

2011 Winner:  
Family History Writing Contest

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Without Land, Occupation, Rights, or Marriage Privilege:  
The Büttner Family from Bavaria to New York

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By F. Warren Bittner, CG

*Documenting poverty-stricken peasants often is impossible, but the Büttners' desire to marry and the requirement to get approval from church, town council, and district court left a record trail yielding a detailed story.*

**B**orn on 9 April 1742 in a small cottage crowded against the street in the village of Eyb, Johann Michael was the only son among six Büttner children.<sup>1</sup> Situated in the central German area known as Mittelfranken, Eyb lies in forested hills between the Danube and the Main River. Ansbach designates both Eyb's district and its ancient capital city.

Michael's father inherited tenure in their tiny home from his wife's family.<sup>2</sup> At approximately twenty by thirty feet, it included a small kitchen, at least two other rooms on the main floor, and probably a sleeping loft.<sup>3</sup> Among the village's fifty-three houses, this home—like seven others—was a *Söldengütlein*—a small

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*Editors' note:* For the first time in the Family History Writing Contest's history, the 2011 competition had two winners. The other winning essay will appear in the December issue of the *NGS Quarterly*.

1. Evangelische Kirche [Lutheran church] (Eyb), Kirchenbücher [registers], Band [vol.] 2, fol. 152 verso, No. 8; Signatur [collection] 48-2; Landeskirchliches Archiv, Aussenstelle Kirchenbucharchiv [state church archive, church book branch archive] (LkAAK), Nürnberg. The home was built in 1731 on a small piece of "unusable" land behind the home of the village herder. See Landgerichts, älter Ordnung, Ansbach Grundakten [district court, old series, Ansbach land files] Eyb, Haus [house] 24, pp. 1–24; Staatsarchiv [Bavarian state archives](StAN), Nürnberg. An 1826 map shows its location against the street. See Uraufnahmeblatt [original survey map] Eyb, 1826, Blatt-Nr. [map no.] N.W. 64-33; Landesamt für Vermessung und Geoinformation, München, Bayern [regional office for surveying and geographic information, Munich, Bavaria].

2. Rentamt [tenancy records] Ansbach, vol. 3012:853; StAN.

3. Landgerichts, älter Ordnung, Ansbach Grundakten Eyb, Haus 24, pp. 1–24; StAN.

cottage with no farmland.<sup>4</sup> Almost every household in Eyb's rural economy combined a craft with farming, as both were essential to survival.<sup>5</sup> The Büttners, linen weavers, were among the poorest residents.<sup>6</sup> Without land the family struggled financially, weaving as much as guild quotas allowed and laboring on others' farms.

Michael probably worked periodically for neighboring farmers. At home he almost certainly had the dirty job of combing seeds and leaves from parched flax stems while sitting for long hours at a table fixed with a hinged bar to break the stems and make them pliable for weaving. Because dry flax is flammable, this work occurred in a stone "break house" outside the village. After breaking the flax Michael had to wash it in a stream, and then likely tussled with other weavers' children for the sunniest places to dry it.<sup>7</sup> Like his father, he probably learned to weave *Barchend*, a cloth with a linen warp and a cotton wool softened by rubbing with a fine wire brush.<sup>8</sup>

Michael's life changed abruptly in January 1759, when his father died of consumption.<sup>9</sup> Michael, sixteen, probably had not finished his apprenticeship under his father.<sup>10</sup> His widowed mother petitioned the stewards of margrave Christian Friedrich Karl Alexander, who granted delay in payment of the death tax of 125 *Gulden*—a large amount, considering farm laborers earned about 45 *Gulden* a year. Her debts unpaid a decade later, she had to sell the cottage.<sup>11</sup> Michael had no home to inherit.

4. Manfred Jehle, *Ansbach: Die markgräflichen Oberämter Ansbach, Colmberg-Leutershausen, Windsbach, das Nürnberger Pflegamt Lichtenau und das Deutschordensamt (Wolframs-) Eschenbach* [Ansbach: The margrave's districts of Ansbach, Colmberg-Leutershausen, and Windsbach, Nürnberg's dependent district of Lichtenau, and the district of the Teutonic Knights (Wolframs-) Eschenbach], 2 vols., *Historischer Atlas Von Bayern: Teil Franken, Reihe I, Heft 35* [historical atlas of Bavaria: Franconia area, series 1, vol. 35] (Munich: Kommission für Bayerische Landesgeschichte, 2009), 2:853.

5. David Warren Sabeau, *Property, Production, and Family in Neckarhausen: 1780–1870* (Cambridge: Cambridge University Press, 1990), 459–68.

6. Uraufnahmeblatt Eyb, 1826, Blatt-Nr. N.W. 64-33. Also, Landgerichts, älter Ordnung, Ansbach Grundakten, Eyb, Häuse 1-53.

7. Sabeau, *Property, Production, and Family*, 55 and 159.

8. For his father, see Evangelische Kirche (Eyb), Band 2, fol. 92v. For Barchend, see Max Spindler, *Handbuch der Bayerischen Geschichte* [handbook of Bavarian history], 4 vols. in 6 (Munich: C. H. Beck, 1967–79), 3 (1975): 1076–80.

9. Evangelische Kirche (Eyb), Band 5, p. 27, No. 1.

10. The requirements to become master weaver in Germany were fairly standard at this time. Michael probably followed the traditional path. See Mack Walker, *German Home Towns: Community, State, and General Estate, 1648–1871* (Ithaca: Cornell University Press, 1971), 73–107. Also, Sheilagh C. Ogilvie, *State Corporatism and Proto-Industry: The Württemberg Black Forest, 1580–1797* (New York: Cambridge University Press, 1977), 140–51.

11. Landgerichts, älter Ordnung, Ansbach Grundakten, Eyb, Haus 24, pp. 1–4. The sale year appears to have been altered to read 1761, over the original 1771. Other documents show 1771. See Rentamt Ansbach, vols. 3012:179 and 3016:596.

Before the cottage was sold Michael had become a journeyman weaver. Because the area's craft guilds forbade journeymen from marrying before attaining master status, they often delayed marriage a decade or more, waiting for a guild slot to open at a master craftsman's death or retirement.<sup>12</sup> Michael's marriage at age thirty-five suggests he waited ten years. At the time, 1778, he was a master weaver, probably recently admitted to the guild.<sup>13</sup> His bride, Anna Eva Braun, had no guild connections, and the guild had to approve her qualifications.<sup>14</sup>

Michael's guild membership helped, but also hindered, efforts to support his family. It gave him means of selling cloth; but by setting the price, size, and quantity of what he could sell, it gave no incentive to work harder to make a better living.<sup>15</sup>

#### EVA BRAUN'S YOUTH

Eva Braun was born in 1747 in the tiny hamlet of Hechelbach, a cluster of nine farmhouses on the rural estate of Virnsberg. The family's home, a "half estate," included a brick farmhouse, courtyard, barn, and other outbuildings.<sup>16</sup> With ten and a half *Morgen* (about eight acres), the family farmed almost enough to eat comfortably.<sup>17</sup>

Eva did not live there long. When she was three her father died and another family took tenure of the house.<sup>18</sup> Fathers' deaths often pushed their families into poverty.<sup>19</sup> Eva may have started working at a tender age, possibly as a goose girl at age seven or eight, then as a cook or maid by fourteen. Her marriage age, almost thirty-one, suggests she had worked at a dozen farms.

12. Isabel V. Hull, *Sexuality, State, and Civil Society in Germany, 1700–1815* (Ithaca: Cornell University Press, 1996), 43.

13. Evangelische Kirche (Eyb), Band 2, fol. 92v.

14. Walker, *German Home Towns*, 73–77.

15. Ogilvie, *State Corporatism and Proto-Industry*, 346–51.

16. Deutscher Ordens Kommende Virnsberg [commandery of the Teutonic Knights of Virnsberg], vol. 209, fol. 142 recto; StAN. For Eva's birth, see Evangelische Kirche in das Katholisches Pfarramt Sondernohe (Unteraltenbernheim) [Lutheran church records in the Catholic Parish of Sondernohe] (Unteraltenbernheim), Band 1:39; Archiv des Erzbistums Bamberg [Archive of the archbishopric of Bamberg].

17. If the plot was particularly fertile, a family in Franconia could survive on as little as 5.2 *Morgen*, but families usually needed more than ten *Morgen*. See Thomas Robisheaux, *Rural Society and the Search for Order in Early Modern Germany* (Cambridge: Cambridge University Press, 1989), 154.

18. Evangelische Kirche in das Katholisches Pfarramt Sondernohe, Kirchenbücher, Band 3:9. Also, Deutscher Ordens Kommende Virnsberg, vol. 106, fol. 137v; StAN.

