

The Augsburg Chalk Circle

In the days of the Thirty Years War a Swiss Protestant by the name of Zingli owned a large tannery and leather business in the free imperial city of Augsburg on the Lech. He was married to an Augsburg woman and had a child by her. As the Catholics marched on the city his friends strongly advised him to flee, but, whether it was that his small family held him back or that he did not want to abandon his tannery, he simply could not make up his mind to leave while there was yet time.

Thus he was still there when the imperial troops stormed the city and, while they plundered it that evening, he hid in a pit in the courtyard where the dyes were stored. His wife was to have moved with the child to her relatives on the outskirts, but she spent too much time packing her belongings – dresses, jewellery and bedding – and so it came about that suddenly she saw from a window on the first storey a squad of imperial soldiers forcing their way into the courtyard. Beside herself with fear, she dropped everything and fled from the place through a back door.

So the child was left behind in the house. It lay in its cradle in the large hall and played with a wooden ball that hung on a string from the ceiling.

Only a young servant-girl was still in the house. She was busy with the copper pots and pans in the kitchen when she heard a noise from the street. Darting to the window she saw soldiers throwing all kinds of loot into the street from the first storey of the house opposite. She ran to the hall and was just about to take the child out of the cradle when she heard the sound of heavy blows on the oaken front door. She was seized by panic and flew up the stairs.

The hall was filled with drunken soldiers, who smashed every-

thing to pieces. They knew they were in a Protestant's house. As though by a miracle Anna, the servant-girl, remained undiscovered throughout the searching and plundering. The soldiers made off and, scrambling out of the cupboard in which she had been standing, Anna found the child in the hall also unharmed. She snatched it up hastily and stole with it into the courtyard. In the meantime night had fallen, but the red glow from a burning house near by lit up the courtyard, and with horror she saw the battered corpse of her master. The soldiers had dragged him from his pit and butchered him.

Only now did the girl realize the danger she ran should she be caught in the street with the Protestant's child. With a heavy heart she laid it back in the cradle, gave it a little milk to drink, rocked it to sleep and made her way towards that part of the city where her married sister lived. At about 10 o'clock at night, accompanied by her sister's husband, she elbowed her way through the throng of soldiers celebrating their victory to go to the outskirts and find Frau Zingli, the mother of the child. They knocked on the door of an imposing house, which, after quite a long while, did open slightly. A little old man, Frau Zingli's uncle, stuck his head out. Anna announced breathlessly that Herr Zingli was dead but the child unharmed in the house. The old man looked at her coldly with fish-like eyes and said his niece was no longer there and he himself washed his hands of the Protestant bastard. With that he shut the door again. As they left, Anna's brother-in-law noticed a curtain move at one of the windows and was convinced that Frau Zingli was there. Apparently she felt no shame in repudiating her child.

Anna and her brother-in-law walked on side by side in silence for a while. Then she declared that she wanted to go back to the tannery and fetch the child. Her brother-in-law, a quiet respectable man, listened to her aghast and tried to talk her out of this dangerous notion. What were these people to her? She had not even been decently treated.

Anna heard him out and promised to do nothing rash. Nevertheless, she must just look in quickly at the tannery to see whether the child needed anything. And she wanted to go alone.

She managed to get her own way. In the midst of the devastated hall the child lay peacefully in its cradle and slept. Wearily Anna sat down by its side and gazed at it. She had not dared to kindle a light, but the nearby house was still burning and by its light she could see the child quite well. It had a tiny mole on its little neck.

When the girl had watched the child breathing and sucking its small fist for some time, maybe an hour, she realized that she had now stayed too long and seen too much to be able to leave without the child. She got to her feet heavily and with slow movements wrapped it in its linen coverlet, tucked it into her arm and left the courtyard with it, looking round furtively like someone with a bad conscience, a thief.

After long consultations with sister and brother-in-law, she took the child to the country two weeks later, to the village of Grossaitingen, where her elder brother was a peasant. The farm belonged to his wife: he had merely married into it. It had been agreed that perhaps it would be best to tell no one but her brother who the child was, for they had never set eyes on the young wife and did not know how she would receive so dangerous a little guest.

Anna reached the village at about midday. Her brother, his wife and the farm-servants were at table. She was not ill received, but one glance at her new sister-in-law decided her to introduce the child then and there as her own. It was not until she had explained that her husband had a job at a mill in a distant village and expected her there with the child in a few weeks that the peasant woman thawed and the child was duly admired.

