152. April 19, 1711. Memorandum from Runckel, writing as Secretary engaged by the States General, to the Council of Bern, in which he shows in eleven articles what difficulties exist. As a result, the Bernese Mennonites have not yet reported and shrink back from their departure, specifically for these reasons: the preachers and deacons are excluded from the amnesty; the sentence of banishment against Daniel Rychen has not been suspended; the division of property and possible rights of inheritance between those who depart and those who remain in the land are not made clear; and whether the children can go along with departing parents or must remain behind is not determined, etc. A copy is given of the decision of the Council of Bern of April 19 and May 13, 1711, answering Runckel’s articles, mostly in a favorable sense, with a further excerpt of May 13, 1711, containing the provisions about the 6th and 9th articles (rights of inheritance and provision about children going along). The intended meaning of these writings is obscure in several places.

[page 1]

Copy[[1]](#footnote-1)

Highly respected, mighty, etc., etc.

Since the longer it goes, the nearer the designated time approaches for the departure of the Anabaptists living here. Accordingly, it would be needful to facilitate and advance this removal, as much as possible, to clear away, so far as can be done, the difficulties arising in the execution of the

Anabaptist mandate issued recently by your excellencies and my highly respected and highly honored Lords, upon the intercession of the High and Mighty Lords of the States General of the United Netherlands and his royal Majesty of Prussia. Then the very important affair of the said sovereign powers as well as of the illustrious Canton, according to whose quite praiseworthy intention, may reach its complete and desired conclusion in days to come.

Since the Secretary, signed below, of the highly honored, High and Mighty Lords of the States General considers it his compelling duty to reveal such difficulties to your excellencies and my highly honored Lords in befitting respect herewith, and conjointly in the name of his most gracious Lordship,[[2]](#footnote-2) [I, the Secretary] should most obediently ask, in turn, for the arrangements, explanations, and remedies most condescendingly [to be given].

Such difficulties consist of the following points:

1.) That since the section incorporated in the second article of the recently published Mandate concerns preachers and bearers of testimony, which frightens most Anabaptists, both those who are out of the country and those in the country, and accordingly hinders them from appearing openly, may it be pleasing to the illustrious Canton most condescendingly to modify such a section and afterwards communicate favorable instructions to its gentlemen officials.

2.) The Secretary, signed below, stands in exceptional need of Daniel Rychen, by name, from Frutigen, for carrying out this affair [page 2] and accordingly with whom he can dispense, even as little as with his right arm, and even more since the said Rychen has the instruction from Holland to be on hand, also to supply needed money in carrying out the whole project, etc. Consequently, would the illustrious Canton graciously condescend to include this man specifically in the mentioned modification, in case, contrary to better suppositions, he should not be permitted to enter the country?

3.) That it would be pleasing to the illustrious Canton most generously to communicate to those Anabaptists who are scattered here and there in the land and mostly still in hiding, what absolutely pressing need requires, [that is,] that they explain to persons remaining the various matters yet further in the name of the one signed below [and] inquire as to the actual number of them [and] prepare the needed lists or registers of them so that the arrangement for the ships and other requirements might be made.

That they most earnestly admonish the Anabaptists that they make themselves ready and prepared for departure; [and that] then those Anabaptists who personally may not set foot in the country, may recall debts owed to them, may draw on hidden or concealed means, and make them known according to governmental mandate, may adjust remaining matters, and may put into operation whatever else can serve for attaining the goal of this entire affair. The required letters of recommendation are to be issued publicly to the gentlemen officials of the government, and also, if it is found necessary, addressed to the gentlemen of the clergy.

4.) That the illustrious Canton would be pleased most graciously to establish that the means and money do belong to those preachers, bearers of testimony, and other Anabaptists, men and women (who according to the government mandate may not personally enter the country, yet may obtain their possessions through others). So [such possessions] have not yet been judicially awarded in reality to the [civil] community and possession of the state church, but have only been deposited with them [page 3] [or] also otherwise might be sheltered with other private individuals secretly, and shall be handed over and delivered without refusal to the said authorities.

5.) That the illustrious Canton would kindly explain and discuss how to proceed in the matter of divided marriages when the Reformed spouse does not want to go with the Anabaptist, and also how such marriage partners should divide their possessions with each other.

6.) Similarly, how the departing Anabaptist parents are to share with their Reformed children who want to remain in the country; also how to

proceed in the matter of future inheritance of those Anabaptists whose parents remain in the country and cannot or do not want to give up their inheritance to their departing children now.

7.) And then how to understand in the case of those Reformed bachelors and unmarried daughters who come to their adulthood and no longer have parents, and [yet want] to go with their Anabaptist brothers and sisters and want to take along their possessions as well as their local and citizen rights,[[3]](#footnote-3) but would be prevented by their relatives.

8.) And then how the illustrious Canton might wish to proceed in the matter of those possessions which the Bernese Anabaptists settled in Montbéliard,[[4]](#footnote-4) Alsace, Sundgau, and the Palatinate have still hidden or existing in the country in order that these people have no more reason to come into the land in the future.