19. Mary Jo Maynes, *Taking the Hard Road: Life Course in French and German Workers' Autobiographies in the Era of Industrialization* (Chapel Hill: University of North Carolina Press, 1995), 67–71.

## MICHAEL BUYS AND LOSES A HOUSE

In 1785, seven years after his marriage, Michael borrowed money to buy tenure in a small home in Meinhardswinden, where his wife, children, and other relatives probably lived together. Atypically, the tenure included neither farmland nor village residency rights. The family could not gather firewood, keep livestock, use the village common, fish in the stream, plant vegetables in the village garden, or vote at village meetings. Michael sold the home after two years.<sup>20</sup> Poor craftsmen who purchased cottages often lost them shortly afterwards.<sup>21</sup> Michael never owned a home again. Consequently, every village would have seen him and his family as suspect outsiders. A house and land tenure divided those who belonged in a village from those who did not.<sup>22</sup>

The family's two oldest sons were born in Meinhardswinden in 1782 and 1784, before their father bought the cottage. The youngest son, Johann Leonhard Büttner, was born in 1789, while the family lived in rented rooms in Hennenbach.<sup>23</sup> About three years after Leonhard's birth, the family moved to noisy rooms in Wernsbach's hammer mill.<sup>24</sup> Movement was the hallmark of the rural poor. Peasants with land were bound to it for generations, but the landless were forbidden to stay.<sup>25</sup>

The Büttners moved approximately every five years during their marriage, but never far.<sup>26</sup> Each time the family had to petition the village council for a

20. Landgerichts, älterOrdnung, AnsbachGrundakten, Meinhardswinden, Haus 2; StAN. The price was 275 Gulden, borrowed half from his sisters Anna Elizabetha and Susanna Büttner; and half from his cousin Johann Simon Schletterer.

21. Smallholdings and cottages like Michael Büttner's were more frequently sold; these properties turned over rapidly and few people held the land long enough to pass them on to an heir. See Robisheaux, *Rural Society and the Search for Order*, 83.

22. Jerome Blum, *The End of the Old Order in Rural Europe* (Princeton: Princeton University Press, 1978), 105–6.

23. St. Johannis Evangelische Kirche (Ansbach), Kirchenbücher, Band 15, male baptisms (1782), No. 102; (1784), No. 192; and Band 16, male baptisms (1789), No. 97; Stadtarchiv Ansbach [Ansbach city archive] (StAA); microfilm 1,732,662, items 2 and 3, Family History Library (FHL), Salt Lake City. This church lists baptisms of males and females in separately numbered columns. The absence of ownership records indicates they rented.

24. Ansbach Bezirksamt (BA) [county], Ansässigmachungs- Verhelichungs- u. Konzessionsakten [residency, marriage, and permission papers], Serie 1, 1818–1840, Büttner-Weiß, Protokoll No. 61, Jahr [year] 1816, 23 December, affidavit; Staatsarchiv Nürnberg, Aussenstelle Lichtenau [Bavarian state archives, Nürnberg, Lichtenau branch] (StANAL); FHL microfilm 1,633,229. Comprising more than three thousand microfilm rolls, nineteenth-century Bavaria marriage hearings, unindexed, are among the FHL's largest sets of German records. The catalog lists them at the county [Bezirksamt (BA)] level under Public Records or Civil Records.

25. Leslie Page Moch, *Moving Europeans: Migration in Western Europe since 1650* (Bloomington: Indiana University Press, 1992), 33 and 99.

26. Ansbach BA, Ansässigmachungs., Serie 1, Protokoll No. 61, Jahr 1816, 23 December, affidavit.

brief stay. After about five years, the village bailiff would evict them. Bavarian communities vigilantly turned out the poor before they could establish residency and claim relief.<sup>27</sup>

After losing the cottage Michael Büttner was in a restricted social status known as the *Schutzverwandter*; he was a “tolerated” person without rights.<sup>28</sup> His frequent movement suggests his family was never accepted into any town’s inner network of exchange, comradeship, gossip, and support. Social status was tied directly to farm size and tenure.<sup>29</sup> With neither, the Büttners remained at the bottom of the village hierarchy.

Neither Michael nor Eva lived to see their sons marry. Eva, fifty-two, died in 1800.<sup>30</sup> The family soon moved again, to Schmalach. Four years later Michael, sixty-two, died of a stroke, leaving young sons with scant inheritance and little to offer when searching for a bride.<sup>31</sup> The poor, especially younger sons, found it difficult to marry because of regional restrictions on marriage rights.<sup>32</sup>

#### THE NEXT GENERATION

On a cold November morning in 1821 Leonhard, the youngest Büttner son, approached the Royal District Court in the medieval-walled city of Ansbach to beg permission to wed.<sup>33</sup> For ten years he and his fiancée, Anna Margaretha Weiss, had wanted to marry, but the village council in Schalkhausen had repeatedly refused permission. Leonhard hoped the district judge would grant the union.

Bavarian law forbade “frivolous marriage” between “slovenly people who will breed only beggars and idlers.”<sup>34</sup> Such laws set tight marriage restrictions.

27. Friedrich Johannes Haun, *Bauer und Gutsherr in Kursachsen, Schilderung der Ländlichen Wirtschaft und Verfassung, im 16., 17. und 18. Jahrhundert* [the farmers and landowners in Saxony: describing the rural economy and the state in the 16th, 17th and 18th centuries] (1892; reprint, Papsdorf: Familienarchiv, 2000), 3–10.

28. See, for example, Evangelische Kirche (Wernsbach), Kirchenbücher, Band 5, Johann Michael Büttner death, 5 August 1804; parish office, Wernsbach. Also, Eugen Haberkern and Joseph Friedrich Wallach, *Hilfswörterbuch für Historiker: Mittelalter und Neuzeit* [helpful dictionary for historians: medieval and modern times] (Tübingen: A. Francke Verlag, 2001), s.v. “Schutzverwandter.”

29. Regina Schulte, *The Village in Court: Arson, Infanticide, and Poaching in the Court Records of Upper Bavaria, 1848–1910*, trans. Barrie Selman (Cambridge, U.K.: Cambridge University Press, 1994), 41–42.

30. Evangelische Kirche (Weihenzell), Kirchenbücher, Band 11:213, No. 12; Signatur 385–89; LkAAK.

31. Evangelische Kirche (Wernsbach), Kirchenbücher, Band 5, chronologically arranged, 5 August 1804.

32. The family’s poverty suggests they had no inheritance. See Sabean, *Property, Production, and Family*, 247–99.

33. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll [minutes] 345, 28 November, notes.

34. Walker, *German Home Towns*, 152.

Substantial property holdings and adequate savings were essential, as was community council consent. As the village authorities saw it, Leonhard Büttner and his kind did not belong. "Let him go back to his own village and get married there."<sup>35</sup> But Hennenbach, his native village, would not admit the couple. As Margaretha's family claimed no respect, she also was subject to contempt.

#### LEONHARD'S AND MARGARETHA'S EARLY YEARS

From boyhood Leonhard had known that marrying would be difficult. Guilds allowed only two sons to be trained in a profession.<sup>36</sup> Leonhard was the third son. Keeping the two older boys home to learn the weaver's trade, Leonhard's father sent him to work for a local farmer.<sup>37</sup> Leaving home to toil was part of rural life for many eleven- or twelve-year-old German children. Some returned home, received a portion of their father's land, and became farmers themselves.<sup>38</sup> Leonhard's father, however, had no land. Any hope Leonhard had of advancement ended when his father died. He became one of many day laborers, a group subject to intense prejudice, particularly by the established farmers who employed them.<sup>39</sup> Without inheritance, Leonhard had no hope of marrying into a landowning family.

Margaretha lived in Neudorf, a village of nineteen houses nestled at the bottom of a vale. Ansbach's nobles owned Neudorf's land and houses, including the cottage where Margaretha's family had lived for generations.<sup>40</sup> Her father, Johann Wolfgang Weiss, owned the smallest land tenure in Neudorf, only six and a half *Tagwerke* (about 7.6 acres) of farmland.<sup>41</sup> Acreage determined villagers' social standing, and Wolfgang's small farm was a constant reminder of his inferior rank.<sup>42</sup>

In 1807 a court declared Wolfgang insane.<sup>43</sup> Perhaps the insanity arose from fear of losing his farm for delinquent taxes, his second son's premature death,

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35. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll 345, 26 March, petition.

36. Ogilvie, *State Corporatism and Proto-Industry*, 109.

37. Ansbach BA, Ansässigmachungs., Serie 1, Protokoll No. 61, Jahr 1816, 16 May and 23 December, affidavits; and No. 85, Jahr 1821, Protokoll 345, Johann Strumm and Johann Kinzler, undated statements.

