

The WELS In Colorado Springs:
The Suspension Of Mt. Olive Ev. Luth. Church

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It is the hope and prayer of every Christian that God's work can be carried out within a Christian congregation without strife and divisions. Christians work together to carry on the work that our Savior gave us to do when he left this earth and ascended into heaven to rule at the right hand of the Father. He commands us to spread the good news of the gospel message to all nations. It is unfortunate that this work is not always carried out without division and controversy. The result of sin in the world shows itself even within the church. A person is often led to wonder why God entrusted his important work to sinful human beings.

In this paper I intend to give an historical account of one such church within the WELS that was torn by strife from within. The church is Mt. Olive Ev. Luth. Church of Colorado Springs, Co. I do not intend to delve extensively into the doctrinal treatment of the matter at the bottom of this dispute. Time and space would not allow that in a paper of this sort. I also do not intend to point fingers or put the blame on any person or side of the argument. My intention is to give the historical background and the proceedings which led to the suspension of this church from the WELS.

I do intend to show that the work of the Wisconsin Evangelical Synod was slowed down considerably by the loss of this congregation. In 1970 (2 years before the suspension of Mt. Olive from the WELS) the communicant membership of Mt. Olive stood at 140 souls and about 100 communicants. It was at this time that Rev. James F. Koch accepted the call to serve that congregation. That church enjoyed growth during his first two years and was up

to 210 souls and 160 communicants at the time of the suspension. At that time a group of 60 left Mt. Olive and stayed with the WELS. They formed Salem Ev. Luth. Church. At the present time the membership of Salem stands at 198 souls and 135 communicants. The membership of Mt. Olive stands at 110 souls and 70 communicants. When I say that the the work of the WELS was slowed down in Colorado Springs through the loss of this congregation, I am of course speaking from a human point of view. We know that the Lord's divine plan is carried out and that even the sin which he permits works toward his good purpose. From the human viewpoint, however, the WELS lost a church facility, a large group of people, and had to start from scratch with a new mission.

The dispute in Mt. Olive in Colorado Springs really did not start in Colorado Springs or among the membership of Mt. Olive. The problem can be traced back to the synodical suspension of Pastor Herald Schulz who was serving a WELS congregation in Golden, Colorado. The correspondence which made his suspension public was dated December 4, 1967. As I said, my purpose in this paper is not to delve into the doctrinal aspects of the controversy, but I do feel it is necessary to at least mention the root of the problem and later in the paper the stands which were presented. Pastor Schulz was suspended because of his persistent charge: "that the Kindergarten manual for Lutheran Schools and the Teacher's manual, published by authority of the Board of Education- Wisconsin Synod, emphasize the third use of the law contrary to the Scriptures and the Confessions."

The two statements that are referred to in this charge are

found in books for Teacher's Manual- Bible Stories (put out at that time by the Board for Parish Education. The first was found on p.210 and reads as follows: "If we are not ashamed of the Gospel of Jesus Christ, Jesus, in His love, will give unto us forgiveness of sins, life, and salvation." The second statement which was questioned was found on page 222: "Doing my Father's work- His work was to show people the way to heaven." Pastors Schulz and Koch claimed that these statements were not only unclear but contained false doctrine.

The dispute really became full blown in Colorado Springs when Pastor Koch protested the suspension of Pastor Schulz at the Synod Convention in August, 1971. The Visiting Elder for his conference was Pastor Larry Ellenberger. He became involved almost immediately after the convention in which Pastor Koch filed his formal protest. Pastor Ellenberger contacted Pastor Koch and asked him how he could serve him in this matter as the Visiting Elder. Pastor Koch requested that he obtain all the available materials from Pastor Harold Schulz concerning his teaching on the third use of the law and refute those from Scripture. A meeting was set up for September 10, 1971.