9.) That the very laudable government would kindly grant that those Anabaptist children, who are yet below the age of discretion and scarcely know the difference between black and white, [and] therefore have neither will nor choice, according to divine and natural rights as well as all justice, might be handed over to their natural parents along with the possessions of the children and their local and citizen rights.

[page 4]

10.) That in the matter of those Reformed persons, who up till now have helped to conceal Anabaptist possessions and are now afraid, not without cause, that they might be viewed askance or even punished for that by the lofty [central] government or by the [local] gentlemen officials, [such persons] now will not reveal this by word, much less come with the Anabaptist possessions in hand [unless] the very laudable government would be pleased most kindly to establish (open to correction) that these people specifically would be left unchallenged about past actions. But in the future, if and when they would undertake something of the same sort, they will be harshly punished.

11.) And finally, that the illustrious government as soon as possible might direct their very wise thoughts to all the above points and compose their sentiments about them. Then they could most kindly reply, not only to all

the gentlemen officials, under whose jurisdiction the Anabaptists or the Anabaptists’ possessions exist, as the case is, and explain the last mandate, but also would deign condescendingly to communicate to the one signed below, for his information, in a written answer, point by point.

If, apart from all the whole [proposal] of the one signed below, nothing is aimed at other than that the guiding, highly praiseworthy intention of both the High and Mighty Lords and his gracious Lordship and the illustrious Canton that the third point may be achieved so much easier, sooner, surer, and better.[[5]](#footnote-5) Accordingly so much more and earlier a gracious compliance will be expected of such persons and maintained in the meanwhile in all proper respect.

Highly honored, mighty, etc.,

Your Lordships’

Most devoted servant,

Bern, the 19th of April 1711

[page 5]

Copy. Resolution [of Council]

Whereas their High and Mighty Lords’ Secretary, Mr. Runckel, requires some clarification about the Resolution[[6]](#footnote-6) presented to him, dated January 28, by his last submitted memorandum on April 19 concerning the emigration of the local Anabaptists and the release of their possessions: My honored Sirs, according to the expressed report, taking that there is agreement for the most part with it, [we] wish to forward to him, Mr. Secretary, the present action and clarify ourselves by it.

1.) So far as concerns the first point of the indicated memorandum about the admission and opening the country to the Anabaptists, preachers, and bearers of testimony, [we] wish to grant, honored Sirs, that, instead of their readmission, the governmental circular be read and enjoined to their gracious higher officials and subordinates, where the said Anabaptists or their possessions are located, to gather information in their districts. [They

are] to report to my honored Sir, what persons are in their districts, equally be they Anabaptists or not, but having acquaintance with the Anabaptists and their possessions, who could be helpful to him, Mr. Runckel, in this affair, for the settlement of these Anabaptist matters, and the same might be provided with open letters [of freedom].

2.) And further, Mr. Runckel in the second point presents the banished Anabaptist, Daniel Rychen from Frutingen, as a person indispensable to him for accomplishment of the affair of the planned emigration of the Anabaptists, and with that promises that he would cause no trouble. My honored Sirs have granted and conceded that he remain in the land until the near approaching emigration of the remaining Anabaptists on July 1 will occur; he will give a hand to Mr. Runckel; however the same [page 6] preventive measures will be taken for him as for the released Anabaptists.

3.) Now how Mr. Runckel in the third point requires nothing other than the needed letters of recommendation for hunting up the Anabaptists remaining in the land and their possessions: So may my honored Sirs also in fact grant that Mr. Runckel’s virtuous authorities would provide the requested letters to the gentlemen officials, the completion of which the officials will leave to the highly worthy gentlemen of the Anabaptist Commission.

4.) My honored Sir’s explanation about point 4 states that all those means and possessions of the preachers, of bearers of testimony, of Anabaptists, men or women, which either are assigned to the local communities by command of the government, or in conformity with the governmental decree concerning the Anabaptists, or otherwise, are sequestered for the local community, remain there; however, those effects and possessions in other private hands or hidden shall be given over to them and the same released to their authorities without refusal.

5.) Concerning divided marriages and the resultant separation between wife and children, etc. as point 5 of Mr. Runckel’s memorandum makes report, let it be pleasing to my highly honored Sirs that according to Mr. Runckel’s request and a hoped-for arrangement, when such cases come up, they will

be recognized and judged always according to circumstances of the same, according to law and right, without respect of persons.

6.) With regard to point 6, how specifically and in what case the inheritance rights between the presently emigrating Anabaptists and their relatives remaining here in the country and vice versa are to [page 7] be judged:

Their gracious Lords have given their decision and consent that equally for the Anabaptists moving away and for people remaining here, their reciprocal inheritance rights are not taken away; however, this shall not extend on the one part nor on the other further than the ascending or descending direct lines, but not in collateral lines, except in a case where someone of those emigrating people wishes to surrender to and bequeath possessions to his relatives or relations still living here in the land by testamentary direction, in which case such a testament shall stand in its power and entire contents, and be valid vice versa.