38. Moch, *Moving Europeans*, 10, 16, and 32–34.

39. J. Michael Phayer, *Sexual Liberation and Religion in Nineteenth Century Europe* (London: Croom Helm, 1977), 57–59.

40. Jehle, *Ansbach*, 2:890.

41. Kataster Selekt Steuergemeinde Schalkhausen [cadastral records for the municipal tax district of Schalkhausen], Band 1; accession no. 6, StAN.

42. Schulte, *The Village in Court*, 41–42.

43. Landgerichts, älter Ordnung, Ansbach Grundakten, Haus 2, Neudorf, 14 November 1807 mortgage.

pillaging by French troops in 1806, hunger, or a combination. Perhaps his mental illness was inevitable, the effect of a slow-ticking genetic time bomb. For a while Wolfgang stayed at home, but he eventually was committed to an asylum.<sup>44</sup>

Tainted by her father's illness, Margaretha's reputation sank, as did any chance she had of marrying well, possibly of marrying at all.<sup>45</sup> She expected a small dowry, but decades might pass before her mother could afford it. Margaretha was both socially and economically destitute when she laid eyes on Leonhard Büttner.

At not quite five feet two inches tall, Leonhard was short—even among his contemporaries—yet he had a muscular build and a high forehead that made his oval face slightly long. He had light brown hair, a beard, grey eyes, a pointed chin, and a slightly upturned mouth.<sup>46</sup> Leonhard and Margaretha were equally bankrupt—a landless day laborer and a madman's daughter were near the bottom of the social hierarchy.

Young rural peasants like Margaretha and Leonhard often courted during social gatherings known as *Rockenstuben*.<sup>47</sup> On winter nights after the harvest was in, village women gathered in a barn ostensibly for a quiet evening of spinning and sewing. Girls anticipated the arrival of young men to disrupt their work and entice them away for playful frolics. As evening ended, village gossips strained to see who paired with whom for the dark walk home.<sup>48</sup> Knowing Margaretha would attend a *Rockenstube*, Leonhard may have made the long trip to Neudorf more than once.

Friedrich August Dubois, pastor at Schalkhausen, where Margaretha lived, complained to his superiors about *Rockenstuben* in the parish:

44. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll 345, 6 October, letter.

45. Edward Shorter, *A History of Psychiatry: From the Era of the Asylum to the Age of Prozac* (New York: John Wiley, 1997), 6–7.

46. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll 345, 24 November 1817, military papers.

47. The closest English equivalent is “spinning bee,” but the English expression does not convey the German word's provocative overtones.

48. Hans Medick, “Village Spinning Bees: Sexual Culture and Free Time among Rural Youth in Early Modern Germany,” in *Interest and Emotion: Essays on the Study of Family and Kinship*, ed. Hans Medick and David Warren Sabean (Cambridge: Cambridge University Press, 1984), 317–39. Also, Hull, *Sexuality, State, and Civil Society in Germany*, 33–40. Also, Edward Shorter, *The Making of the Modern Family* (New York: Basic Books, 1975), 125–30. Competent scholars criticize this book's methodology and conclusions, but the sections on German courting customs remain the subject's best treatment in English.

During the winter, late at night, people of both genders shamelessly mingle together, (and participate in *Rockenstuben*). The mayor should assume his rightful duty to supervise the peasants who have neither the self-control nor the willpower to behave morally or act decently; but he shuns every responsibility and makes no attempt to control the people or enforce any discipline.<sup>49</sup>

This account reveals the division in Margaretha's world between upper and lower peasant strata. The pastor never implies the mayor or other leaders participated in these raucous affairs, only that they ignored them.

Pastor Dubois complained, "both sexes come running together in the evenings."<sup>50</sup> He may have been referring to a common activity known as *fenstern* (literally, "windowing"). Young men going through a village at night stopped at single girls' homes to persuade them to open their windows. If persuaded, the girl chose the boy she liked best and let him climb in. "If it were his first visit, he would probably spend the night atop the covers; [but] if he knew her well, he would climb beneath the covers, but remain clothed."<sup>51</sup> The girls' parents elicited a promise that petting would not advance "too far."<sup>52</sup>

If a girl admitted an undesirable boy, her parents' might nail her window shut. If pregnancy resulted from a visit, a hasty marriage was arranged, usually with the young intruder, but occasionally with someone else. The shame of a *mésalliance* with the wrong type of young man surpassed the shame of lost virtue.<sup>53</sup> None of Franconia's peasants expected newlyweds to be inexperienced on their wedding night.<sup>54</sup> Leonhard's early nighttime visits with Margaretha likely were not in a barn or in the woods, but in her home, with her mother's knowledge and consent. Yet, their lack of financial resources made marriage impossible.

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49. Bayerisches Dekanat Ansbach [Bavarian deaconry of Ansbach], No. 45, Jahresbericht [annual reports], 1826, and parenthetical insert from 1828 report; Landeskirchliches Archiv der Evangelisch-Lutherischen Kirche in Bayern [state church archive of the Evangelical Lutheran church of Bavaria], Nürnberg; translation by Baerbel Johnson and the author.

50. Ibid.

51. Shorter, *The Making of the Modern Family*, 102–4.

52. Olwen H. Hufton, *The Prospect Before Her: A History of Women in Western Europe, 1500–1800* (New York: Alfred A. Knopf, 1996), 133–34.

53. Hull, *Sexuality, State, and Civil Society in Germany*, 31–52.

54. It was rare in Bavaria "to find an undeflowered country girl." See Phayer, *Sexual Liberation and Religion*, 32. "Half the brides in nineteenth-century Europe were pregnant." See Shirley Foster Hartley, *Illegitimacy* (Berkeley: University of California Press, 1975), 190. Also, Hull, in *Sexuality, State, and Civil Society in Germany*, 31–52, writes "all major segments of village society apparently participated in the increased premarital sexual activity evident in the changed levels of bridal pregnancy and prenuptial births." Also, John E. Knodel, *Demographic Behavior in the Past: A Study of Fourteen German Village Populations in the Eighteenth and Nineteenth Centuries* (Cambridge: Cambridge University Press, 1988), 191–226.

## THE MORAL CLIMATE

The popularity of activities leading to sexual encounters between unmarried youth provoked only mild disapproval.<sup>55</sup> Why, then, did farming communities react severely against Margaretha and Leonhard? A partial answer is that Margaretha and Leonhard were poor and low on the social spectrum. They knew church marriage was not their lot in life. A high percentage of their society, destined never to marry legally, were expected to remain moderately celibate.<sup>56</sup>

That expectation and village objections notwithstanding, couples increasingly chose to have children out of wedlock. Illegitimacy in families of poor day laborers became an accepted norm.<sup>57</sup> Still, marriage mattered. Economic, social, and political viability depended on it. Margaretha and Leonhard faced this conundrum—in their small subculture of the poor, illegitimacy was common, but marriage was essential to build an independent or economically secure life. Couples who wanted to marry had to demonstrate economic stability through inheritance, savings, or by promise of employment in a craft guild.<sup>58</sup>

## A BETROTHAL AND AN ILLEGITIMATE SON

When Margaretha's pregnancy became apparent, the couple became betrothed. The lowest peasant strata viewed engaged couples as husband and wife, and sexual relations could begin—or continue. The church had tried for centuries to impose a religious ceremony on this ancient peasant custom; the state also attempted marriage control through formal application processes, both to little avail; the poorest peasants entered private or secret engagements.<sup>59</sup> Respected peasant farm owners, concerned about social propriety and land inheritance, viewed this practice with disdain.<sup>60</sup>

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55. Thomas Max Safley, *Let No Man Put Asunder: The Control of Marriage in the German Southwest; A Comparative Study, 1550–1600* (Kirksville, Mo.: Sixteenth Century Journal Press, 1984), 103.

56. Michael W. Flinn, *The European Demographic System, 1500–1820* (Baltimore: Johns Hopkins University Press, 1985), 122–23.

57. Peter Laslett, "Introduction: Comparing Illegitimacy over Time and Between Cultures," in *Bastardy and Its Comparative History: Studies in the History of Illegitimacy and Marital Nonconformism in Britain, France, Germany Sweden, North America, Jamaica and Japan*, eds. Peter Laslett, Karla Oosterveen, and Richard M. Smith (Cambridge: Harvard University Press, 1980), 1–70.

58. Hull, *Sexuality, State, and Civil Society in Germany*, 30–34.

59. Lyndal Roper, "'Going to Church and Street': Weddings in Reformation Augsburg," *Past and Present* (February 1985): 62–101. Also, Anne-Lise Head-König, "Forced Marriage and Forbidden Marriages in Switzerland: State Control of the Formation of Marriage in Catholic and Protestant Cantons in the Eighteenth and Nineteenth Centuries," *Continuity and Change* 8 (December 1993), 443 and 456–59.