That afternoon she accompanied her brother to the copse to gather wood. They sat down on tree-stumps and Anna made a clean breast of it. She could see that he felt uncomfortable. His

position on the farm was still insecure and he commended Anna warmly for having held her tongue in front of his wife. It was plain that he did not credit his young wife with a particularly broadminded attitude towards the Protestant child. He wished the deception to be kept up.

However, that was not so easy as time went on.

Anna joined in the harvesting and tended 'her' child between whiles, constantly running back from the fields to the house when the others rested. The little boy thrived and even grew fat, chuckled whenever he saw Anna and made manful efforts to raise his head. But then came winter and the sister-in-law started to make enquiries about Anna's husband.

There was nothing against Anna staying on at the farm; she could make herself useful. The trouble was that the neighbours were growing curious about the father of Anna's boy, since he never came to see how he was getting on. If she could not produce a father for her child, the farm would get itself talked about before long.

One Sunday morning the peasant harnessed the horse and called Anna loudly to come with him to fetch a calf from a neighbouring village. As they clattered along the road he told her that he had sought and found a husband for her. It was a dying cottager who, when the two of them stood in his mean hovel, could barely lift his wasted head from the soiled sheet.

He was willing to marry Anna. A yellow-skinned old woman, his mother, stood at the bedside. She was to have a reward for the service rendered to Anna.

The bargain was concluded in ten minutes and Anna and her brother were able to drive on and buy their calf. The wedding took place at the end of that same week. Whilst the priest mumbled the marriage ritual, the lifeless glance of the sick man did not once stray towards Anna. Her brother was in no doubt that she would have the death certificate within a few days. Then Anna's husband, the father of her child, would have died

somewhere in a village near Augsburg on his way to her and no one would give the matter another thought if the widow stayed on in her brother's house.

Anna returned joyfully from her strange wedding, at which there had been neither church bells nor a brass band, neither bridesmaids nor guests. By way of a wedding-breakfast she ate a piece of bread with a slice of bacon in the larder and then, with her brother, went towards the wooden chest in which lay the child who now had a name. She tucked in the covers more tightly and smiled at her brother.

The death certificate certainly took its time.

Indeed, no word came from the old woman the next nor yet the following week. Anna had given out on the farm that her husband was at present on his way to her. When she was asked what was delaying him now she said that the deep snow must be making the journey difficult. But after another three weeks had gone by, her brother, seriously perturbed, drove to the village near Augsburg.

He came back late at night. Anna was still up and ran to the door as she heard the wheels crunch in the yard. She noticed how slowly the farmer unharnessed and a spasm went through her heart.

He brought bad tidings. On entering the hut he had found the doomed man sitting at the table in shirt-sleeves having supper, chewing away with his mouth full. He was completely restored.

The peasant did not look Anna in the face as he went on telling her. The cottager – his name, by the by, was Otterer – and his mother appeared equally astonished by the turn of events and had probably not yet decided what was to be done. Otterer had not made an unpleasant impression. He had said little, but at one point, when his mother had started lamenting that he was now saddled with an unwanted wife and a stranger's child, he had commanded her to be silent. He went on eating his cheese with

deliberation throughout the interview and was still eating when the farmer took his leave.

During the following days Anna was naturally very troubled. In between her housework she taught the boy to walk. When he let go of the distaff and came tottering towards her with little outstretched arms, she suppressed a dry sob and clasped him tightly to her as she picked him up.

Once she asked her brother: 'What sort of a man is he?' She had seen him only on his deathbed and then only in the evening by poor candlelight. Now she learnt that her husband was a man in his fifties worn out by toil: was, in fact, what a cottager would be.

Shortly after, she saw him. With a great show of secrecy a pedlar had given her a message that 'a certain acquaintance' wished to meet her on such-and-such a date at such-and-such a time near such-and-such a village, at the spot where the footpath went off to Landsberg. So the married couple met midway between their villages, like the commanders of old between their battle-lines, on open ground, which was covered with snow.

Anna did not take to the man.

He had small grey teeth, looked her up and down – although she was hidden under a thick sheepskin and there was not much to be seen – and then used the words 'the sacrament of marriage'. She told him curtly that she must still think things over and that he must get some dealer or slaughterer passing through Grossaitingen to tell her in her sister-in-law's hearing that he would soon be coming now and had merely been taken ill on the journey.

Otterer nodded in his deliberate way. He was more than a head taller than she and kept on glancing at the left side of her neck as they talked, which exasperated her.