It should be pointed out why there was a four year period between the suspension of Pastor Schulz and the protest of Pastor Koch. As was pointed out earlier, Pastor Schulz was suspended in December of 1967. That suspension then had to go through a series of appeals. The suspension was upheld by the Nebraska District in convention in July of 1970. The suspension was then also upheld by the Wisconsin Synod convention in August, 1971. It was at this

time that Pastor Koch made his protest. He stated his reasonings in correspondence to The Commission on Doctrinal Matters. He is explaining his protest: "Why? Because I firmly believe that there is absolutely, positively no difference between Pastor Schulz and the Wisconsin Synod on the truth (I think this is an important statement in the controversy); "Is there a Third Use of the Law?" Both teach that the Christian needs the preaching of the Law because of the old, sinful, corrupt flesh that still adheres and clings to the Christian as long as he lives. Both teach "a Christian must cover the same ground daily; he must ever anew think upon his sins and flee from his sins to Christ. Growth in faith takes place by daily renewal of faith. But faith will never find room in the heart unless contrition has proceeded. And Christians are sanctified through faith and in faith alone. Hence the teaching and preaching of the law and gospel is also the proper diet for those who live and walk in faith... However a controversy exists between Pastor Schulz and the Wisconsin Synod within the area of the Third Use of the Law. 'For the one side taught and maintained', namely Pastor Schulz, that 'the proper method of teaching the Third Use of the Law is not to instruct and to guide the Christian's new man so that he now may know how 'to show that love for his Savior.' Not, 'He wants us to learn (from these commandments) the things we are to do to show our love to him.' But to keep reminding the Christian of the one and only 'fixed' and 'sure rule and standard' that he on account of the Old Adam' does not from human devotion and institute wanton and self elected cults; to keep him alert so that he does not imagine that

his work and life are entirely pure and perfect." Pastor Koch goes on to say that the suspension of Pastor Schulz does not in any way end the controversy for Pastor Schulz, for himself or for his congregation. He was quite right in saying this. The controversy dragged on at Mt. Olive for the next 4 plus years. It would be difficult for all those who were directly involved and for many of those not so directly involved.

In October of 1971 Pastor Koch and the members of his congregation requested that the doctrinal commission set down in theses and antitheses the position on the Third Use of the Law pointing out the error of Pastor Schulz (and Pastor Koch) from Scripture. Synod President O. J. Naumann informed them that this would very likely fall outside of the constitutional duties for the doctrinal commission. Pastor Koch felt strongly that they should be concerned with preserving true doctrine within the Synod and this case definitely fell in that area.

On December 11, 1971 Pastor Koch wrote to Pastor Ellenberger and asked about the delays which the sides were facing. The Nebraska District Praesidium was to meet on Nov 11 and Mt. Olive had still not heard any news from that meeting. Pastor Koch invited the visiting elder and the praesidium to a meeting of the congregation on the following Tuesday to give a report of the happenings of the meeting. He also demanded that Pastor Ellenberger make a public apology before his congregation for making the statement on Aug. 26 that Pastor Koch did not have the right to take sides in a doctrinal controversy. Pastor Koch pointed to his God given right to search the Scriptures and

examine the teachings of others in the light of Scripture.

On December 19, 1971 Pastor Koch informed the members of Mt. Olive that he had been placed under Christian discipline by the visiting elder of the Colorado conference. He also stated that improper procedure was followed in his discipline. I quote from his letter to the members: "I would like to make the following points regarding the 'Christian discipline' which the Visiting Elder has started against me: 1. That the Visiting Elder has not followed the clear words of Christ and the Scriptures concerning Church discipline as outlined by Christ Himself in Matthew 18; 2. That the purpose of the September 10, 1971 meeting was for the sole purpose of the Visiting Elder to 'write down clearly, exactly, and precisely what Pastor Schulz teaches on the Third Use of the Law and refute his teaching from the Scripture and the Lutheran Confessions as being error,' 3. that I did not charge the Synod or the manuals with false doctrine, but I charged two statements within the manuals as being false doctrine."

It would seem to me that more time could have been spent on getting to the problem at hand with the congregation and the Synod officials. I'm not sure if a person has to be officially told that he is under Christian discipline. Is the command to do that in Matthew 18? If one of my fellow Christians came to me and told me that he felt that I had sinned, I would assume that he was taking the first steps of Christian discipline. I don't think that he would have to give me official notice of the fact that I was under Christian discipline.