60. Wolfgang Kaschuba, "Peasants and Others: The Historical Contours of Village Class Society," trans. Eric Clare and Richard J. Evans, in *The German Peasantry*, ed. Richard J. Evans and W. Robert Lee (London: Croom Helm, 1986), 257.

Leonhard and Margaretha's first child, Johann Georg, was born in Neudorf on 23 June 1812. The child's baptismal record identifies Leonhard as the father.<sup>61</sup> Because he did not have Neudorf residency, Margaretha and their son lived with her mother, while Leonhard boarded with farmers who employed him several miles away.<sup>62</sup>

The Napoleonic wars brought cataclysmic change to Europe and the collapse of hundreds of Germanic governments. For Ansbach and its villages, five hundred years of rule by margraves ended, followed by brief periods under Prussian and French control. The territory ended up in the new Kingdom of Bavaria.<sup>63</sup> To help unite his lands, the Bavarian king established a uniform criminal code across his broad and newly conglomerated kingdom. To prevent hundreds of towns from moving in divergent directions, he revoked town rights to approve residency and marriage and created new royal district courts with these rights. Community leaders, jealous of their lost power, fought the new judges over many marriages. The judges' arrival in Ansbach gave Leonhard the opportunity to apply for marriage without village input.<sup>64</sup>

#### A MARRIAGE REQUESTED AND DENIED

On 27 May 1816 Johann Leonhard Büttner, twenty-seven, appeared before the Royal District Court of Ansbach to ask permission to marry. Margaretha was pregnant with their second child, due in weeks. Likely petrified in the centuries-old judicial building, Leonhard told the judge he had 50 Gulden in savings and humbly requested residency in a local village so he could settle down and marry.<sup>65</sup> Margaretha had residency in Neudorf, but Leonhard could not live there.

After scrutinizing every aspect of Leonhard's case, the new judge focused on his military status. Leonhard explained that ten years earlier he had been summoned to register at the conscription office, but the officer laughed, told Leonhard he was too short for the military, and sent him home.<sup>66</sup> Dropping the marriage issue, the judge began a two-year diversion seeking evidence that Leonhard had "shirked his military duty."<sup>67</sup> He probably left court despondent and confused.

61. Evangelische Kirche (Schalkhausen), Kirchenbücher, Band 8:147, No. 8; parish office, Schalkhausen.

62. Ansbach BA, Ansässigmachungs., Serie 1, Protokoll No. 61, Jahr 1816, 23 December, affidavit.

63. James J. Sheehan, *German History: 1770–1866* (Oxford: Clarendon Press, 1989), 144–205. Also, Hajo Holborn, *A History of Modern Germany, 1648–1840* (Princeton: Princeton University Press, 1964), 324–54. Margraves of the Hohenzollern family ruled Ansbach from 1441 to 1791.

64. Hull, *Sexuality, State, and Civil Society in Germany*, 333–70.

65. Ansbach BA, Ansässigmachungs., Serie 1, Protokoll No. 61, Jahr 1816, 27 May, petition. A laborer's annual salary was about 50 Gulden.

66. *Ibid.*, 27 May 1816, 23 December 1816, and 28 August 1817, affidavits.

67. *Ibid.*, 26 March 1817, court notes.

Six weeks later Leonhard and Margaretha's second son was born.<sup>68</sup> Eighteen months afterward, in December 1817, the court ordered Leonhard to pick up his military release papers, granted based on testimony of two witnesses who knew nothing about his draft registration. Leonhard showed up late in January 1818, paid a substantial fine, and left.<sup>69</sup> Had he asked about his marriage application, the judge might have granted him residency and marriage rights. Within weeks the Bavarian crown restored community councils' rights to decide who could marry, but the district court judges could veto the towns' decisions.<sup>70</sup>

#### MARGARETHA'S DOWRY

In summer 1820 Margaretha received her dowry of almost 160 Gulden.<sup>71</sup> This and the money the couple had scrimped from wages satisfied the requirement of 200 Gulden in savings needed to wed.<sup>72</sup> Though not a fortune, this was more than she could have saved in ten years as a milkmaid. Margaretha asked Pastor Dubois to petition the district court to permit her marriage. He wrote that Margaretha and Leonhard had waited nine years to marry, and Margaretha now had the money needed. He urged the court to allow the wedding since "forcing this couple to separate would bring unfortunate consequences," especially for their children.<sup>73</sup> Perhaps in a subtle attempt to circumvent council action preventing the marriage, Dubois—and no other council member—signed the letter.<sup>74</sup> Dubois knew the court needed the entire town council's permission to allow the marriage. He also knew the rest of the council would not consent to a day laborer's marriage and the others disliked "the Büttner," as they called him.

Few events in Schalkhausen parish's hamlets escaped community council scrutiny. The council and local nobility decided who moved in and out, who worked as laborers, who kept cows or sheep, who planted what crops, who learned a trade, who built a house, who worked the fields, who buried the dead, who sold beer, who collected firewood, and who had water rights. This structure of tight control held society together and guaranteed survival. No one expected otherwise.<sup>75</sup>

68. Evangelische Kirche (Schalkhausen), Band 9:52, No. 17.

69. Ansbach BA, Ansässigmachungs., Serie 1, Protokoll No. 61, Jahr 1816, 17 December 1817 and 19 and 31 January 1818, court notes.

70. Walker, *German Home Towns*, 260–81 and 336–47.

71. Landgerichts, älter Ordnung, Ansbach Grundakten, Haus 2, Neudorf, 21 July 1820 mortgage.

72. Ernst Schubert, *Arme Leute, Bettler, und Gauner im Franken des 18. Jahrhunderts* [poor people, beggars, and thieves in 18th-century Franconia] (Neustadt a.d. Aisch: Kommissionsverlag Degener, 1990), 122–24.

73. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll 345, 14 February 1821, letter.

74. *Ibid.*, for example, 6 and 21 October 1821.

75. Walker, *German Home Towns*, 46 and 72. Also, Hull, *Sexuality, State, and Civil Society in Germany*, 36. Also, Blum, *End of the Old Order*, 123–28.

## THE FAMILY WEIGHS IN

Margaretha's brother, Johann Adam Weiss, told her that she and Leonhard could build a cottage on a corner of his land, but his wife had different ideas. She knew the Weiss farm was too small to feed her own family, let alone two families, and she was embarrassed by the complaints of prominent farmers' wives about the "sinful relationship" and "concubinage" in her house.<sup>76</sup> Margaretha's sister-in-law complained to her father, who told the village council of the pastor's letter to court and said he did not want the wedding or the cottage.<sup>77</sup>

The rest of the council was furious when they learned of Dubois's letter. Except for the pastor, town leaders united to block the marriage. They wrote a follow-up letter to court stressing that Leonhard was not from Neudorf, he could not live there, and the couple was living "in blatant sin," which the community would no longer tolerate. The parish of Schalkhausen "refuses to protect and give right of residency to the laborer Büttner, because he was born in Hennenbach and belongs there."<sup>78</sup>

## THE COUPLE IN COURT

The royal court in Ansbach summoned Leonhard and Margaretha and told them they could no longer live in "premarital sin." They must marry or be forcefully separated.<sup>79</sup> Early on 4 May 1821 the couple presented the court with a small mountain of documents. Leonhard told the judge that they wanted to wed, but no community would take them. He explained:

The community of Hennenbach does not refuse to accept me, but will not give residency to my fiancée and refuses to grant us permission to marry. But I believe that they will give in and grant us permission because my fiancée cannot provide for herself and her children without my support. Besides, I want to legitimize my children and become their legal father.

The community of Neudorf does not refuse to let my fiancée live there, but they refuse to grant me the same right, and I think they are not likely to change their minds. The people [of Neudorf] are not sympathetic towards me. I find more support in Hennenbach than in Neudorf, so I ask permission to reside in Hennenbach and marry there. . . . I believe that I can convince the village council in Hennenbach to grant me residency when I show them the list of farmers for whom I have worked as a laborer, as they have testified to my good work and diligence.<sup>80</sup>

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76. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll 345, 26 March, letter, and 12 April, summons.

77. *Ibid.* Those documents support two assumptions underlying the text's description: That Margaretha told her sister-in-law about the pastor's letter; and that her father roused the council.

78. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll 345, 26 March 1821 letter; translated by Marion Wolfert.

79. *Ibid.*, 13 April 1821, summons.

80. *Ibid.*, 4 May 1821, testimony; translated by Marion Wolfert.

