

JEWS AND NEGRO SLAVERY

IN

THE OLD SOUTH

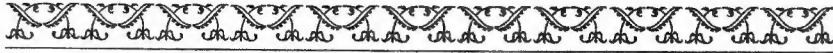
1789-1865

BERTRAM WALLACE KORN

JEWS AND NEGRO SLAVERY
IN
THE OLD SOUTH

By Bertram Wallace Korn

- American Jewry and the Civil War (1951)
- Eventful Years and Experiences: Studies in Nineteenth Century
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- Jews and Negro Slavery in the Old South, 1789-1865 (1961)



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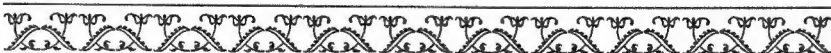
1789-1865

BERTRAM WALLACE KORN

Reform Congregation Keneseth Israel

Elkins Park, Pennsylvania

1961



Delivered as the Presidential Address at the Fifty-Ninth Annual Meeting of the American Jewish Historical Society, February 18, 1961, and reprinted from the March, 1961, issue of its quarterly *Publication*, with the assistance of a grant from the Rabbi's Publication Fund of Reform Congregation Keneseth Israel, Elkins Park, Pennsylvania.

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FOR PROFESSOR JACOB RADER MARCUS

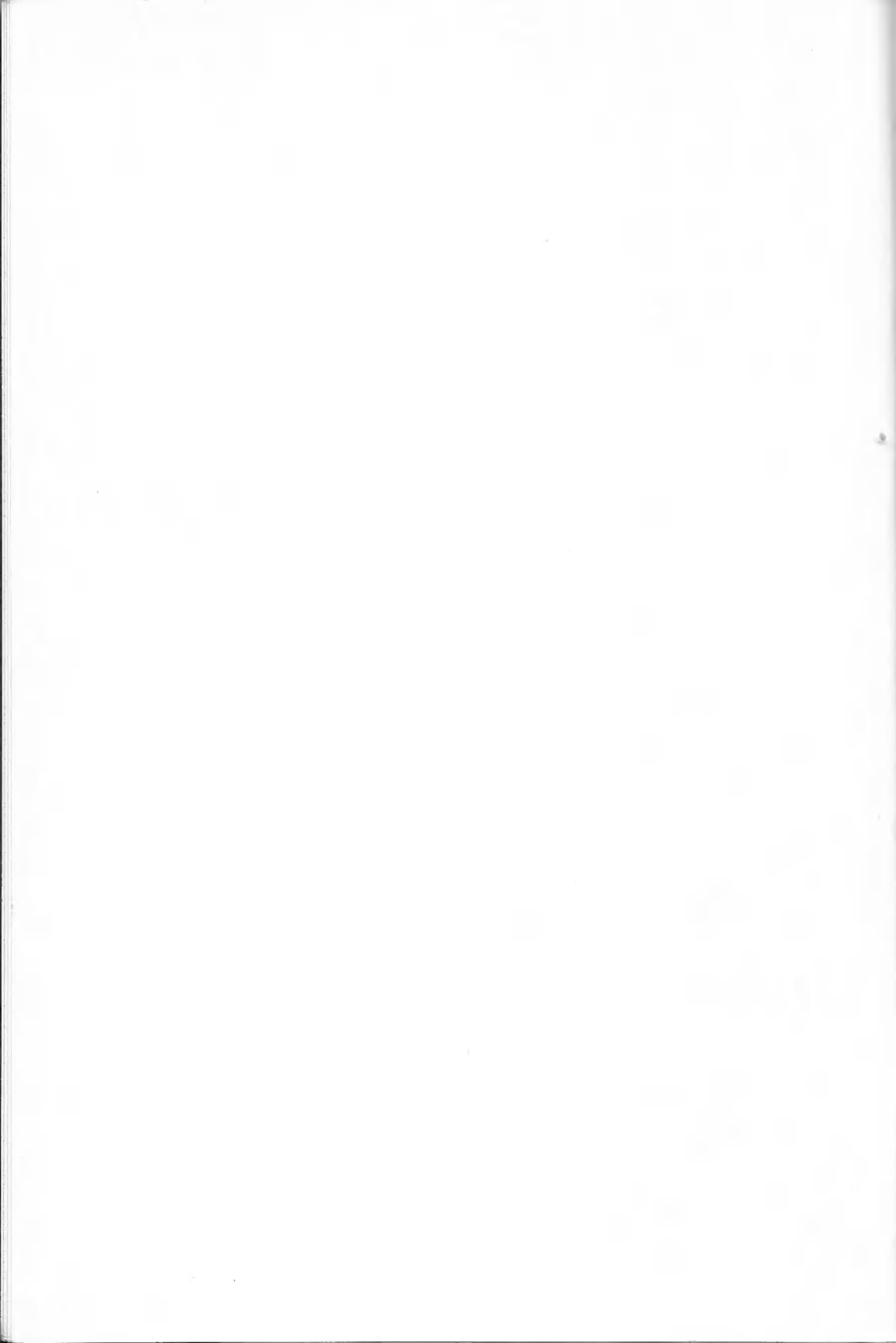
teacher and friend

on the occasion of
his sixty-fifth birthday



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INTRODUCTION*

As we inaugurate this five-year long observance of the Civil War, there is certain to be no diminution of the quantity of historical volumes already flooding forth from the nation's presses. One of the major subjects will undoubtedly continue to be the question of the causes of the Civil War. Some writers will favor political interpretations; others will emphasize economic factors; still others will cite social ingredients. Some will blame the North, and others the South. Some will denounce fool-hardy leadership in the South, or in the North, or both. Others will underline the failure of ordinary citizens in both sections to express their feelings and desires. Many of these writers will be so enamoured of their theories that they will overlook the all-pervasive influence of the crucial problem: slavery. Political, economic, social, psychological, and other currents *were* present as contributory factors, but they were *all* related in one way or another to the persistence of the slave system. Had Negro slavery not been an integral aspect of the life of the Old South, there would have been no conflict, no secession, no war. Differences there might have been, but not violence and bloodshed. Slavery was the single indigestible element in the life of the American people which fostered disunion, strife, and carnage, just as the concomitant