A meeting between Pastor Ellenberger and the members of Mt.

Olive was set for Jan. 14. At that Meeting Pastor Ellenberger presented a Scriptural defense of the two statements in the Teacher's manual. It may be helpful to the understanding of the matter to include some of that presentation in this paper. The first statement in question was, "If we are not ashamed of the Gospel of Jesus Christ, Jesus in His love, will give unto us forgiveness of sins, life, and salvation." Pastor Ellenberger points out that it is clear from the context of this passage that this statement is a restatement of the passage Matt. 10:32 which is quoted just prior to the statement in question. The passage reads: "Whosoever therefore shall confess me before men, him will I confess also before my Father which is in heaven." It is evident that Jesus is not speaking of what will win for man salvation. Salvation was already theirs as believing disciples. Jesus holds the gospel promise before them as encouragement to be fearless in thier confessing of Him as the one and only Savior of the world. There are other passages in Scripture which speak to this same point. One would be Romans 10:9. "That if thou shalt confess with thy mouth the Lord Jesus, and shall believe in thine heart that God hath raised Him from the dead, thou shalt be saved." One could also compare I John 1:9. "Whoever shall confess that Jesus is the Son of God dwelleth in him and he in God."

The second statement was also discussed. It reads, "Doing my Father's work-- His work was to show people the way to heaven." Pastor Ellenberger here pointed out that he believed this was the work of Jesus in regard to his prophetic office. He states, "As

our Prophet, He preaches the gospel, that is showing the way God sent Him as the Revealer, the Word to speak His Word to man. We might think of Heb. 1:2 'God hath in these last days spoken unto us by His Son, whom he hath appointed heir of all things.'

Pastor Ellenberger concluded his presentation by making it clear to all in attendance that Pastor Koch was indeed under Christian discipline for charging the two statements (and through them the Synod) with false doctrine.

Pastor Koch answered this presentation with a paper entitled "God's Word or Man's Word?" In this paper he charged once again that the two statements in question were false doctrine. He stated his position showing that he felt the two statements were contrary to the doctrines of objective justification, subjective justification, and the proper distinction between the law and the gospel. I think it is important to here note that in his presentation Pastor Ellenberger had said that it may be true that the two statements could have been more clear or that some person may state the truths a little differently but to charge the statements with false doctrine is a much more serious matter.

Pastor Koch rejected the presentation made by Pastor Ellenberger in another letter which he sent directly to him. He also made reference to an article in the Northwestern Lutheran by Prof. Joel Gerlach (Jan 16, 1972). He felt that this helped to show the error and danger of the "synergistic" statement (first statement mentioned). Following is a quote from that article: "That is why we are so intent on preserving a teaching of the doctrine of conversion which has no little 'if' in it (remember

the first statement in question). The word 'if' always compels one to look within himself. Jesus invites men to look only to Him. Let Him have the credit for your conversion as well as for your salvation. He deserves it - ALL of it."

I am personally not convinced that this article and the statement in the manual would have to be contradicting one another. Both can be taken as true and correct. I think the words of Pastor Ellenberger were true, one may have stated it differently but it would be wrong to say that it is false doctrine.

On January 27, Pastor Ellenberger wrote to both the Nebraska District Praesidium and to Pastor Koch informing them that he felt any further efforts on his part would be futile and he was turning the matter over to the Nebraska District Praesidium.

Pastor Koch sent out the material (correspondence involved in controversy) to all the pastors in the Colorado Conference of the Nebraska District on Jan. 31st so that the men might judge for themselves from God's Word who had made the mistakes and take steps to correct the one who had made the mistakes.

On Feb. 6, Pastor Koch informed the Visiting Elder that he would not be partaking of Holy Communion at the upcoming conference and that he would also not deliver the paper which had been assigned to him. On that same day the Visiting Elder informed Pastor Koch that he should not take communion at the conference.