The judge gave tentative approval for Leonhard to settle in Hennenbach, if he could convince its council to agree.<sup>81</sup> When Leonhard made overtures, however, Hennenbach's elders were outraged. The mayor and a councilman protested, "all of Hennenbach was in uproar." They would never allow this "Büttner," a day laborer, to marry and live among them.<sup>82</sup>

#### FORCED SEPARATION AND CRISIS

For five months the towns fought; each insisted the other take the pair; each asserted the merits of its case. Hennenbach argued, "Neudorf must accept [Leonhard], since he has lived there with his fiancée in a sinful state for years without anyone complaining, and he fathered his children there. If all of a sudden this immoral living condition can no longer be permitted, then Büttner must be expelled from Neudorf." If Hennenbach were forced, they would take Leonhard, "but for his mistress and the children we will not take responsibility for them."<sup>83</sup>

At the height of this battle Margaretha's third illegitimate pregnancy became obvious. Schalkhausen councilmen were incensed, but their wives took action. In late summer 1821 Margaretha apparently was the victim of a custom in which respected farmland-owning women gathered outside an unwed mother's home to hurl epithets, throw stones, and drive the mother and her children from town.<sup>84</sup> In Margaretha's case, they might have overlooked one child, but not three. Fleeing the disapproving village scolds, Margaretha sought refuge in an illegally built shanty outside town borders.<sup>85</sup> Prying eyes were not likely to catch Leonhard when he came or left the forest hut during their weekend trysts.

Schalkhausen apparently also sent its bailiff to evict Leonhard and tell him he would be arrested if he returned.<sup>86</sup> Leonhard found living quarters in Hennenbach, where he had not lived since infancy.<sup>87</sup> Leonhard and Margaretha's worst fears were coming true—they were forced to separate. Margaretha could not leave her children to work, but she needed work to feed them. Her meetings with Leonhard became difficult to arrange, their survival was threatened, and they faced the reality that they might never wed.

81. Ibid., 7 May 1821, testimony.

82. Ibid., 7 July 1821, letter.

83. Ibid.

84. Robisheaux, *Rural Society and the Search for Order*, 114. Also, Natalie Zemon Davis, "The Reasons of Misrule," in *Society and Culture in Early Modern France* (Stanford: Stanford University Press, 1975), 97–123.

85. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll 345, 29 July and 6 October, documents.

86. Hull, *Sexuality, State, and Civil Society in Germany*, 67 and 364–8.

87. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll 345, 20 October, court notes.

## SCHALKHAUSEN CONCEDES

In October 1821, five months after the debate between the two villages began, Schalkhausen suddenly capitulated, petitioning the court to grant Leonhard residency in Neudorf.<sup>88</sup> Council documents do not explain the abrupt reversal, but the reason is obvious: Pastor Dubois intervened. For over a decade, he had opposed the council's marriage policies for the poor. In his annual report to the consistory, he complained about this discrimination's adverse effects.<sup>89</sup> He likely realized that after Leonhard and Margaretha's ten-year relationship and two illegitimate children, the town's claiming it would no longer tolerate Leonhard was unconvincing. The Hennenbach council was right: if Schalkhausen objected to Leonhard, they should have evicted him long before.

Besides Dubois, Margaretha helped sway the council. She never uttered a syllable, but her influence was just beyond view, perpetually tacit. Though she was of the community, she lived in inadequate shelter, pregnant, with two children and winter approaching. The community could not let a legal resident stay in the forest and freeze.<sup>90</sup> The town leaders soon would be responsible for Margaretha and three children. Her urgent circumstances forced their hand.

Graft also may have swayed the council. Margaretha's funds decreased by more than full year's wages.<sup>91</sup> Every year the Reverend Dubois read from the pulpit the statement against bribing officials, suggesting the custom was endemic.<sup>92</sup> The councilmen expected their palms to be greased.

On 6 October 1821 the council sent the court a letter. Its wording noticeably resembles phrases in Pastor Dubois's annual reports:

Leonhard Büttner, born in Hennenbach, has been engaged to Anna Margaretha Weiss of Neudorf for the past nine years, and has fathered two sons with her, and as she is now pregnant, again, by him; and because this couple is young, strong, and healthy, and have proven to be industrious and willing to work hard. And because Miss Weiss is also in possession of 175 Gulden: it can be assumed that they will be able to support themselves. They want to build a small home. The village council has granted permission for permanent residency and their marriage.

Dubois added one other point:

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88. Ansbach BA, Ansässigmachungs., Serie 1, folder no. 85, Jahr 1821, Protokoll 345, 6 October, letter.

89. Bay. Dekanat Ansbach, Jahresbericht 1818 and 1820.

90. Utz Jeggle, "The Rules of the Village: On the Cultural History of the Peasant World in the Last 150 Years," trans. Richard J. Evans, in *The German Peasantry*, ed. Richard J. Evans and W. Robert Lee (London: Croom Helm, 1986), 276–82.

91. Ansbach BA, Ansässigmachungs., Serie 1, folder no. 85, Jahr 1821, Protokoll 345, 14 February and 6 October, letters.

92. Bay. Dekanat Ansbach, No. 45, Jahresbericht 1818 and 1820.

Forcefully separating this couple, after they have lived together for such a long time, could bring devastating consequences; considering that the deceased father of Miss Weiss spent time in a lunatic asylum.<sup>93</sup>

The pastor apparently thought the pressures of single motherhood were taking their toll.

#### A WEDDING AT LAST

On 28 November 1821 Leonhard, a thirty-two-year-old peasant laborer, approached the Royal District Court in Ansbach to beg final permission to marry. Margaretha, eight months pregnant, may have accompanied him to the chancellery and waited anxiously in the street outside. After reading the statement from the Schalkhausen council, the judge announced that Leonhard could become a resident in Neudorf and he and Margaretha could marry “without further interference.”<sup>94</sup> Their ten-year wait for permission to marry was over.<sup>95</sup>

On Sunday 9 December 1821 Leonhard and Margaretha married in Schalkhausen’s old Lutheran church. Pastor Dubois conducted the ceremony. The brief church record gives no hint of the years of tedious hearings, summons, letters, legal red tape, or quarrels between villages. Nor does it reflect the couple’s and children’s joyful relief to be a family at last. The church entry simply states that Leonhard Büttner, “the new resident and day laborer in Neudorf, without rights of citizenship,” married Anna Margaretha Weiss.<sup>96</sup> Ten days after the wedding their third child was born.<sup>97</sup>

For ten years Leonhard and Margaretha’s deliberate choice to live together unmarried and have children defied community leaders. It challenged their right to sanction marriage and mocked the town’s power and strength. What social reformers strove to do from above, by broadening privilege to include a larger portion of the populace, Leonhard and Margaretha did from below, by usurping the rights denied them of sexual expression and family life. Their choices announced their belief that the village’s upper strata were ineffective, outmoded, and irrelevant. By marrying, Leonhard and Margaretha won their battle.

#### A NEW RESPONSE TO MARRIAGE RESTRICTIONS

Leonhard and Margaretha lived together in Neudorf for twenty more years and became parents of seven children. In 1830, after another protracted battle with

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93. Ansbach BA, Ansässigmachungs., Serie 1, No. 85, Jahr 1821, Protokoll 345, 6 October, letter; translated by Marion Wolfert.

94. *Ibid.*, 28 November, marriage contract.

95. The couple became engaged nine years earlier. They had probably wanted to marry from the time of their first child’s conception the preceding year.

96. Evangelische Kirche (Schalkhausen), Band 9:11, No. 5.

97. *Ibid.* 9:74, No. 29.

the village council, Leonhard built a cottage just outside town.<sup>98</sup> Margaretha died in 1840.<sup>99</sup> Two years later Leonhard married Sabina Margarethe Mohr. Again he had to fight with the town council and appeal to the district court for permission to marry and obtain residency for Sabina and her illegitimate children.<sup>100</sup>

Leonhard died of pneumonia in his home in Neudorf on 4 January 1849.<sup>101</sup> His small house passed to his oldest son.<sup>102</sup> The next year Schalkhausen granted his oldest son, Johann Georg, permission to marry and take his father's slot in the village. His wife Anna Barbara had a ten-year-old illegitimate son with another father.<sup>103</sup> In 1852 Georg and his wife had twins, but both died at two days.<sup>104</sup> They had no other children. Thirty years later, in the 1880s, his wife's illegitimate son inherited Leonhard's house and farmland.<sup>105</sup> But many years earlier Leonhard's other children had found a new solution to the problem of German marriage restrictions. In the 1850s Leonhard's three younger sons emigrated to America, where marriage choice was nobody's business but theirs.<sup>106</sup>

#### ANOTHER GENERATION AND THE DECISION TO LEAVE GERMANY

The difficulty Leonhard and Margaritha's second son, Johann Christoph Büttner, would have had marrying in Germany probably influenced his decision to emigrate to America. The village of Neudorf likely would never have allowed Leonhard's second son to marry.<sup>107</sup> His older brother would get the only marriage the town would allot the family. No other community would let him marry without substantial resources or land. His confirmation in 1830 at age thirteen in Schalkhausen's parish church is his last European record.<sup>108</sup> His low social

98. Amtsgericht Ansbach [district court of Ansbach], Kaufbriefe Protokoll [records of bills of sale], 1829–30, No. 605, Band 2.