* I begin with 1789 for the following reasons: firstly, before discussing Jewish ownership of slaves in the Colonies, it would be necessary to consider the question of Jewish legal status in the Colonies in order to investigate the problems of all property ownership by Jews; secondly, the Colonial period was the hey-day of slave-importation from Africa, and Northern Jews were far more active in this aspect of the slave-trade than Southern Jews; and thirdly, Jewish settlers in the West Indian Colonies were at least as influential as those on the North American mainland, and a study of slavery during that time would therefore require extensive reference to those non-Southern Jewish communities. This study is terminated with the end of the Civil War, because the nature of Jewish life in the Reconstruction period was far different from that of the ante-bellum period. Only in a few instances has material before or after these dates been utilized, and these data are clearly germane. An additionally complicating factor has been avoided through the elimination of reference to the Jews of the border states, Maryland, Kentucky, and Missouri, which were at least as much a part of the North as they were of the South, as the Confederate leaders eventually discovered.

race problem has continued to an important degree to be a divisive force in American life to this day.¹

Previous students of the American Jewish scene have appeared to be reluctant to investigate the question of Jewish participation in the slave system. Works on local Jewish history in Southern communities, in particular, have either glossed over or altogether ignored this basic aspect of the life and experiences of the Jews of the Old South. It is my purpose to attempt to survey the following themes: Jews as planters, and as owners of slaves; the treatment of slaves by Jews; the emancipation of slaves by Jews; Jews as harsh taskmasters; business dealings of Jews with slaves and free Negroes; Jews as slave dealers; cases of miscegenation involving Jews and Negroes; and opinions of Jews about the slave system.²

¹ See Lee Benson and Thomas J. Pressly, *Can Differences in Interpretations of the Cause of the Civil War Be Resolved Objectively?* (mimeographed text of paper presented at the Annual Meeting of the American Historical Association, Dec. 29, 1956), for an extensive presentation of differences in the interpretation of pre-War patterns of thought and action.

² The following abbreviations will be used for works frequently cited: *AJA* = American Jewish Archives files; *AJAM* = *American Jewish Archives* [journal]; *E* = Barnett A. Elzas, *The Jews of South Carolina* (Philadelphia, 1905); *EL* = Herbert T. Ezekiel and Gaston Lichtenstein, *The History of the Jews of Richmond* (Richmond, 1917); *HTC* = Helen Tunncliff Catterall, *Judicial Cases Concerning American Slavery and the Negro*, 4 vols. (Washington, 1926-1936); *JNH* = *Journal of Negro History*; *MC* = Jacob Rader Marcus, *American Jewry. Documents. Eighteenth Century* (Cincinnati, 1959); *ME* = Jacob Rader Marcus, *Early American Jewry*, vol. II (Philadelphia, 1953); *MM* = Jacob Rader Marcus, *Memoirs of American Jews, 1775-1865*, 3 vols. (Philadelphia, 1955-1956); *OCC* = *The Occident and American Jewish Advocate*; *PAJHS* = *Publications of the American Jewish Historical Society*; *R* = Joseph R. Rosenbloom, *A Biographical Dictionary of Early American Jews* (Lexington, Ky., 1960); *RE* = Charles Reznikoff with Uriah Z. Engelman, *The Jews of Charleston* (Philadelphia, 1950).

I

JEWS AS PLANTERS AND AS OWNERS OF SLAVES

Only a small number of Jews in the Old South were planters. Sociological and economic factors explain why so few Jews achieved this characteristic Southern status of ownership and occupation. History had ordained that European Jews could not own land; the selection of occupations in which Jews could train their sons was severely delimited. Most Jews, out of natural inclination and the pressure of circumstances, felt safer in urban areas, where they could share each other's fellowship and find support in each other's presence. If Jews desired to be loyal to their ancestral faith, they could fulfill this need only where other Jews resided, not in the rural areas. An additional pressure was the poverty which accompanied most immigrant Jews when they came to America. The average Southern Jew was, therefore, a peddler or store-keeper, with comparatively slim resources, who tended to live in a town or city, and would not even think of aspiring to the ownership of a plantation.

Some Jews found their way to the highest rung of the economic and social ladder through prosperous careers as merchants or professional men. Among this small number of men, probably the best-known was Judah P. Benjamin, the brilliant New Orleans attorney, who purchased an extensive plantation twenty miles below the city in 1844, in partnership with Theodore Packwood, who served as the resident manager. Not content with the rather smallish mansion house, Benjamin rebuilt Bellechasse into a magnificent house which finally fell victim to a housing development in 1960. Benjamin's home, in which he installed his sisters after his wife and daughter moved to Paris, was an elegant example of ante-bellum grace, with "great, double-leveled porches, almost fifteen feet across, a parade of massive, rectangular pillars and everything else in proportion; curving stairways of mahogany, massive carved decorations, silver-plated doorknobs, extensive rose gardens between the house and the levee, and an enormous bell into which Benjamin was said to have dropped five hundred silver dollars during the melting, to 'sweeten the tone.'" Though Benjamin continued to practice his legal profession, he devoted great interest to his plantation, unlike the typical absentee landlord, and wrote articles and

delivered speeches on the problems of sugar-planting. Bellechasse was staffed with one hundred and forty slaves, of whom about eighty were field-hands. Benjamin sold the plantation after his election to the Senate.³

Another well-known Jewish planter was Major Raphael J. Moses who owned land at Esquiline Hill, near Columbus, Georgia. Moses, who became Chief Commissary Officer of Longstreet's Corps during the war, wrote in his memoirs that

when the war broke out, I had forty-seven slaves, and when it ended I had forty-seven freedmen — all left me except one, old London, who staid with me until he died.⁴

Other Jewish planters were: Nathan Nathans, who was a President of Beth Elohim Congregation of Charleston, South Carolina, with a plantation on the Cooper River; Isaiah Moses, who worked thirty-five slaves on his farm at St. James, Goose Creek, South Carolina; Mordecai Cohen, who had twenty-seven slaves on his plantation at St. Andrews, South Carolina, and his two sons Marx and David, both of whom owned nearby farms; Isaac Lyons, of Columbia, South Carolina; Barnet A. Cohen of King's Creek, South Carolina; and Chapman Levy, who turned from the law to planting when he moved to the Mississippi Territory. Various members of the Mordecai family had plantations in North Carolina and Virginia. Among other large plantation holdings, Moses Levy owned a magnificent home, "Parthenope," on a plantation at the juncture of the Matanzas River and Moses Creek, in Florida, which he sold to Achille Murat, the French refugee. One of the few lady planters was Abigail Minis, who had a small plantation near Savannah on which she employed seventeen slaves. The only Louisiana planter other than Benjamin whom we have been able to discover was J. Levy of Ascension Parish, with forty-one slaves working his fields.⁵

³ Robert Douthat Meade, *Judah P. Benjamin* (New York, 1943), pp. 57, 63 and 90; J. Carlyle Sitterson, *Sugar Country, The Cane Sugar Industry in the South, 1753-1950* (Lexington, Ky., 1953), pp. 131, 154; *The Life of Judah Philip Benjamin*, A Publication of the Louisiana State Museum (New Orleans, 1937); Harnett T. Kane, *Deep Delta Country* (New York, 1944), pp. 68-69; *Baton Rouge Advocate*, March 27, 1960, magazine section, p. 1.