On Feb. 7th Pastor Koch wrote to the Praesidium. He had learned that the request made of the Doctrinal Commission had been

turned down. He requested that they reconsider the request for the sake of doctrinal unity within the Synod. He also asked that the President and First Vice President of the Nebraska District be removed from the Praesidium in dealing with his case and be replaced by two non-interested persons in the District. This request was made because these two men had served on the Praesidium at the time of the case with Pastor Schulz and it was felt that they might not have an open mind. This request was denied. A meeting was set with the Praesidium for Pastor Koch and his council for Feb. 21st. There was also some debate about the advisability of having the council members present. This was a motion of the church council that noone could meet with Pastor Koch without the council being present. Pastor Koch claimed this as his Scriptural right (Mt 18:16 and II Cor.13:1).

That meeting on Feb. 21st never took place but the council and the Praesidium did meet on both March 3 and March 13th. At these meetings the Praesidium presented in theses and antitheses "What is the Relationship of the Law and the Gospel to the Good Works for Believers." The members of the church council requested sufficient time to study the presentation before another meeting took place. They also requested (as they had in the past) that the Praesidium show clearly and on the basis of Scripture what the "sin" of Pastor Koch was.

In a letter dated March 29, 1972 Pastor Free asked the council of Mt. Olive to allow the Praesidium of the District to meet alone with Pastor Koch in the afternoon of April 5th to discuss his sin. He also asked that they might meet with the entire congregation

that evening to discuss the sin. The President of Mt. Olive congregation responded telling Pastor Free that this date would not allow enough time for a proper and thorough study of the theses and antitheses which had been presented by the Praesidium at the March 13th meeting. Pastor Free called Pastor Koch several times during the course of the next few weeks urging him to meet with the Praesidium on April 5th as suggested. The congregation suggested April 19th as an alternative giving more time for a thorough and Scriptural study of the matters at hand. The congregation and Pastor Koch also refused to have Pastor Koch meet alone with the Praesidium.

Pastor Koch in the meantime wrote a reaction to the Praesidium's presentation of March 13. He asked five questions of the Praesidium which seemed to suggest weaknesses in the presentation. Those five questions were: I. Why is the Holy Spirit, who effects sanctification (narrow sense) by Word and Sacraments, completely omitted in this presentation in the doctrine of Good Works? II. Why is the gospel, which solely regenerates and renews us, almost entirely omitted from the doctrine of Good Works? III. Why wasn't the major point made that when "the Holy Spirit employs the law so as to teach the regenerate from it" this teaching of the Law rightly belongs to the coercion of the Law? IV. If the law in its third use is a guide for the Christian to teach him "what will please or displease his heavenly Father", then, can the law in this sense (guide) be urged "upon the unbelieving and impenitent." In short: Is the Third Use of the Law necessary for unbelievers? V. Why

does the Praesidium in Thesis 4 (3) quote from the 3rd paragraph of the VI article of the Formula of Concord to substantiate their teaching of the Third Use of the Law, when the 3rd paragraph of Article VI is part of the Introduction and thus part of the dissent over against which our Lutheran forefathers confessed the true doctrine regarding the Third Use of the Law? Pastor Koch went on at length giving his reasoning for asking these questions concerning the presentation.

On April 20th Pastor Free sent a response to the question "What is Pastor Koch's sin?" to both Pastor Koch and to the members of Mt. Olive. In that letter were mentioned the protest which Pastor Koch made at the Synod Convention indicating that he was of a different spirit from the Scriptural position of the Synod. It was also mentioned that he was placing himself among those who cause divisions and offenses and are to be avoided. His doctrinal stand also meant that he was holding to an unscriptural position regarding the use of the law. Pastor Koch was also accused of deception and a lack of love in his dealings with those who were dealing with him, as well as sinning against the 2nd commandment for teaching the false doctrines to the people of his church.

During the congregational meeting of April 19th the people of Mt. Olive inquired about paragraph 3 of article VI of the Formula of Concord and the coercion of the Law. They asked President Free if these were entirely new matters which had come up in their reaction to the Praesidium's theses- antitheses. Pastor Free stated that these were not new matters and had all been gone

through before. Pastor Koch had Pastor Schulz write a letter to the congregation informing them that he had never been dealt with specifically in these two matters.

