synod jealously guarded its autonomy from the state. Additionally, most could not stomach to scrap the sermon topic covering the doctrine of spiritual justification and replace it with the doctrine of

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<sup>142</sup> M. Adam to M. Brist, 31 January 1922.

<sup>143</sup> Otto Engel, "The Wisconsin Synod Mission in Poland," *WELS Historical Institute Journal* 6:2, Fall 1988, 37-47.

food conservation, let alone preach the virtues of a holy war in Europe. The most an agent could usually hear from the Wisconsin Synod pulpits was a plea to obey the laws of the government in this difficult time. Indeed, even though agents frequented Wisconsin Synod worship services, only two investigations discovered "seditious" activities within the church walls, that being of Emmanuel Palechek and Carl Auerswald. Even in these cases, however, both statements came after the end of the worship service, not from the pulpit. Lastly, these investigations usually deflected into the decadent behavior of the German Lutherans of the community, from the saloon element to the parochial schools and preservation of the German language in the church and community. The overarching theme of these investigative reports became that Americanization had somehow escaped this religious community.