⁴ *MM*, vol. I, p. 184.

⁵ Addendum on "Absentee Ownership of Slaves in the United States in 1830," in Carter G. Woodson, *Free Negro Owners of Slaves in the United States in 1830* (Washington, D. C., 1924), p. 61; 1840 Mss. Census Returns for New Orleans and Vicinity, National Archives; *RE*, p. 92; *E*, pp. 51 and 143; *R*, pp. 25 and 89; *ME*, p. 385; A. J. Hanna, *A*

There were probably a number of other Jewish owners of plantations, but altogether they constituted only a tiny proportion of the Southerners whose habits, opinions, and status were to become decisive for the entire section, and eventually, for the entire country. In contradistinction, it is astonishing to discover even one Jew who tried his hand as a plantation overseer even if only for a brief time. He was the much-traveled, restless and adventurous Solomon Pollock, a member of the well-known Philadelphia family, who worked on a plantation near Mobile in the late 1830's.⁶

But the typical Jew had no thought of working on a plantation, much less of owning one. He was likely to be a petty trader, trying to eke out a marginal living in an occupation which ranked quite low on the social scale of the Old South. He considered himself fortunate if he could pay his bills on time; and rated it a high accomplishment to own his shop with a few rooms on the floor above where his family could live. If he were as yet unmarried, he and a brother or uncle or nephew would live in a room behind the store, and the men would try to save up enough money to make their future more secure. Such men as these had no reason to invest their small capital in a slave, nor had they any need for a slave's services. Take, for example, young Samuel Adler and his brother who had a store in Talladega, Alabama. These two men, both unmarried, slept in the room behind their store, while two or three young clerks lived upstairs. They sent their laundry out, and ate their meals at a local hotel, except on Sunday, when their food was sent over to the store. What would the Adlers have done with a slave even if they could have afforded one?⁷ Or consider the fourteen Jewish men who lived in a Mobile, Alabama, boarding house. They were all between the ages of nineteen and thirty-nine, and earned their living as shopkeepers or clerks, with one tailor added for good measure. These

Prince in Their Midst: The Adventurous Life of Achille Murat on the American Frontier (Norman, 1946), p. 86; Leon Hühner, "David L. Yulee, Florida's First Senator," *PAJHS*, no. 25 (1917), pp. 4-7. Hühner, however, reports that Moses Levy favored the abolition of slavery, despite his extensive ownership of slaves.

⁶ Letter, Barnett Pollock to Sarah Pollock, Sept. 6, 1836, in collection of Edwin Wolf, 2nd.

⁷ We know about the Adler brothers' laundry and meals from 26 Ala. 145, quoted in *HTC*, vol. III, p. 201. On Dec. 2, 1854, a slave, Vincent, broke into their store and stole some goods; the trial revolved around the question of whether the slave had actually rifled a store or a residence. If the latter, the penalty would, of course, be much more severe.

men might be served at table by a slave, but this was the extent of their need. Furthermore, a slave would only be in the way in their little stores.⁸

On the other hand, Jews who were more firmly established in a business or professional career, as well as in their family relationships, had every reason to become slave-owners, although, of course, some socially prominent families took pride in employing white servants in their homes.⁹ Precise statistics concerning the ownership of slaves by Jews are hard to locate. Census records must be used with caution, because certain Jews known from other sources to be resident in a specific area at a given time were not listed at all; peddlers and traveling merchants, for example, were apt to be on the road when the census was taken; some of the manuscript census returns are quite illegible; and, in addition to frequent misspelling, the identification of Jewish names will always constitute a problem.

It is possible, nevertheless, to gain some information of value from the census returns. My colleague, Dr. Malcolm Stern, has investigated the 1790 manuscript census returns in his genealogical researches, and has generously provided me with the relevant data. Unfortunately, the returns for Georgia and Virginia were destroyed, but the South Carolina data provide valuable insight. Seventy-three heads of households have been identified as Jewish; of these, at least thirty-four owned one or more slaves, to a total of 151 slaves. The only large holdings of slaves were possessed by Jacob Jacobs of Charleston (11), and Abraham Cohen (21), Solomon Cohen (9), and Esther Myers (11), all of the Georgetown District.¹⁰

⁸ 1850 Mss. Census Returns for Mobile County, National Archives.

⁹ This is an aspect of Southern social life about which little has been written. Among the Jews of Mobile, according to the 1850 Mss. Census Returns, some of the most prosperous Jews reported white servants — Solomon I. Jones (the brother of Israel Jones) kept two white servants, and Philip Phillips had "four female Irish" in help — undoubtedly needed to take care of his large brood of children.

¹⁰ It is a misfortune that Ira Rosenswaike did not see fit to reproduce the data about slaves in his "An Estimate and Analysis of the Jewish Population of the United States in 1790," *PAJHS*, vol. L, no. 1 (Sept., 1960), pp. 23-67. Dr. Stern's notes have not been published; they do offer, however, an interesting contrast between ownership of slaves in South Carolina and other states. These statistics are as follows: of twenty-three Jewish heads of household in the New England states, five owned a total of 21 slaves; of sixty Jewish heads of household in New York, twenty owned a total of 43 slaves; of thirty-one Jewish heads of household in Pennsylvania, only three owned a total of 6 slaves; and of eight Jewish heads of household in Maryland, three owned a total of 3 slaves.



JUDAH P. BENJAMIN'S PLANTATION HOUSE AT BELLECHASSE
Photographed in 1947 by Stuart Lynn, New Orleans
(Author's Collection)

COMMITTED to the jail of Powhatan county, on the 2d day of April, a Negro Woman who calls herself JENNY. She says she was raised by Wm. Gathright, of the county of Henrico, who sold her to Mr. Fulcher, the butcher, of Richmond, and by him sold to one Williamson, who sold her to one Webster, of Buckingham, who sold her to a Mr. John Cambell, of King & Queen county, who left her at Lewis Fortine's, a free Negro of this county; from which last place she eloped. She appears to be about the age of 16 or 17, is very black, and has lost some of her upper fore teeth. The owner is desired to come and prove his property, pay the prison charges, and take her away, or she will be dealt with as the law directs.

MOSES N. CARDOZO, Tailor.

Powhatan Courthouse, May 17. 3t.