In regard to the 3rd paragraph of Article VI of the F of C Pastor Koch went to the head of the English department at the University of Colorado at Colorado Springs and also to a Professor of English at Colorado College in Colorado Springs. These men were asked the following question: "From the structural set up of the grammar and the syntax can paragraphs 2 or 3, or both be considered part of our Lutheran Confessions? Or, are both paragraphs 2 and 3 to be considered outside the body of our Confessions and part of the dissent over against which our Lutheran forefathers confessed the truth?" Both men stated that "neither paragraphs 2 or 3 are part of the truth which our Lutheran Confessors were confessing as far as the structural set up of the grammar and the syntax were concerned, nor were paragraphs 2 or 3 a summary of what followed in paragraph 4."

It seemed as if the two sides in the controversy were growing ever farther apart. The amends that had been hoped for were beginning to seem like only a faint hope. The members of Mt. Olive wrote the WELS Doctrinal Commission of Review and requested that they review the case because the Nebraska District had placed themselves outside of the Scriptures and Confessions in their dealings with Pastor Koch and Mt. Olive.

Soon followed the official notice of suspension of Pastor James F. Koch from Synodical fellowship. This seemed like only a natural step since no progress had been made through the repeated

correspondence and meetings. It was now up to the members of Mt. Olive to make a decision. They had to take some sort of action as a congregation since their Pastor had been placed under suspension. They did take action on May 31, 1972 when the church council submitted a resolution to retain Pastor Koch during his series of appeals since this was not prohibited by the Synod.

On July 14, 1972 Mt. Olive Ev. Luth. Church also received notice of its suspension from the fellowship of the WELS. This greatly upset both Pastor Koch and the church council because they felt the congregation had never been disciplined. It seemed unthinkable to them that a congregation had been suspended without ever being disciplined. They claimed that in all meetings and correspondence the dealings had only been with the Pastor. It seems to me that they would have been under discipline all along with the Pastor if they were holding to his teachings. The doctrinal stance of the Synod had been made clear and they now needed to decide whether they would remain with their Pastor and his teaching or remain with the WELS.

During this time the appeal process began to be set into motion. A District Commission of Review met on July 24 and 25. They requested of Pastor Koch five copies of his paper entitled: "A Statement Of Confession of Rev. James F. Koch Regarding The Correct Teaching Of The Third Use Of The Law Of God". (One copy was requested for each of the five District Pastors who were on the Commission of Review)

Pastor Koch refused to send this paper to the commission because this paper in his words had nothing to do with his

suspension. When it was delivered Dec. 14, 1971 the Visiting Elder did not question the paper and the Praesidium also had no interest in this paper. Pastor Koch contended that if the Commission was truly a jury in the appeal they should only use the material that was used for the suspension. On Sept. 5th the Commission once again requested the same paper but Pastor Koch on the advice of his attorney once again refused.

On August 5th Pastor Free received a notice from 60 communicant members of Mt. Olive that they were protesting fellowship with those members of Mt. Olive to retain Pastor Koch. Pastor Free assured them that they were still in fellowship with the WELS in view of their protest filed with the members of Mt. Olive.

Mt. Olive Ev. Luth. Church appealed its suspension to the Nebraska District on August 29, 1972. On that same date they also wrote to President Naumann complaining of many errors that were made by the Praesidium of the Nebraska District in dealing with them. They asked him to step in and correct the errors that had been made to this point.