But the message did not come, and Anna toyed with the idea of simply leaving the farm with the child and looking for work further south, perhaps in Kempten or Sonnthofen. Only the

perils of the highway, about which there was much talk, and the fact that it was mid-winter held her back.

But now her stay at the farm grew difficult. Her sister-in-law put suspicious questions to her about her husband at the dinner table in front of all the farm-servants. When on one occasion she went so far as to glance at the child and exclaim loudly in false compassion, 'poor mite!', Anna resolved to go despite everything; but at that point the child fell ill.

He lay restlessly in his wooden chest with a flushed face and clouded eyes, and Anna watched over him for nights on end with fear and hope. When he was on the road to recovery again and his smile had come back, there was a knock on the door one morning and in walked Otterer.

There was no one in the room but Anna and the child, so that she had no need to dissemble, which in any case the shock would have prevented. They stood for quite some time without a word; then Otterer announced that for his part he had thought the matter over and had come to fetch her. He referred again to the sacrament of marriage.

Anna grew angry. In a firm, though low voice she told the man she would not think of living with him, she had entered into the marriage only for the sake of the child and wanted nothing of him beyond giving her and the child his name.

As she mentioned the child Otterer glanced fleetingly towards the chest in which it lay gurgling, without, however, going up to it. This set Anna against him even more.

He voiced a few remarks: she should think things over again; there was scant fare in his home; his mother could sleep in the kitchen. Then the sister-in-law came in, greeted him inquisitively and invited him to dinner. He was already seated at table as he greeted the peasant with a careless nod, neither pretending that he did not know him nor betraying that he did. To the wife's questions he replied in monosyllables, not raising his eyes from his plate, that he had found a job in Mering and Anna could join

him. But he no longer suggested that this had to be at once.

During the afternoon he avoided the brother's company and chopped wood behind the house, which no one had asked him to do. After supper, of which he again partook in silence, the sister-in-law herself carried a featherbed into Anna's room so that he could spend the night there; but at that, strange to say, he rose awkwardly to his feet and mumbled that he must get back that night. Before leaving, he gazed with an absentminded expression into the chest where the child lay, but said nothing and did not touch him.

During the night Anna was taken ill and fell into a fever which lasted for weeks. Most of the time she lay apathetically; only now and then towards midday, when the fever abated a little, she crawled to the child's wooden chest and tucked in the covers.

In the fourth week of her illness Otterer drove into the yard in a farm cart and took her and the child away. She let this happen without a word.

Only very slowly did she regain her strength, and small wonder on the cottager's thin soup. But one morning she noticed how dirty and neglected the child looked and resolutely got up.

The little boy received her with his friendly smile in which, her brother had always declared, he took after her. He had grown and now crawled all over the room with lightning speed, slapping his hands on the floor and emitting little screams when he fell on his face. She washed him in a wooden tub and won back her confidence.

A few days later, however, she could stand life in the hovel no longer. She wrapped the little boy in a few blankets, stuck a piece of bread and some cheese in her pocket and ran away.

She intended to reach Sonnthofen, but did not get far. She was still very weak in the knees, the highway was covered in slush and, as a result of the war, people in the villages had grown very suspicious and stingy. On the third day of her wayfaring she sprained her foot in a ditch and after many hours, during

which she feared for the child, she was brought to a farmstead, where she lay in the byre. The little boy crawled about between the cows' legs and only laughed when she cried out anxiously. In the end she had to tell the farm people her husband's name and he fetched her back again to Mering.

From now on she made no further attempt to escape and accepted her lot. She worked hard. It was difficult to extract anything from the small plot and keep the tiny property going. Yet the man was not unkind to her, and the little boy ate his fill. Also her brother occasionally came over bringing a present of this or that, and once she was even able to have a little coat dyed red for the child. That, she thought, would suit a dyer's child well.

As time passed she grew quite contented and experienced many joys in bringing up the child. Thus several years went by.

But one day she went to the village to buy syrup and on her return the child was not in the hut and her husband told her that a grandly dressed lady had driven up in a coach and taken the child away. She reeled against the wall in horror, and that very evening, carrying nothing but a bundle of food, she set out for Augsburg.

Her first call in the imperial city was at the tannery. She was not admitted and could not catch sight of the child.

Her sister and brother-in-law tried in vain to console her. She ran to the authorities and, beside herself, shouted that her child had been stolen. She went so far as to hint that Protestants had stolen her child. Whereupon she learnt that other times now prevailed and that peace had been concluded between Catholics and Protestants.