RICHMOND ENQUIRER, MAY 21, 1805

(Author's Collection)

S. COHEN,
 211 N. 3rd Street, Augusta, Ga.

Received of *R. C. Ashley* *Twenty* *five* Dollars,
being in full for the purchase of 1 Negro Slave
 named *Warren* —
 the right and title of said Slave I warrant and defend
 against the claims of all persons whatsoever; and likewise warrant
 him sound and healthy. As witness my hand and seal.
Edw. J. Miller *J. D. Ashley*

SLAVE BILL OF SALE, S. COHEN, 1864

(Author's Collection)

AUCTIONEERS' PRIVATE SALES.

Prime Field Negros and House Servants.

BY B. MORDECAI, 5 State-street.

At private sale—

TOM, 25 years of age, superior coachman and house servant.

JOHN, 21 years of age, superior coachman and house servant.

LILBURN, 24 years of age, superior coachman and house servant.

ISAAC, 22 years of age, house servant,

DRUCILLA, 20, seamstress, washer and ironer, and house servant.

ELVY, 18, seamstress, washer and ironer, and house servant.

AMELIA, 22, seamstress, tailoress, washer, and house servant.

LYDIA, 40, cook, washer and ironer.

LOUISA, 40, cook, washer and ironer.

PATSY, 19, seamstress, cook, washer and ironer, and child's nurse.

CAROLINE, 17 years old, prime field hand.

LUCY, 19 years old, prime field hand.

BETSY, 17 years old, prime field hand.

MARGARET, 16 years old, prime field hand.

CATHERINE, 16 years old, prime field hand.

MILLY, 17 years old, prime field hand.

OCTAVIA, 16 years old, prime field hand.

SALINA, 16 years old, prime field hand.

MARY, 28 years old, prime field hand.

NANCY and 2 children, 20 years old, prime field hand.

SARAH and child, 30 years old, prime field hand.

SUSAN, 30 years old, prime field hand.

SARAH, 18 years old, prime field hand.

CAROLINE, 18 years old, prime field hand.

SAUNDERS, 22, field hand.

BENJAMIN, 25, field hand.

SAMPSON, 30, field hand.

SAM, 16, field hand and plough boy.

MOSES, 33, field hand and cooper.

LINDSAY, 27, field hand.

HENRY, 20, field hand.

ISAAC, 18, field hand.

LAWRENCE, 45, field hand.

BYRON, 22, field hand.

DAVE, 25 years of age, laborer.

NAT, 30 years of age, laborer and sailor.

HENRY, a superior coat, pantaloons and vest maker, 22 years old.

January 1

thmtwvthfm7

Estate Sale—Valuable Negros
BY JACOB OTTOLENGUI.

Will be sold on **TUESDAY**, the 6th day of January, at
"Ryan's Mart," Chalmers street, at 11 o'clock, the fol-
lowing **NEGROS**, belonging to an estate:

NOVEMBER, aged about 65, a carpenter

JANE, aged 30, a market woman

JANE, aged 25, a cook and house servant

JOSEPH, aged 30, a drayman

BILLY, aged 26, a drayman

SANDY, aged 26, a drayman

The above negros can be seen at my office, 22 Broad
street, and treated for at private sale, previous to the day
of sale.

Conditions cash; purchasers to pay for bill of sale.

December 24

Dec. 24 25 29 31 Jan. 1 3 5 6.

CHARLESTON *COURIER*, JAN. 1, 1857

(Courtesy of University of Texas Library)

LEWIS B. LEVY,

No. 4 WALL STREET, RICHMOND, VA.

Under the City Hotel,

MANUFACTURER OF ALL KINDS OF

SERVANTS' CLOTHING.

Persons bringing their servants to the city for hire or
sale, can be supplied on reasonable terms.

The attention of traders and others particularly solicited.

References: **R. H. DICKINSON & Bro.,**

N. B. & C. B. HILL,

PULLIAM & SLADE,

BENJAMIN DAVIS.

RICHMOND DIRECTORY FOR 1852

(Courtesy of Virginia State Library)

BY S. J. & I. I. JONES.

THIS DAY, Feb 6, at 9 o'clock,

At our auction room—400 sacks white Corn
40 kegs Lard; 10 hlt pipes cognac Brandy
15 bbls Domestic Brandy; 45 do Gin
30 do Rum; 25 kegs Goshen Butter
50 boxes Alayath and French Cordials
70 boxes Soap; 80 bbls superfine Flour
5 casks Bacon Hams; 50 baskets Champaign
25 boxes Starch; 10 tierces new Rice
20 bbls dried Beef; 50 kegs Buckwheat
20 sr Havana Segars; 10 bbls winter Lamp Oil
40 bbls Monongahela Whisky
25 bbls old Peach Brandy; 30 bxs Sperm Candles
50 boxes Tobacco; 40 bbls Onions—together
with a variety of other goods.
Also—25 cases Boots, Brogans and Shoes.
Also—Dry Goods; Clothing and Fancy articles.
Also—Negroes at Auction.—Man Alfred, 25 years
old, field hand; Boy Isaac, 7 years old; Woman Judy,
30 years old and two work Horses. Terms cash.

Administratrix' Sale.

MONDAY, Feb. 8, at 12 o'clock,

At the late Mr. Hopper's Cabinet Ware-room in
Royal-street, near Dauphin-street, will be sold the
stock in trade and personal property of said dec'd
comprising a variety of household Furniture, to-
gether with every requisite for a furnishing Un-
dertaker. Terms of sale, 6 months credit, bonds
with approved security.

MOBILE DAILY ADVERTISER AND CHRONICLE, FEB. 6, 1841
(Courtesy of Duke University Library)

Negroes at Auction.

BY J. & L. T. LEVIN.

WILL be sold, on MONDAY, the 3d January next, at
the Court House, at 10 o'clock,

22 LIKELY NEGROES, the larger number of
which are young and desirable. Among them are Field
Hands, Hostlers and Carriage Drivers, House Servants,
&c., and of the following ages: Robinson 40, Elsey 34,
Yanaky 13, Sylla 11, Anikee 8, Robinson 6, Candy 3,
Infant 9, Thomas 35, Die 38, Amey 18, Eldridge 13,
Charles 6, Sarah 60, Baket 50, Mary 18, Betty 16, Guy
12, Tilla 9, Lydia 24, Rachel 4, Scippio 2.

The above Negroes are sold for the purpose of making
some other investment of the proceeds, the sale will
therefore be positive.

Terms—a credit of one, two and three years, for notes
payable at either of the Banks, with two or more approved
endorsers, with interest from date. Purchasers to pay
for papers. Dec 8 43

Black River Watchman will copy the above and
forward bill to the auctioneers for payment.