99. Evangelische Kirche (Schalkhausen), 9:302, No. 16.

100. Ansbach BA, Ansässigmachungs., Serie 2, 1840–1862, Büttner–Mohr, Protokoll No. 9, Jahr 1841–1842, Suppl. Rep. 47; FHL microfilm 1,633,947.

101. Evangelische Kirche (Schalkhausen), Band 9:326, No. 1.

102. Ansbach Landgericht [Ansbach district court], Hypotheken-Protocoll [estate records], Band 3, No. 98, pp. 258–9; also, Band 8, No. 99, pp. 169–70; StANAL.

103. Ansbach BA, Ansässigmachungs., Serie 2, Büttner–Nölp, Protokoll No. 258, Jahr 1849–1850, Protokoll 892; FHL microfilm 1,646,314.

104. Evangelische Kirche (Schalkhausen), Band 12, arranged by date, 17 August 1852.

105. Ansbach Landgericht, Hypotheken Protocoll, Band 8, No. 99, pp. 169–70.

106. Record of Christoph Büttner's immigration into New York has not been located, but he is documented in the United States (see below). The two younger brothers immigrated together. See *Passenger Lists of Vessels Arriving at New York, 1820–1897*, microfilm publication M237, 675 rolls (Washington, D.C.: National Archives and Records Service, 1962), roll 187, chronologically arranged, SS *New York*, 28 August 1858, passenger manifest, 4th p., nos. 171 and 173, Joh: Mart: Büttner and Joach[im] Büttner.

107. Reinhard Heydenreuter, "Landesherrliche Ehebeschränkungen im Herzogtum, Kurfürstentum und Königreich Bayern" [state marriage restrictions in the Duchy, Electorate and Kingdom of Bavaria], *Archiv für Familiengeschichtsforschung* [Archive for Family History Research] 3 (September 1997): 177–89.

108. Evangelische Kirche (Schalkhausen), Band 10, unpaginated, 1830, entry 2.

standing, the area's lack of industry, the tight land market, and strict rules about joining trade guilds greatly limited his options. He had no rights, no job, no land, and no prospects. America offered him all these things. By 1841 he had left the Ansbach area.<sup>109</sup> By the early 1850s he was in New York City.<sup>110</sup>

In 1854 he met and married Anna Maria Bader. They lived in tenements in Manhattan's squalid eleventh ward, teeming with twenty thousand other German-speaking immigrants.<sup>111</sup> In 1855 Christoph renounced his allegiance to the King of Bavaria and began the naturalization process.<sup>112</sup>

At the first call for Civil War volunteers he enlisted in the Union Army for a three-year term. His wife reported, "He left me at home with four children the oldest of which was seven years and the youngest six months—I worked to support my children while my husband was in the service of his country washing for families."<sup>113</sup> Christoph was wounded on 30 June 1862 at the battle of Malvern Hill, where he fell from his horse. Discharged because of his injuries, he never was well again.<sup>114</sup> About 1875 the family moved from Manhattan to East New York on Long Island, where Christoph died two years later from complications of his injuries.<sup>115</sup>

109. Christoph is not mentioned in his parents' estate settlements. See Ansbach Landgericht, Hypotheken Protocoll, Band 3, No. 98, pp. 258–59; also, Band 8, No. 99, pp. 169–70; StANAL.

110. His children's New York baptismal records give his Neudorf birthplace. See Trinity Lower East Side Lutheran Parish (New York, N.Y.), Church Records, vol. 2, 1864–1873, p. 57, nos. 214–15, baptisms of Emilie and Wilhelm Büttner, 5 December 1866; and p. 61, nos. 9–12, baptisms of Marie Louise, Lina, Fridrick [sic], and Marie Büttner, 13 January 1867; Parish Office, New York; FHL microfilm 2,079,139, item 4. Also, his Civil War enlistment papers give his birthplace as "Anspach." See "To all whom it may Concern," 22 November 1862, in Marie Buettner, widow's pension application no. 239859, certificate no. 423647; service of John C. Buettner (29th Independent Battery, N.Y. Light Artillery, Civil War); Case Files of Approved Pension Applications . . . , 1861–1934; Civil War and Later Pension Files; Department of Veterans Affairs, Record Group (RG) 15; National Archives (NA), Washington D.C.

111. St. Mark's Lutheran Church (New York, N.Y.), original marriage certificate, Büttner-Bader, 18 June 1854, in Marie Buettner, widow's pension no. 423647, Civil War, RG 15, NA–Washington. St. Mark's records are not available for research. Also, Robert Ernst, *Immigrant Life in New York City, 1825–1863* (1949; reprint, Syracuse: Syracuse University Press, 1994), 37–60. Also, Jay P. Dolan, "Immigrants in the City: New York's Irish and German Catholics," *Church History* 41: 354.

112. New York Court of Common Pleas (New York County), Naturalization Records, 1792–1906, case 70, John C Büttner naturalization, 1855; New York City Municipal Archives (NYCMA); FHL microfilm 964,697. The petition does not show when he entered the country.

113. Marie Büttner, "General Affidavit," 13 September 1895, Marie Buettner, in widow's pension no. 423647, Civil War, RG 15, NA–Washington.

114. "Certificate of Disability for Discharge," 22 November 1862, in compiled service record, John C. Buettner, Pvt., Battery A, 1st Battalion, 29th Independent Battery, New York Light Artillery; Carded Records, Volunteer Organizations, Civil War; Records of the Adjutant General's Office, 1780s–1917, RG 94; NA–Washington.

115. New Lots Board of Health, A transcript from the Record of Deaths, 19 April 1878, John C. Buttner, in Marie Buettner, widow's pension no. 423647, Civil War, RG 15, NA–Washington.

Christoph applied unsuccessfully for a Civil War pension. Twenty years later his widow hired an attorney who helped her get a pension for his service. She worked as a washer woman and a cook to support herself and died penniless in Brooklyn in 1909.<sup>116</sup>

## GENEALOGICAL SUMMARY

### *First Generation*

1. **Johann Michael<sup>B</sup> Büttner** (Georg Christoph<sup>C</sup>, Michael<sup>D</sup>), born 9 April 1742 in Eyb, a village in the principality of Brandenburg–Ansbach in the loose confederation of the Holy Roman Empire of German States (now Mittelfranken, Bavaria, Germany).<sup>117</sup> He was the son of Georg Christoph and Anna Margaretha (Herzog) Büttner.<sup>118</sup> Michael died 5 August 1804 in Schmalach, also in Ansbach.<sup>119</sup> He married at age thirty-five 27 January 1778 at Eyb, **Anna Eva Braun**, daughter of Johann Georg and Eva Dorothea (Baumgartner) Braun.<sup>120</sup> Anna Eva was born 28 October 1747 in Hechelbach, in the commandery of Virnsberg (also now in Mittelfranken),<sup>121</sup> and died 25 June 1800 in Gebersdorf, Ansbach.<sup>122</sup> (Unless otherwise stated, all events occurred in today's Mittelfranken.)

Johann Michael and Anna Eva had three sons:<sup>123</sup>

- + 2 i. JOHANN MICHAEL<sup>A</sup> BÜTTNER, born 2 August 1782, Meinhardswinden; died 4 September 1864, Lehrberg.<sup>124</sup>
- 3 ii. JOHANN CHRISTOPH BÜTTNER, born 30 November 1784, Meinhardswinden; died of typhus, 6 March 1823, in the city of Ansbach. A journeyman weaver, he did not marry.<sup>125</sup>

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116. Büttner, "General Affidavit," 13 September 1895, in Marie Buettner, widow's pension no. 423647, Civil War, RG 15, NA–Washington. For her death, see New York Department of Health, Brooklyn death certificate no. 7283 (1909), Mary Bittner; NYCMA; FHL microfilm 1,234,187.

117. For birth and parentage of Michael<sup>A</sup>, see Evangelische Kirche (Eyb), Band 2, fol. 152v, No. 8. For parentage of Michael<sup>B</sup>, see *ibid.*, Band 2, fol. 53v, Büttner-Herzog marriage, 1731.

118. *Ibid.*

119. Evangelische Kirche (Wernsbach), Kirchenbücher, Band 5, chronologically arranged, 5 August 1804.

120. Evangelische Kirche (Eyb), Band 2, fol. 92v.

121. Evangelische Kirche in das Katholische Pfarramt Sondernohe (Unteraltenbernheim), Band 1:39.

122. Evangelische Kirche (Weihenzell), Kirchenbücher, Band 11:213, No. 12; Signatur 385–89.

123. The births are recorded in St. Johannis Evangelische Kirche (Ansbach), Kirchenbücher, Band 15, male baptisms (1782), No. 102; (1784), No. 192; and Band 16, male baptisms (1789), No. 97.