7.) Then in a clarification of point 7 of the often-mentioned memorandum, the intention of my honored Sir is that according to the written mandate various Reformed men and women who have decided to move away with their Anabaptist relations, undertaking this journey with them, shall not be obstructed, in so far as they of their own free will wish to emigrate and, further, are in the age of discretion.

8.) Because the negotiations considered with Mr. Runckel deal only with those Anabaptists traveling from here to Brandenburg or Holland and in no wise with the Anabaptists (and their possessions) who for a considerable time have settled outside our land in Montbéliard, Alsace, Sundgau, and the Palatinate, my highly honored Sirs consider that this has nothing to do the present negotiations.

9.) Concerning point 9, the position with regard to the Anabaptist children, who are under age and whether the children with their possessions [page 8] shall be released to their Anabaptist parents: My honored Sirs have approved that it shall be left to, and liberty granted to, all children without respect to age, who can make their desires understood, to remain in the

country or to go with their parents, but dependent children shall simply be released to their parents.

10.) Finally, then, my honored Sirs have replied also to this [point]: that if Reformed subjects or others, who have helped the Anabaptists to conceal their possessions to the present time, are discovered by gracious officials, they are now fearful that they would be looked at askance or punished because of that, [and thus they do] not dare to come forward by [spoken] admission or with actual possessions. For this reason there will be released, to some gentlemen officials needing it, a decree to the effect that my honored Sirs and their officials are to leave such persons unsolicited and unhindered. For the future, however, if they undertake something of that sort, a harsh punishment has been resolved upon.

This resolution about the said points has been delivered to

Mr. Secretary Runckel from the meeting for the decision on

the requested clarification. Done in the presence of the council,

officials, and citizens the 19th of April and the 13th of May,

1711.

Chancellery of Bern

[page 9]

Copy.

After my honored Sirs and the Higher Council[[7]](#footnote-7) and Citizens had returned for renewed deliberation to some points of the memorandum, which Mr. Secretary Runckel had submitted with the date of last April 19, they render this account to you today. My highly honored and worthy Sirs have addressed point 6 of the said memorandum, as to how specifically and under what circumstances the right of inheritance is to be arranged between the presently emigrating Anabaptists and the relatives remaining here in this country, and vice versa. Regarding this they have given their decision and approval that equally for the Anabaptists moving away and likewise for people remaining here, their reciprocal inheritance rights are not taken away. However, this shall not extend on the one part nor on the other further than

the ascending or descending[[8]](#footnote-8) lines, but not in collateral lines, except in the case that someone of those emigrating people wishes to surrender to and bequeath possessions[[9]](#footnote-9) to his relatives or relations still living here in the land by testamentary direction. In this case such a testament shall stand in its power and entire contents and be valid vice versa.

Concerning point 9 of the said memorandum about how to relate to the Anabaptist children, who are not yet of age, and whether they should be released to their Anabaptist parents with the children’s possessions, [page 10] my honored Sirs and higher officials[[10]](#footnote-10) have approved that it shall be left to, and liberty granted to, all children without respect to age, who can make their desires understood, to remain in the country or to go with their parents, but dependent children shall simply be released to their parents.

This decision concerning the said two points in question will be delivered to Mr. Secretary Runckel herewith from the meeting for decision.

Done in the presence of the 200.[[11]](#footnote-11)

the 13th of May 1711

Chancellery of Bern

1. 152 This exists in a Dutch translation in Vorsterman’s Relaes (A 1392) on pp. 175-177. [↑](#footnote-ref-1)
2. The King of Prussia. [↑](#footnote-ref-2)
3. See Document 98 n. 7. [↑](#footnote-ref-3)
4. Mömpelgard is the German form of Montbéliard, which was ruled by the house of Würtemberg at various times. Meyers Großes Konversations-Lexikon, Sechste Auflage (Leipzig: Bibliographisches Institut, 1906), XIV, 90. [↑](#footnote-ref-4)
5. This paragraph is obscure. Runckel seems to indicate that, according to the intention of the governments of the Netherlands, Prussia, and Bern, the third point pushing for a listing of Anabaptists is of key significance. [↑](#footnote-ref-5)
6. This refers to Document 121. But see also Document 131. [↑](#footnote-ref-6)
7. Furner gives a good discussion of the Great and Small (or “Daily”) Councils of Bern. The Higher Council could refer to the Small Council, which met frequently and handled matters more on a day-to-day basis; but this is not certain. Furner, pp. 18-19. [↑](#footnote-ref-7)
8. Here in this version of 6 the word “direct” is omitted. Otherwise the versions are almost exactly the same. [↑](#footnote-ref-8)
9. A period is omitted here. [↑](#footnote-ref-9)
10. This paragraph is the same as in the previous point 9, except the words “and higher officials” are added here. [↑](#footnote-ref-10)
11. This is the Great Council. [↑](#footnote-ref-11)