COLUMBIA DAILY SOUTH CAROLINIAN, DEC. 17, 1852
(Courtesy of the South Caroliniana Library)

NEGROES, NEGROES.



The undersigned has just arrived in Lumpkin from Virginia, with a likely lot of negroes, about 40 in number, embracing every shade and variety. He has seamstresses, chamber maids, field hands, and doubts not that he is able to fill the bill of any who may want to buy. He has sold over two hundred negroes in this section, mostly in this county, and flatters himself that he has so far given satisfaction to his purchasers. Being a regular trader to this market he has nothing to gain by misrepresentation, and will, therefore, warrant every negro sold to come up to the bill, squarely and completely. Give him a call at his Mart.

J. F. MOSES.

Lumpkin, Ga., Nov. 14th, 1859.

The State of South Carolina:

KNOW ALL MEN BY THESE PRESENTS, That I,
ANSLEY DAVIS,

for and in consideration of the sum of *Four hundred & twenty five Dollars*
to *me* in hand paid, at and before the sealing and delivery of these presents
by *Abraham Tobias*
(the receipt whereof I do hereby acknowledge) have bargained and sold, and by these
presents, do bargain, sell, and deliver to the said *Abraham Tobias*

*A Female Slave named Lorry,
about 15 years of age warranted
Sound & Healthy*

TO HAVE AND TO HOLD The said Slave *with her future
Issue & Increase*
unto the said *Abraham Tobias his*

Executors, and Administrators and Assigns, to *his* and *their* only proper use
and behoof forever. And I, the said ANSLEY DAVIS, my

Executors, and Administrators, the said bargained premises unto the said *Abraham
Tobias his*

Executors, and Administrators and Assigns, from and against all persons shall and will war-
rant and forever defend, by these presents.

IN WITNESS whereof I have hereunto set my Hand and Seal. Dated at,
Charleston on the *fourteenth* day of *December*
in the year of our Lord one Thousand Eight Hundred and Forty *four*
and in the Sixty-ninth year of the Independence of the United States
of America.

Signed, Sealed and Delivered }
in the Presence of }

M. Lopez

Ansley Davis 



THOMAS Y. CARDOZO
Photograph taken in New Orleans
(Courtesy of W. Warrick Cardozo, M.D.)



FRANCIS LEWIS CARDOZO, SR.
Photograph taken in Columbia
(Courtesy of W. Warrick Cardozo, M.D.)

The returns for other censuses have not yet been subjected to intensive investigation for Jewish data. But some guidance may be obtained from the results of a cursory sampling of the returns for New Orleans over a period of twenty years. In the 1820 manuscript census records for New Orleans, it has been possible to identify only six Jews. Each of these owned at least one slave, and the six owned twenty-three slaves altogether. By 1830, twenty-two Jews can be identified in the census returns — a very low number, since there were about sixty-six Jews in the area when the newly established congregation published its list of contributors in 1828, although some of the donors were not permanent residents. More than half of these twenty-two did not own slaves, but ten of them owned a total of seventy-five slaves. Obviously some of the newly arrived Jewish settlers could not afford to own slaves. By 1840, when sixty-two Jews can be identified in the census returns — again a very small number, since there must have been at least several hundred Jewish families in the community by that time — the newcomers had prospered to so great a degree that only seven reported that they owned no slaves. The fifty-five identifiable Jewish slave-owners of New Orleans in 1840 held a total of three hundred and forty-eight Negroes in bondage, an index to growing prosperity.¹¹

A large proportion of the early Jewish settlers in New Orleans were migrants not from foreign countries, but from well-established communities like Charleston. This was not true of Mobile, where only a small number of Jews were other than German and Polish immigrants, who were likely to be less prosperous and less assimilated than the New Orleans residents. Yet, according to the Mobile 1850 census, which lists seventy-two identifiable Jewish heads of family, thirty-one Jews were owners of slaves, to a total of ninety slaves. The proportion is even higher in view of the fact that we include in the figure for heads of families, nineteen young clerks and peddlers who lived in the homes of relatives, and fourteen Jewish bachelors who lived in a single boarding-house.¹²

¹¹ 1820, 1830, and 1840 Mss. Census Returns for New Orleans and Vicinity, National Archives. The statistics for 1830 are somewhat deceptive: of the ten slave-owners, one, L. Jacoby, owned thirty slaves, and another, Samuel Hermann, owned seventeen. More accurate approximations of the Jewish population of New Orleans are obtainable from city directories, congregational records, and newspaper advertisements, but these, of course, give no data on the ownership of slaves.

¹² 1850 Mss. Census Returns for Mobile, National Archives.

Another statistical indication of Jewish ownership of slaves, probably more accurate in terms of proportions than the census returns, are references to slaves in Jewish wills. Over the years, Professor Jacob R. Marcus has assembled at the American Jewish Archives, one hundred and twenty-nine wills of identifiable Southern Jews who died during the period of our interest. Of these, thirty-three refer to the ownership and disposition of slaves. This would mean, if it is a reliable index, that perhaps one-fourth of Southern Jewish adults were slave-owners. It is instructive that this matches the Federal figures for the 1860 census, namely, that three-fourths of the white population of the South were not slave-owners. Equally important, however, is the fact that only one-seventh of Southern Negroes were domiciled in towns or cities. The proportion of Jewish slave-owners, then, was possibly even larger than that of non-Jews, since the overwhelming majority of Southern Jews lived in the towns and cities.¹³

It would seem to be realistic to conclude that any Jew who could afford to own slaves and had need for their services would do so. Jewish owners of slaves were not exceptional figures. Slavery was an axiomatic foundation of the social pattern of the Old South. Jews wanted to acclimate themselves in every way to their environment; in both a social and psychological sense, they needed to be accepted as equals by their fellow-citizens. It was, therefore, only a matter of financial circumstance and familial status whether they were to become slave-owners.

¹³ The thirty-three wills refer specifically to one hundred and thirty-two slaves; in two cases slave children are not enumerated or named; in a number of others, only a few slaves are referred to by name, while unspecified numbers are grouped together in general categories. It is quite likely that some of the ninety-seven remaining decedents owned slaves and lumped them together with all other types of property, but this can neither be proved nor disproved without extensive reference to the estate inventories. The Federal statistics are derived from John Hope Franklin, *From Slavery to Freedom*, 2nd ed. (New York, 1956), pp. 185 and 189.