124. Evangelische Kirche (Lehrberg), Kirchenbücher, Band 43:394, No. 37; parish office, Lehrberg.

125. St. Johannis Evangelische Kirche (Ansbach), Band 53:179, No. 38.

- + 4 iii. JOHANN LEONHARD BÜTTNER, born 22 March 1789, Hennenbach; died 4 January 1849, Neudorf.<sup>126</sup>

*Second and Third Generations*

**2. Johann Michael<sup>A</sup> Büttner** (Johann Michael<sup>B</sup>, Georg Christoph<sup>C</sup>, Michael<sup>D</sup>), born 2 August 1782 in Meinhardswinden;<sup>127</sup> died 4 September 1864 in Lehrberg.<sup>128</sup> After waiting twenty years for his future father-in-law's slot in the weaver's guild,<sup>129</sup> Michael married at age fifty-two, 11 January 1835, in Lehrberg, **Anna Rosina Meyerhöfer**, daughter of Johann Michael and Anna Christina (Hufnagel) Meyerhöfer.<sup>130</sup> Rosina was born 18 September 1806 in Eyb;<sup>131</sup> and died 8 March 1851 in Lehrberg.<sup>132</sup>

Johann Michael and Anna Rosina had four children born in Lehrberg:<sup>133</sup>

- 5 i. JOHANN LEONHARDT<sup>a</sup> BÜTTNER, born 19 October 1835; died 9 December 1889, Lehrberg. He married 18 February 1873 in Lehrberg, Maria Barbara Körber,<sup>134</sup> daughter of Johann Martin and Anna Sabina (Büttner) Körber. She was born 1 November 1845, Oberdachstetten;<sup>135</sup> died 8 February 1885, Lehrberg.<sup>136</sup>
- 6 ii. ANNA KATHARINA BÜTTNER, born 14 December 1837; died 15 March 1903, Lehrberg. Katharina, with three men, had children out of wedlock in 1866, 1870, and 1879.<sup>137</sup> Permission for her to marry any of the men was unlikely because they were poor with no land, residency rights, or savings.<sup>138</sup> Village records refer to her children with disdain.<sup>139</sup>

126. Evangelische Kirche (Schalkhausen), Band 9:326, No. 1.

127. St. Johannis Evangelische Kirche (Ansbach), Band 15, male baptisms (1782), No. 102.

128. Evangelische Kirche (Lehrberg), Band 43:394, No. 37.

129. Ansbach BA, Ansässigmachungs., Serie 3, 1818–1840, Büttner-Meyerhöfer marriage, No. 188, Jahr 1834–35, Protokoll No. 1531, Suppl. Reg. No. 9; StANAL; FHL microfilm 1,633,230.

130. Evangelische Kirche (Lehrberg), Band 6:91, No. 1/2 [unexplained dual numbering].

131. Tobias Brenner, Brenner Collection of Genealogical Records, alphabetically arranged, Büttner, Joh. Mich.–Meyerhöfer, Anna Rosina family sheet; StAA; FHL microfilm 541,880.

132. Evangelische Kirche (Lehrberg), Band 7:83–84, No. 15.

133. The births are recorded in Evangelische Kirche (Lehrberg), Bande 10:257, No. 57/4; 10:298, No. 48/6; 11:45, No. 4/14; 11:79, No. 4. The first three children's death dates are in their baptismal records' margins.

134. *Ibid.*, Band 7:10, No. 8.

135. Brenner, Brenner Collection, Körber, Joh. Mart.–Büttner, A. Sabina family sheet; FHL microfilm 542,039.

136. Evangelische Kirche (Lehrberg), duplicate death register, 1870–1890, unpaginated, no. 8.

137. *Ibid.*, Band 12:97, no. 75; 12:145, No. 56; and 12:249, No. 63.

138. Königliche Bayern Landsgericht Ansbach [royal Bavaria district court of Ansbach], Pflugschaftakten [guardianship files], "Akten betreffend die Pflugschaft über [documents relating to the guardianship of] Büttner, Anna Margaretha," 1866/67, No. 56 and "Akten betressend die Pflugschaft über [documents relating to the guardianship of] Büttner, Johann Leonhard," 1870, No. 223; StANAL.

139. Evangelische Kirche (Lehrberg), confirmation book, 1852–1887, unpaginated, 1880, no. 30, Anna Marg. Büttner.

- 7 iii. MARIA (OR ANNA) APOLLONIA BÜTTNER, born 20 January 1842; died 29 January 1842.
- 8 iv. ANNA MARGARETHA BÜTTNER, born 20 January 1844; died 11 March 1904, Schalkhausen.<sup>140</sup> Margaretha married 2 March 1873 in Schalkhausen, Georg Friedrich Steinmetz, son of Anna Maria Steinmetz.<sup>141</sup> Born 2 November 1842 in Schalkhausen, he died there 21 November 1908.<sup>142</sup>

**4. Johann Leonhard<sup>A</sup> Büttner** (Johann Michael<sup>B</sup>, Georg Christoph<sup>C</sup>, Michael<sup>D</sup>), born 22 March 1789 in Hennenbach;<sup>143</sup> died 4 January 1849 in Neudorf.<sup>144</sup> After a ten-year battle for marriage, Leonhard married 9 December 1821 in Schalkhausen (1) **Anna Margaretha Weiss**, daughter of Johann Wolfgang and Anna Sabina Margaretha (Bader) Weiss.<sup>145</sup> She was born 8 September 1789 in Neudorf<sup>146</sup> and died there 8 December 1840.<sup>147</sup> Leonhard married 19 June 1842 in Schalkhausen (2) **Sabina Margarethe Mohr**, daughter of Johann Adam and Margaretha Barbara (Siller) Mohr.<sup>148</sup> Sabina was born 26 August 1792 in Hinterholz<sup>149</sup> and died 8 August 1856 in Schalkhausen.<sup>150</sup> Sabina had two children out of wedlock fifteen years before she married Leonhard.<sup>151</sup>

Johann Leonhard and Anna Margaretha's seven children were born in Neudorf:<sup>152</sup>

- 9 i. JOHANN GEORG<sup>a</sup> BÜTTNER, born 23 June 1812; died 13 May 1893, Neudorf.<sup>153</sup> Georg married 17 July 1850 in Schalkhausen, Anna Barbara Nölp.<sup>154</sup>

140. Brenner, Brenner Collection, Steinmetz, Gg. Friedr. family sheet; FHL microfilm 542,309.  
 141. Ansbach BA, Ansässigmachungs., Serie 3, 1863–1915, Steinmetz-Büttner marriage, Protokoll No. 36, Jahr 1873; FHL microfilm 1,646,642. Also, Evangelische Kirche (Schalkhausen), Band 11, 1873, No. 2.

142. Brenner, Brenner Collection, Steinmetz, Gg. Friedr. family sheet.

143. St. Johannis Evangelische Kirche (Ansbach), Band 16, male baptisms (1789), no. 97.

144. Evangelische Kirche (Schalkhausen), Band 9:326, No. 1.

145. *Ibid.*, 9:11, no. 5.

146. *Ibid.*, 7:175, no. 13.

147. *Ibid.*, 9:302, no. 16.

148. Ansbach BA, Ansässigmachungs., Serie 2, Protokoll No. 9, Jahr 1841–1842, Suppl. Rep. 47.

149. Evangelische Kirche (Neunkirchen bei Leutersausen), Kirchenbücher, Band 3:132; Signatur 397–3, LkAAK.

150. Brenner, Brenner Collection, Büttner, Johann Leonhard–Mohr, Sabina Marg. family sheet; FHL microfilm 541,880.

151. Brenner, Brenner Collection, Riegel, Joh. Paul Mohr–Sab. Mg. Mohr; FHL microfilm 541,880. Also, *ibid.*, Morh, Sab. Mg. family sheet; FHL microfilm 541,947.

152. For the seven children's baptisms, see Evangelische Kirche (Schalkhausen), Bande 8:147, No. 8; and 9:52, No. 17; 9:74, No. 29; 9:82, No. 11; 9:90, No. 11; 9:104, No. 8; and 9:119, No. 12.

153. *Ibid.*, Band 12:145, No. 7.