She would scarcely have accomplished anything had not a singular piece of luck come to her aid. Her case was referred to a judge who was a quite exceptional man.

This was the judge Ignaz Dollinger, famed throughout Swabia for his boorishness and his erudition, known to the Elector of

Bavaria, whose legal dispute with the free imperial city he had had to settle, as 'this Latin clodhopper', but celebrated by the people in a long ballad.

Accompanied by her sister and brother-in-law, Anna came before him. The short but immensely corpulent old man sat in a tiny bare room between piles of documents and listened to her only very briefly. Then he wrote something down, growled: 'Step over there, and be quick about it!' and indicated with his small plump hand a spot in the room on which the light fell through a narrow window. For some minutes he studied her face closely, then waved her aside with a snort.

The next day he sent a tipstaff to fetch her and while she was still on the threshold shouted at her: 'Why didn't you let on that what you're after is a tannery and the sizable property that goes with it?'

Anna said doggedly that what she was after was the child.

'Don't go thinking that you can grab the tannery,' shouted the judge. 'If the bastard really is yours, the property goes to Zingli's relatives.'

Anna nodded without looking at him. Then she said: 'He doesn't need the tannery.'

'Is he yours?' barked the judge.

'Yes,' she said softly. 'If I could just keep him until he can say all the words. So far he only knows seven.'

The judge coughed and straightened the documents on his table. Then he said more quietly, though still in an irritable tone: 'You want the brat and that bitch with her five silk skirts wants him. But he needs the real mother.'

'Yes,' said Anna, and looked at the judge.

'Be off with you,' he growled. 'The Court sits on Saturday.'

On that Saturday the main road and the square outside the Town Hall by the Perlach Tower were black with people who wanted to attend the proceedings over the Protestant child. This remarkable case had made a great stir from the start, and in

dwellings and taverns there were arguments about who was the real and who the false mother. Moreover, old Dollinger was renowned far and wide for his down-to-earth proceedings with their biting remarks and wise sayings. His trials were more popular than minstrels and fairs.

Thus it was not only many Augsburgers who thronged outside the Town Hall; there were also not a few farmers from the surrounding countryside. Friday was market-day and, in anticipation of the law-suit, they had spent the night in the city.

The hall in which Judge Dollinger heard his cases was the so-called Golden Hall. It was famous as the only hall of its size without pillars in the whole of Germany; the ceiling was suspended from the rafters by chains.

Judge Dollinger sat, a small round mountain of flesh, in front of a closed metal gate along one wall. An ordinary rope cordoned off the public. But the judge sat on the bare floor and had no table before him. He had personally instituted this setting years ago: he strongly believed in staging things properly.

Inside the roped-off enclosure were Frau Zingli with her parents, the newly arrived Swiss relatives of the late Herr Zingli – two well-dressed worthies looking like substantial merchants – and Anna Otterer with her sister. A nurse holding the child could be seen next to Frau Zingli.

Everybody, litigants and witnesses, stood. Judge Dollinger was wont to say that trials tended to be shorter if the participants had to stand. But perhaps, too, he made them stand in order to conceal himself from the public, so that one could only see him if one went on tiptoe and cricked one's neck.

At the start of the proceedings an incident occurred. When Anna caught sight of the child, she uttered a cry and stepped forward, and the child tried to go to her, struggled violently in the nurse's arms and started to scream. The judge ordered him to be taken out of the hall.

Then he called Frau Zingli.

She came rustling forward and described – now and again raising a little handkerchief to her eyes – how the imperial soldiers had snatched the child from her at the time of the looting. That same night the servant-girl had come to her father's place and had reported that the child was still in the house, probably in the hope of a tip. One of the father's cooks, on being sent to the tannery, had not, however, found the child, and she assumed that this person (she pointed at Anna) had taken him in order to be able to extort money in some way or other. No doubt she would have come out with such demands sooner or later had she not been deprived of the child beforehand.

Judge Dollinger called Herr Zingli's two relatives and asked them whether they had enquired after Herr Zingli at the time and what Frau Zingli had told them.

They testified that Frau Zingli had let them know her husband had been killed and that she had entrusted the child to a servant-girl where it would be in good keeping. They spoke of her in a most unfriendly manner which, indeed, was no wonder, since the property would come to them if Frau Zingli lost the case.

Following their evidence the judge turned again to Frau Zingli and wanted to know from her whether she had not simply lost her head at the time of the attack and abandoned the child.