II

THE TREATMENT OF SLAVES BY JEWS

How did these Jewish slave-owners treat their Negroes? What did they feel towards them as human beings? Were they inclined to be lenient masters, motivated by tender sympathy, or were they, like other Southerners, sometimes kindly, sometimes harsh — but always masters?

It is obviously hard to secure answers to these questions. But some indication of the feelings of Jews towards their slaves may be derived from a detailed study of the wills to which we have alluded.

Apologists for the slave system have often contended that the cruel master was an exception, and that most slave-owners were considerate, kindly, and thoughtful. Much depends on the definition of a word like consideration. However kindly a man might be as a master, what of the future of his slaves after his death? In nineteen of these thirty-three wills, more than half, slaves were merely bequeathed to relatives or friends without specific instructions; in five, the executors were instructed to sell them. In the majority of these wills, then, slaves were treated like other property, to be retained if convenient and expedient, to be sold if that seemed the judicious course. The word kindness surely cannot encompass any relationship where a faithful servant could be torn away from familiar moorings and sold to a stranger who might or might not be a "good" master. It was probably typical that the executor of the estate of Emanuel Stern, who died in New Orleans in 1828, sold off his twelve-year old slave, Mathilda, at auction, for \$400. This was a profitable transaction, for in the inventory, Mathilda was valued at \$250.¹⁴

On the other hand, although the kindly feelings of some slave-owners cannot possibly be regarded as justification for the slave system, it is important to realize that some masters went far beyond a commercial attitude in their relationships with slaves. The proof of this is to be found in numerous cases of loyalty even after the emancipation which was produced by the Civil War. One example

¹⁴ Not in the Marcus collection at *AJA*. Data from Inventory of Estate of Emanuel Stern, Record Room, Civil District Court, New Orleans. Stern did not own Mathilda's parents.

of this reciprocated regard is to be found in old London's decision to stay with his former master, Major Moses. Another is revealed in a letter which Emma Mordecai received in 1867 from a former slave, Sarah P. Norris. The letter itself, beautifully composed and written, is evidence of Emma's opinion of the law which forbade whites to teach reading and writing to slaves. Sarah sends Emma news of the family and acquaintances in Richmond. But more, she assures her erstwhile mistress that she and her husband are looking after the family graves in the Richmond cemetery, and that all is well. "I never could forget my people," she writes, "I loved them then, I love them now."¹⁵ It would be pure prejudice to gainsay the humane motivations of slave-owners like Miss Mordecai.

Nine of the Archives' wills contain specific provisions relating to Negroes which reflect feelings of warm generosity. In his last testament, proved on February 18, 1796, Philip Hart of Charleston bequeathed freedom to his slave Flora. Jacob Cohen of Charleston emancipated his slave Tom, in his will proved on June 6, 1800. Samuel Jones of Charleston, in his will proved on January 20, 1809, instructed his executors to emancipate his slave Jenny and her son Emanuel, if he had not already done so in his lifetime, and bequeathed to Jenny his "Bed, Sheets, Bedstead, Blankets, Tables, Pots, Plates, Chairs, Looking Glass," allowing two other slaves such part of these possessions as they might desire. Jones also bequeathed the income from certain properties to Jenny and her son, and to six slaves who were not to be emancipated. A further provision stipulated that

it is my further desire not to drive Jenny and her children out of my House in King Street, until they have time to Procure ■ Place for their abode.

Jones gave no indication of his reason for failing to emancipate his other slaves.

Col. Chapman Levy's mother, Sarah Levy of Kershaw District, South Carolina, who died in 1839, revealed a special affection for two old slaves in her will. "It is my directions, desire and earnest request," she wrote, "that old Kennedy shall be kept with his wife and each treated with kindness and all reasonable indulgence and if my son Chapman Levy shall desire to purchase him to add to his

■ Letter, dated Nov. 23, 1867, Mordecai Collection, Duke University Library.

happiness it is my directions that he shall have him at the price of three hundred dollars." Rachel D'Azevedo of Charleston, whose will was proved on February 23, 1843, did her best to assure the contentment of her slaves, Maria, Rose, Dinah, and Flora, despite the adamant provisions of state law. She bequeathed these slaves and their issue to her daughter, Mrs. Sarah A. Motta,

with the express, and particular Conditions, that immediately after the death of the said Mrs. Sarah A. Motta, the Servants aforesaid with their issue or increase Shall work for their own use and time or services, being the same to all intents and purposes as if they were entirely free.

She also asked that her executor, Abraham Moïse, act as "a kind protector to my Servants Should they require his Valuable Services."

Dr. Jacob De La Motta of Charleston, whose will was proved on February 22, 1845, directed that his sister Rachel treat his slaves, Ann Maria Simmons, and her son Augustus, "with lenity," that she allow them to work at their own option, that they pay her only "moderate" wages, "and on no account to be sold on account of their being family servants born and bred in the same."

Benjamin Levy, the New Orleans printer and publisher, directed in his will, probated just after his death on January 10, 1860, that his slave Richard White, a barber, be given the opportunity to purchase his freedom for \$500. If this were not possible during his son, Alexander Levy's lifetime, White was to be set free after the son's death. Levy furthermore stipulated that the slave was

never to be sold, Mortgaged, or hired out for ■ longer term than one Year at a time, and never to be hired out of the State of Louisiana.

Another provision in Levy's will expressed his hope that a token of esteem be given by his family to each of the eight slaves who had been his property, and now belonged to other members of the family, as a "Small Memorial of their old Master."

Two of the wills refer to free Negroes. Benjamin Davis of Charleston, in his last testament which was proved on September 26, 1831, bequeathed one hundred and fifty dollars "for her faithful Services" to "a free colod woman named Elsey." Far more unusual was a provision in the will of David Perayra Brandon of Charleston, proved on April 24, 1838:

I recommend my faithful Servant and friend Juellit or Julien free Negro, to my dear Rachel [his stepdaughter] and W. C. Lambert [her

husband] my friend and request them to take him under their protection to treat him as well as they would do me and to give him Such portion of my Cloths as they will think useful to him and never forsake him being the best friend I ever had.

How many white men in the Old South would have wanted to describe a Negro as their "best friend" in the most permanent document of their lives, and how many would have dared do so?

These wills are ample evidence that some Jewish Southerners were deeply sensitive to the human character of their Negroes, and thought of them as fellow men rather than as cattle or merchandise.