154. Evangelische Kirche (Schalkhausen), Band 10:13, No. 5.

- Daughter of Michael and Margaretha Barbara (Knörr) Nölp, she was born 15 February 1809, Petersdorf;<sup>155</sup> died 17 August 1885, Neudorf.<sup>156</sup>
- 10 ii. JOHANN CHRISTOPH<sup>a-1</sup> BÜTTNER, born 11 July 1816; died 20 July 1877, East New York, New York.<sup>157</sup> Christoph married 18 June 1854 in New York City, Anna Maria Bader, daughter of Johann Ludwig and Maria Anne (Schweizer) Bader.<sup>158</sup> Maria was born 30 December 1835 in Oberhausen, in the *Oberamt* of Reutlingen, Kingdom of Württemberg;<sup>159</sup> died 14 April 1909, in Brooklyn, New York.<sup>160</sup>
- 11 iii. ANNA BARBARA<sup>a</sup> BÜTTNER, born 20 December 1821; died before 1889.<sup>161</sup> Barbara had a son out of wedlock in 1849. She may have wanted to marry the child's father but was denied permission. Barbara married on 26 December 1857 in Ansbach, Johann Martin Beck, son of Michael and Maria (Müller) Beck.<sup>162</sup> Born 13 March 1825, Ansbach, he was legitimized when his parents were allowed to wed.<sup>163</sup> He died in Ansbach 2 February 1868.<sup>164</sup> The Ansbach city council strongly opposed Martin's marriage to Barbara, but after two appeals the district court overturned the council and permitted the wedding.<sup>165</sup>
- 12 iv. JOHANN MICHAEL<sup>a-1</sup> BÜTTNER, born 8 August 1824; died 8 September 1865 in a New York City boiler explosion.<sup>166</sup> Michael married about 1858, Eva Dorothea Lanzendorfer, daughter of Johann and Kunigunde (Hubner)

155. Ibid.

156. Ibid., Band 12:119, No. 14.

157. New Lots Board of Health, A transcript from the Record of Deaths, 19 April 1878, John C. Buttner, in Marie Buettner, widow's pension no. 423647, Civil War, RG 15, NA–Washington.

158. St. Mark's Lutheran Church, original marriage certificate, Büttner-Bader, 18 June 1854, in Marie Buettner, widow's pension no. 423647, Civil War (RG) 15, NA–Washington.

159. Evangelische Kirche (Unterhausen), Kirchenbücher, Band 18:43, Johann Ludwig Bader Familienbuch [family book]; Hauptstaatsarchiv [main state archives], Stuttgart; FHL microfilm 1,569,155.

160. New York Department of Health, Brooklyn death certificate no. 7283 (1909), Mary Bittner.

161. She died before son Johann Beck married in 1889; Brenner, Brenner Collection, Beck, Johannes– Augermeier, Karol family sheet; FHL microfilm 541,833.

162. St. Gumbertus Evangelische Kirche (Ansbach), Kirchenbücher, Band 15, B, unpaginated, No. 50, Beck-Büttner marriage, 26 December 1857; StAA; FHL microfilm 1,732,748.

163. Ibid., Band 59:576, No. 27, Johann Martin Muller baptism (1825); FHL microfilm 1,732,746.

164. Ibid., Band 91, unpaginated, 1868, No. 20, Johann Martin Beck death; FHL microfilm 1,732,749.

165. Magistrates der Königlich Bayerische Mittelfränkischen Hauptstadt (Ansbach) [Magistrate of the royal Bavarian capital city (Ansbach)], “Anseassigmachungs und Verehelichungsgesuch des Maurergesellen Martin Beck von hier [residency and marriage permission for the journeyman mason Martin Beck from here] 1854”; collection AB 796 ; StAA.

166. New York City Department of Health, Manhattan Register of Deaths, 1795–1865, liber 42, chronologically arranged, John Buttner, 8 November 1865; NYCMA; FHL microfilm 447,568.

- Lanzendorfer.<sup>167</sup> She was born 4 April 1830, Melkendorf, Oberfranken, Kingdom of Bavaria;<sup>168</sup> died 19 September 1905, Brooklyn, New York.<sup>169</sup>
- 13 v. ANNA MARGARETHA<sup>a</sup> BÜTTNER, born 29 September 1825. She had an illegitimate daughter on 5 December 1852, who died six days later.<sup>170</sup>
- 14 vi. JOHANN<sup>a-1</sup> "FRIEDRICK" BÜTTNER, born 13 March 1828; died 14 November 1878, New York City.<sup>171</sup> Johann married in 1858, Margaretha Louisa Karoline Popp, daughter of Johann Georg and Ursula (Hein) Popp.<sup>172</sup> She was born 13 July 1837, Knetzgau, Unterfranken, Kingdom of Bavaria;<sup>173</sup> died 27 November 1900, New York City.<sup>174</sup>
- 15 vii. ELISABETHA DOROTHEA<sup>a-1</sup> BÜTTNER, born 18 August 1831, Schalkhausen.<sup>175</sup> In 1860, still single at twenty-nine, she was godmother for her niece, Magdalena Lisetta Beck (daughter of her sister Anna Barbara) in Ansbach.<sup>176</sup>

## CONCLUSION

The Büttners' experience provides insight into the meaning of marriage in one rural Germanic area. For farmers and guildsmen at the top of the social structure, marriage was a right guaranteed by wealth and power. Marriage for them frequently was an impersonal economic arrangement, a merger to unite adjacent landholdings. Romance in marriage was rarely considered.<sup>177</sup> This social

167. The couple arrived together in August 1858 in America, where the maiden name suggests they were unmarried. They probably married before their daughter Margaret was born in January 1859. See *Passenger Lists of Vessels Arriving at New York, 1820–1897*, roll 187, chronologically arranged, SS *New York*, 28 August 1858, passenger manifest, 4th p., nos. 171–74, Joh: Mart: Büttner and Doris Lanzendorfer.

168. Evangelische Kirche (Melkendorf), Kirchenbücher, Band 8:46, No. 19; Signatur 174-6, LkAAK.

169. New York City Department of Health, Brooklyn death certificate no. 1791, Dorothea Schmidt (1905); NYCMA; FHL microfilm 1,324,108.

170. Evangelische Kirche (Schalkhausen), Band 10:15, No. 3.

171. New York City Department of Health, Manhattan Death Certificates, 1866–1919, no. 305108, John Buettner (1878); NYCMA; FHL microfilm 1,322,574.

172. The couple arrived together in August 1858 on the same ship with the next older brother and his future wife, where the maiden name suggests they were unmarried. As America had no marriage restrictions it is assumed they married before their son John was born in December 1859. See *Passenger Lists of Vessels Arriving at New York, 1820–1897*, roll 187, chronologically arranged, SS *New York*, 28 August 1858, passenger manifest, 4th p., nos. 172–73, Maria Popp and Joach[im] Büttner.

173. Katholische Kirche (Knetzgau), Kirchenbücher, Taufen [baptisms], 1837, p. 89; Diozesanarchiv Würzburg [Würzburg diocesan archive].

174. New York City Department of Health, Manhattan Death Certificates, 1866–1919, certificate no. 35942 (1900), Margarethe Young; FHL microfilm 1,322,983.

175. Evangelische Kirche (Schalkhausen), Band 9:119, No. 12.

176. St. Gumbertus Evangelische Kirche (Ansbach), Band 4, unpaginated, 1860, No. 19; FHL microfilm 1,732,747.

177. Historical debate about affection in marriage is extensive. The best historiography is Jeffrey R. Watt, *The Making of Modern Marriage: Matrimonial Control and the Rise of Sentiment in Neuschâtel, 1550–1800* (Ithaca: Cornell University Press, 1992), 1–2.

group rarely had children out of wedlock.<sup>178</sup> They also rarely chose to emigrate.<sup>179</sup>

Leonhard and Margaretha lived in a different world in the same villages as their neighbors with higher status. Marriage for this couple seems to have meant dedication to a union and the children of that union, despite opposition. A relationship existed between Leonhard and Margaretha a decade before church rites formalized it, sanctioning their intimate bond. For ten years Leonhard and Margaretha wanted to marry. Perhaps in the end, it was a victory of love. Decisions to have children out of wedlock were as varied as the parents who conceived them, but poverty and glass social ceilings often limited their options.

Lack of basic rights often plays a role in decisions to emigrate. Life in Europe was rife with limits. Marriage restrictions, common in Germany, and particularly onerous in Bavaria, were only one area where freedoms were denied. Laws or culture restricted movement, occupation, residency, access to land, and social advancement. America's boundless options enticed many. Europeans between the 1840s and 1890s deluged America's shores with hundreds of thousands of men and women eager for America's promises. For many of them, the decisions to migrate were affected by complex "push and pull" influences. Perhaps for most the biggest "pull" was that America truly was a land of freedom and opportunity.

Three generations of the Büttner family struggled to make a living, fought to get a legal marriage, chose to have children out of wedlock, and decided to come to America. Complex circumstances influenced their actions. Scrutinizing lives like theirs yields a comprehensive picture of a time and place. This micro-history provides evidence for rethinking macro-historical assumptions regarding illegitimacy and emigration and to view them as outcomes of self-determination and defiance.

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178. Phayer, *Sexual Liberation and Religion*, 34–47.

179. This is more true in areas like Mittlefranken, where inheritance was impartible, than in, say, Baden or Württemberg, where every generation inherited less farmland.