In Pastor Koch's appeal, the District Commission of review was still requesting the paper they had previously sought. Pastor Koch sent them the epitome of Andraea concerning the Third Use of the Law. He said that he had always accepted it and would always accept it as his confession and that he could do no better for the commission. I will quote portions of this epitome to give an idea of its doctrinal content: "I believe, teach, and confess that although men truly believing in Christ and truly converted to God

have been freed and exempted from the curse and coercion of the law, they nevertheless are not on this account without the Law, but have been redeemed by the Son of God in order that they should exercise themselves in it day and night, that they should meditate upon God's Law day and night and constantly exercise themselves in its observance, Ps. 1:2; Ps 119. ... I believe teach and confess that although they are regenerate and renewed in the spirit of their mind, yet in the present life this regeneration and renewal is not complete, but only begun, and believers are, by the spirit of their mind, in a constant struggle against the flesh, that is against the corrupt nature and disposition which cleaves to us until death. On account of this Old Adam which still adheres in the understanding, the will and all the powers of man, it is needful that the Law of the Lord always shine before them, in order that they may not from human devotion institute wanton and self- elected cults..." The statements written are an orthodox presentation of an epitome of the pertinent article of the Formula of Concord. Pastor Koch did not see fit to send his paper which probably only made the task of the Commission of Review more difficult.

The Commission of Review also requested of Mt. Olive documentary evidence which would help them in this case. They asked for minutes from certain meetings, clarification of past correspondence and any other information that would be helpful. The church council of Mt. Olive expressed their disappointment that the same committee which was reviewing their Pastor's suspension was also reviewing their suspension. It only seemed

natural and obvious that the decision would have to be the same for pastor and congregation.

At the same time the dispute was heating up between members of Mt. Olive and those who protested fellowship with them (or at least this dispute was becoming more public). On September 15 the members of Mt. Olive demanded that the protestors rejoin the members or they would lose their right to the church property. On September 27 the protestors wrote to the members who had voted to retain Pastor Koch and told them to remove themselves from the premises of the church and to turn over to them all church and school records, titles and assets in any way associated with the church within 24 hours of receipt of the letter.

It appeared that the only way that the congregational problem would be settled was through the Doctrinal Commission of Review. Unless there could once again be doctrinal unity there would not be peace among the members of Mt. Olive (or at least those who were once members of Mt. Olive). This doctrinal unity didn't appear to be close. The Doctrinal Commission of Review wrote to Pastor Koch on January 18, 1973 and informed him that they would like to meet with him in Aurora, NE on February 26, 1973 at 1:00 P.M. They also included a list of questions that would serve as an agenda for that meeting. Pastor Koch replied in writing that the proposed meeting would be fine. He was discouraged by the list of questions that would make up the agenda for that meeting. It was his feeling that the doctrinal questions that were asked of him were the sort that should have been asked by the Visiting Elder and the District Praesidium in their earlier

dealings with the case. He (Pastor Koch) questioned the constitutional function of the Commission. Were they to judge the case on the basis of the materials that had been available to suspend or were they to ask the questions which should have been investigated earlier. In his letter he also included a set of questions that the Commission should address to the Praesidium to prove the errors that they had made in the dispute.

On February 16 Pastor Koch wrote what would be his final correspondence before the meeting scheduled for the 26th. As it would turn out this would really be the final correspondence, period. In this letter he once again spoke to the questions which had been raised by the Commission for Review. I would like to quote a section from this paper in which Pastor Koch saw what he called inconsistencies in the WELS. "Before I answer any specific questions in your letter I want to pursue this doctrinal contradiction which exists within the Wisconsin Synod and which you helped to bring to light. In the references which you made to the Northwestern Lutheran Pastor Vertz states: 'From all this we see how important it is constantly to go back to the true significance of the Law for man at all time...Only then will the Law serve as a guide for us as we strive to live for Him who loved us and gave Himself for us.' (NWL Jan. 27, 1963 p. 23). Pastor Vertz further states 'Thus to God's children the Law is merely a guide or a rule, which actually no longer commands or compels obedience, but which now directs and guides them by pointing them to Christ, who perfectly fulfilled the whole Law for us, and who is the one perfect model and example.' This teaching of the Law