III

EMANCIPATION OF SLAVES BY JEWS

No matter what kindnesses were bestowed upon slaves by their masters, only one gift was permanently meaningful, the gift of freedom. Fortunately, Samuel Jones, Jacob Cohen, Philip Hart, and Benjamin Levy were not the only folk who wanted to emancipate their slaves. Isaiah Isaacs of Charlottesville, Virginia, whose firm had once been compelled to take a Negro slave as security for a debt, outlined an elaborate program for the freeing of his slaves in his will which was proved in April, 1806:

Being of opinion that all men are by nature equally free and being possessed of some of those beings who are unfortunate[ly] doomed to slavery, as to them I must enjoin upon my executors a strict observance of the following clause in my will. My slaves hereafter named are to be and they are hereby manumitted and made free so that after the different periods hereafter mentioned they shall enjoy all the privileges and immunities of freed people. My slave Rachel is to go free and quit all manner of claim of servitude from and after the first day of January, which shall be in the year [1816], James from and after the first day of January [1820], Polly on the first day of January [1822], Henry on the first day of January [1830], and William on the first day of January [1834], and should either of my female slaves Rachel or Polly have a child or children before the time they become free such issue is to serve to the age of thirty-one, and then to be discharged from servitude; the said slaves are not to be sold, but to remain the property of my children and to be divided in the same manner as directed as to the division of my real estate; each one of my slaves are to receive the value of twenty dollars in clothing on the day of their manumission.¹⁶

No comparable Jewish will exists, with so complete a plan of emancipation, but in 1796, Samuel Myers of Petersburg, Virginia, purchased a mulatto woman, Alice, from the trustees of the estate of a neighbor, with the obvious intention of emancipating her, which purpose he fulfilled a little over a year later.¹⁷ A similar case of

¹⁶ *EL*, pp. 15, 327-329.

¹⁷ Photostat of deed of emancipation, *AJA*. But Myers did not free all his slaves. Louis Ginsburg, *The Jews of Petersburg* (Petersburg, 1954), p. 7, offers data on a number

purchasing a slave for rapid emancipation was that of Joseph Tobias of Charleston who, on July 23, 1798, bought a slave named Jenny for \$500 from Dr. James Cletherall, and promptly freed her "for former services rendered me." Perhaps she had nursed him during an illness while she was still the physician's property.¹⁸ In the same year, Solomon Raphael of Richmond, and his partner, freed their slave Sylvia and her child; and six years later Raphael emancipated another slave, Priscilla.¹⁹ In 1812, Solomon Jacobs, also of Richmond, freed his slave Esther.²⁰

A Northern owner of Southern slaves,²¹ Jacob I. Cohen, formerly of Richmond, and now of Philadelphia, provided for the emancipation of his slaves in his will which was probated in Philadelphia on October 31, 1823. Cohen directed that his slaves

Dick, Spencer, Meshack, Fanny and Eliza together with their children be manumitted from slavery immediately after my decease; and I do give and bequeathe to the said Dick, Spencer, Meshack, Fanny and Eliza twenty-five dollars each. But if any of my said Negroes will not accept their freedom I do then will and direct that they have the choice of their own master.

Cohen also directed that the children of Mary Andrew, a slave who

of his slaves, and in 1830, Myers' firm in Richmond was listed as owning eighty-two slaves: Woodson, "Absentee Ownership of Slaves in the United States in 1830," p. 73. Professor Jacob R. Marcus suggests to me that Myers may have purchased Alice as a concubine in view of his first wife's death just four months before. The relevant dates are as follows: Sarah Judah Myers died on Oct. 12, 1795; Myers bought Alice on Jan. 4, 1796; Myers married Judith Hays on Sept. 27, 1796; he sold Alice on Oct. 2, 1797. There is, of course, no documentary evidence of Myers' purpose, nor of the relationship.

¹⁸ Deeds from Vol. 3-I, p. 174, Miscellaneous Records, South Carolina Archives Department, Columbia, in Thomas J. Tobias' collection of photostats of family papers.

¹⁹ *EL*, pp. 78 and 80.

²⁰ *EL*, p. 85.

²¹ Historians have failed to express any interest in Northern owners of property in the South, property which frequently included Negro slaves. Michael Hart of New York City, for instance, who died in September, 1861, owned a plantation in Virginia. His son, Henry, went South, and "fearing that Richmond would be taken . . . left the city, and went to North Carolina, taking with him most of the slaves belonging to the estate"; 25 Grattan 795 ff., cited in *HTC*, vol. I, p. 265. The well-known naval officer, Commodore Uriah P. Levy, who was so proud of his part in the agitation for the abolition of flogging in the American Navy, was apparently not an abolitionist when slavery was under discussion. He held title not only to Jefferson's Monticello, a fact which has been well publicized, but also to a Virginia plantation known as Washington Farm, on which Negro slaves were worked; 3 A.K. Marsh 480, cited in *HTC*, vol. I, p. 296.

was to be freed at a later time, be regarded as "free from their birth."²²

It will be noticed, of course, that these examples of emancipation were all quite early. This is no coincidence, since most of the Southern states gradually tightened their restrictions until it was virtually impossible to free a slave except through stratagem or deceit. Those who believe that the Civil War could have been avoided through a general realization of the coming collapse of the slave economy ought to be compelled to read the enactments of the various states which were contrived to make the slave system a one-way street with no escape. It is quite possibly true that the expansion of slavery was economically unfeasible, but there is no indication that Southern leaders and framers of law were prepared to make emancipation easy. To the contrary, they bent every effort to keep the slaves in chains, and gradually encroached on the lives and activities of free Negroes, as well.

■ *EL*, pp. 330-332.

IV

JEWS AS HARSH TASKMASTERS

Acts of kindness towards Negroes were the only relief in the reality of a system which placed white masters in a position of absolute and total control over their slaves. Jews participated in every aspect and process of the exploitation of the defenseless blacks. The most extreme case on record was the murder of a slave by Joseph Cohen of Lynchburg, Virginia, in 1819, a crime for which he was indicted, tried and convicted — although of course the penalty for the murder of a Negro by a white was much less severe than the penalty for a trivial misdemeanor committed by a Negro.²³

Crimes of violence against slaves by Jews were probably quite rare, since most of these occurred in rural areas where there were few Jews. But Jews in the towns and cities appear to have been quite content to abide by the excessively cruel punishments meted out to blacks who were caught by the law. These are a few examples of the testimony of Jews against Negroes taken from the Richmond court records. In 1798, Polly, a mulatto slave, was tried for taking a loaf of white sugar worth two dollars from Benjamin Solomon's home, and was sentenced to five lashes on her bare back and ordered to be branded on her left hand.²⁴ Two years later, Joseph Darmstadt had "a bag and lot of beeswax," valued at fifty shillings, stolen from his store by Daniel Clayton, a free Negro, and heard Clayton sentenced to thirty-nine lashes on the bare back.²⁵ Another free Negro was accused of stealing two silver watches valued at \$32 from Myer Angel in 1832, and the culprit was sentenced to five years imprisonment, six months of which was to be spent in solitary confinement.²⁶ Benjamin Wolfe's store was broken into in 1797, and \$500 in merchandise was stolen. Three slaves were tried for the

■ ■ Va 158-159, cited in *HTC*, vol. I, p. 131. The records of the Lynchburg courts are so incomplete that it has not been possible to discover any details of Cohen's crime.