Frau Zingli looked at him with her pallid blue eyes as if in astonishment and said in injured tones that she had not abandoned her child.

Judge Dollinger cleared his throat and asked her with some interest whether she believed that no mother could abandon her child.

Yes, that was what she believed, she said firmly.

Did she then believe, the judge asked further, that a mother who nevertheless did so ought to have her behind thrashed, regardless of how many skirts she wore over it?

Frau Zingli made no answer and the judge called the former servant-girl Anna. She stepped forward quickly and said in a low

voice what she had already said at the preliminary enquiry. But she talked as though she were listening at the same time, and every now and again she glanced at the big door through which the child had been taken, as though she were afraid it might still be screaming.

She testified that, although she had called at the house of Frau Zingli's uncle that night, she had not gone back to the tannery, out of fear of the imperial troops and because she was worried about her own illegitimate child which had been placed with good people in the neighbouring village of Lechhausen.

Old Dollinger interrupted her rudely and snapped that at least there had been one person in the city who had felt something like fear. He was glad to be able to establish the fact, since it proved that at least one person had had some sense at the time. It was not, of course, very nice of the witness that she had only been concerned about her own child, but on the other hand, as the popular saying went, blood was thicker than water, and anyone who was a proper mother would go to the lengths of stealing for her child, though this was strictly forbidden by law, for property was property, and those who stole also lied, and lying was similarly forbidden by law. And then he gave one of his wise and pungent lectures on the infamy of people who deceived the Court till they were black in the face; and, after a short digression on peasants who watered the milk of innocent cows and the City Council which levied too high market-taxes on the peasants – which had absolutely nothing to do with the case – he announced that the examination of witnesses was over and had led nowhere.

Then he made a long pause and showed every sign of being at a loss, gazing about him as though he expected someone or other to suggest how to arrive at a solution.

People looked at one another dumbfounded and some of them craned their necks to catch a glimpse of the helpless judge. But it remained very quiet in the hall; only the crowd in the street below could be heard.

Then, sighing, the judge began to speak again.

'It has not been established who is the real mother,' he said. 'The child is to be pitied. We have all heard of fathers dodging their duty and not wanting to be fathers – the rogues! – but here are two mothers both laying claim. The Court has listened to them as long as they deserve, namely a full five minutes to each, and the Court is convinced that both are lying like a book. But, as already said, we still have to think of the child who must have a mother. Therefore it has to be established, without paying attention to mere babble, who the real mother of the child is.'

And in a cross voice he called the usher and ordered him to bring a piece of chalk.

The usher went and fetched a piece of chalk.

'Draw a circle with the chalk on the floor big enough for three people to stand in,' the judge directed him.

The usher knelt down and drew the circle with the chalk as requested.

'Now fetch the child,' ordered the judge.

The child was brought in. He started to howl again and tried to go to Anna. Old Dollinger took no notice of the crying and merely delivered his address in a rather louder voice.

'This test which is now about to be applied,' he announced, 'I found in an old book and it is considered extremely good. The simple basic idea of the test with the chalk circle is that the real mother will be recognized by her love for the child. Hence the strength of this love must be tested. Usher, place the child in that chalk circle.'

The usher took the wailing child from the nurse's hand and led him into the circle. The judge went on, turning towards Frau Zingli and Anna:

'You go and stand in the chalk circle too; each of you take one of the child's hands and when I say "go!" try and pull the child out of the circle. Whichever of you has the stronger love will also pull with the greater strength and thus bring the child to her side.'

THE AUGSBURG CHALK CIRCLE

There was a stir in the hall. The spectators stood on tiptoe and had words with those standing in front of them.

But there was dead silence again as the two women stepped into the circle and each grasped one of the child's hands. The child had also fallen silent, as though he sensed what was at stake. He turned his small tear-stained face up to Anna. Then the judge gave the order 'Go!'.

And with a single violent jerk Frau Zingli tore the child out of the chalk circle. Bewildered and incredulous, Anna's eyes followed him. For fear that he might come to harm if both his little arms were pulled in two directions at once, she had immediately let go.

Old Dollinger stood up.

'And thus we know,' he said loudly, 'who is the right mother. Take the child away from the slut. She would tear him to pieces in cold blood.'

And he nodded to Anna and quickly left the hall to have his breakfast.

And in the following weeks the peasants round about, who were pretty wide-awake, talked of how the judge on awarding the child to the woman from Mering had winked at her.