as "guide" by Pastor Vertz, which by the way is not supported by one reference to Scripture and/or the Lutheran Confessions, contradicts the correct and proper, the Scriptural and Confessional teaching of the Third Use of the Law as taught by Prof. E.E. Kowalke and Prof. August Pieper, whose articles appeared in the official publication of WELS, The Wisconsin Lutheran Quarterly in German and one reappeared in English. Prof. Kowalke wrote in the April 1931 issue of the Theologische Quartalschrift: 'To the Christian as Christian, who is enlightened by the Holy Spirit, the Law is of No concern, also not even as doctrine, as rule, curb, mirror.' August Pieper wrote in the January 1916 issue of the same publication: 'We are free and released from the Law as a doctrine and Rule of Conduct because we have all been taught of God through faith. For by faith we are enlightened and know God, not only according to His essence and according to His person, but also according to His nature and according to His gracious and holy will...' and 'therefore it is false in every way and contrary to the clear Word of God and also our Confession to say: The Christian as Christian as a believer is still under the Law, at least in its use as a rule of conduct. We must not form the habit of using this manner of speech... With Pieper and Kowalke I believe that 'the Church teaches the use of the Law by the Christian because of the flesh- which still adheres to him and as applicable to it.'"

It was becoming apparent that the two sides were not close to agreement and a solution to the problems at hand. I cannot help but feeling that the differences could have been confronted much

sooner if there wouldn't have been a great deal of majoring in minors and personal attacks made. I would not want to say that the two sides would have been brought together in doctrinal unity but many harsh words and possibly hard feelings could have been avoided. We are directed by God's Word to defend the truth but even in that we are guided by the love for the Savior which we have within us. In saying this, I am not advocating a spineless approach to the defense of the Truth, but only the use of good sound Christian judgment.

The meeting took place in Aurora, NE as scheduled. The Doctrinal Committee proceeded with the questions which it had prepared. During the course of the meeting Pastor Koch tried to get the floor to defend his stand. He was not recognized because he was said to not be a member of the Synod. He stated that he was a member of the Synod while his suspension was being appealed. His delegates also were not recognized as they repeatedly tried to get the floor. Pastor Koch was taken into the Pastor's office and asked to recant his false teachings. He stated that they had not given him the chance to say anything that he should or could recant. Pastor Koch and his delegates walked out of the meeting that day and wrote to President Naumann advising him that they did not desire any more appeals.

As far as doctrine was concerned the matter was over. There would be no more appeals and there would be no more correspondence. It would be incorrect, however to say that the matter was settled. There was still the church property to be dealt with. That matter went to the courts. In September of 1973

the courts ruled in favor of Mt Olive in the case of possession of the land. They found that the membership in the Synod was incidental to the holding of the property. In December the court of appeals reversed that decision and awarded the property to the group that had stayed with the WELS. The courts also declared that Pastor Koch could no longer preach at Mt. Olive. The case had been through one appeal already and now was headed for another. Pastor Koch (and his members) obtained a stay of execution from a court of appeals in Denver so that he could continue to preach and serve the congregation. The case then went through its second appeal in which the property and all assets were awarded to the members of Mt. Olive. At this point the people of the WELS and its officials decided not to appeal this decision again. The matter was to be put to rest.

The group that had broken from the membership of Mt. Olive formed Salem Ev. Luth. Church (mentioned at the beginning of this paper), a mission of the WELS. As I mentioned earlier they have been blessed by God and enjoyed continual growth in the years that have passed. They are now a self supporting congregation located on the NW side of Colorado Springs. The members of that congregation were also instrumental in the opening of another WELS mission in Colorado Springs. The Lord has led the Mission Board to provide funding for an exploratory mission on the SE side of Colorado Springs. That church (Fount of Life Ev. Luth. Church) began services last year (1987).

When I set out to write this paper, I did not intend to include much of the doctrine that was involved in the controversy.

As it turned out, I included more of it than I originally intended. It seemed that it was difficult to get a feel for the chronology of the events without a certain amount of doctrine included to show where the controversy was headed. It is my hope that I have found the proper mix of history and doctrine to give an accurate account of what took place.

The source materials for this paper came primarily from the abundant correspondence which was written by both sides of the dispute. I also gained information through personal interviews with people involved on both sides.