²⁴ *EL*, p. 78.

²⁵ *EL*, p. 79.

²⁶ *EL*, p. 91.

crime, but only one was convicted. He was sentenced to be hung.²⁷

Jews were among the many Southern citizens who appealed for the apprehension and return of runaway slaves. Characteristic was this advertisement by Reuben D. Rochelle and Hart Moses Shiff of New Orleans in the *Louisiana Gazette* of Jan. 18, 1812:

20 DOLLARS REWARD

Absconded from the house of the subscribers, on the night of the 16th inst. a mulatto boy, named Ovid, (the property of Judge A. Trouard, of the German Coast,) about 17 years of age, about five feet high, he had on ■ grey coloured coatee, with ■ black velvet collar and plated buttons, a grey waistcoat, white nankeen pantaloons, and short boots. Whoever will deliver him to the subscribers, or to his owner, or secure him in any Jail, shall receive a reward of twenty dollars, besides all reasonable charges. Masters of vessels are forewarned from harboring or carrying off said boy at their peril.

Not only did Jews bring slaves to court as private citizens, but they also participated as public officials in legal action against slaves. In 1792, for instance, Mordecai Sheftall of Georgia was responsible for issuing warrants for the arrest of runaway slaves in his district.²⁸ A large number of Charleston Jews held public positions which required their constant involvement in the apprehension and punishment of Negroes: Lewis Gomez was Turnkey of the Jail in 1802; Moses Solomon (1802), Nathan Hart (1821), and Solomon Moses (1822) were Constables; Samuel Hyams was Keeper of the Jail in 1822; Elisha Elizer (1802), Mark Marks (1822), and Solomon Moses, Jr. (1822) were City Deputy Sherrifs.²⁹ Moses Levy, also of Charleston, achieved a state-wide reputation as the most successful detective on the city's police force.³⁰ Moses N. Cardozo, who had a plantation near Richmond, was also the Jailer of Powhatan Courthouse. One of his responsibilities was the incarceration and disposition of runaway slaves.³¹ J. S. Cohen was City Marshal of Mobile in 1841. In connection with ordinary bankruptcies, Cohen was required to

²⁷ *EL*, pp. 77-78.

²⁸ *MC*, p. 63.

²⁹ *E*, p. 142.

³⁰ Jack Kenny Williams, *Vogues in Villainy, Crime and Retribution in Ante-Bellum South Carolina* (Columbia, S. C., 1939), p. 73.

■ *Richmond Enquirer*, May 21, 1805.

supervise the sale of Negro slaves for the account of the creditors. In the *Mobile Daily Advertiser and Chronicle* of November 4, 1841, he offered ten Negroes for sale for immediate cash, including "a first rate mantua maker, and several good cooks, washers and ironers."

From testifying against Negroes in court, to apprehending a runaway slave, to inflicting punishment upon a convicted Negro, these Jews were thoroughly a part of their society.

V

BUSINESS DEALINGS OF JEWS WITH SLAVES AND FREE NEGROES

Jewish merchants were probably more likely than others to have dealings with slaves and free Negroes, because large numbers of immigrant German Jews in the Southern states were marginal traders. Frederick Law Olmsted commented on the large numbers of Negroes who paraded the streets of Richmond on Sunday, wearing "the cast-off clothes of the white people . . . purchased of the Jews, whose shops show that there must be considerable importation of such articles, probably from the North." Olmsted was not, of course, an unbiased observer; he manifested a constant antipathy to Jews in all of his books. But there was probably some truth to his assertion that Jews in many Southern towns engaged in "an unlawful trade with the simple Negroes, which is found very profitable."³²

Not all business dealings with Negroes were illegal. Slaves were frequently authorized to make purchases with their own small savings; sometimes they were sent on errands for their masters. Free Negroes, and even slaves who were permitted to hire themselves out for work, could transact business in stores where they were well-known. The difference between Jewish and non-Jewish merchants was probably this: that the Jewish traders displayed somewhat less reluctance to do business with Negroes. Such, at any rate, was the impression of those who wrote of the post-bellum transactions of Jewish merchants with former slaves.³³ There is no question that this observation applied to Lewis B. Levy of Richmond, a manufacturer and vendor of "Servants' Clothing," who publicly solicited the patronage of slave traders, and masters who were selling or hiring out their slaves.³⁴

³² Frederick Law Olmsted, *The Cotton Kingdom*, ed. by Arthur M. Schlesinger (N. Y., 1958), pp. 37 and 196.

³³ E. Merton Coulter, *The South During Reconstruction, 1865-1877* (Baton Rouge, 1947), pp. 202-203. See also *Seventy Fifth Anniversary Brochure, Temple Beth Tefilloh, Brunswick, Ga.*, (Brunswick, 1961), p. 2 of "History," for reference to the confidence which the Negroes of St. Simons, Ga., felt in Bob Levison, whose store and grounds they dubbed "Jewtown."

³⁴ *Richmond City Directory* for 1852, p. 27 of the advertising section.

A number of law cases record difficulties which some Jews encountered in their business dealings with slaves. In 1836, Daniel Becker was convicted of illegal liquor sales to Negroes in South Carolina.³⁵ In 1843, Samuel F. Isaacs was convicted of selling a horse to a slave without permission, in the same state. But this case was based on a technicality which reveals the rigidity of laws relating to slaves: the overseer had given verbal consent to the slave and to Isaacs, but the law required written permission.³⁶ In 1859, Charlotte Levy of New Orleans leased a house to a slave, and was hauled into court over the illegal transaction.³⁷

All merchants had perennial troubles with the law over the question of Sunday sales, both to whites and to Negroes, but slaves were particularly involved because Sunday was generally their only shopping day. In 1806, when the Richmond officials conducted a special campaign against merchants who did business on Sunday, two of the thirty-one merchants who were prosecuted were Jews, Marcus Levi and Reuben Cantor.³⁸ Among many other subsequent cases, Walter Thalheimer was fined \$20, in 1847, for selling goods to slaves on Sunday without the consent of their owners.³⁹

But these business dealings with Negroes pale into insignificance compared to the major business involvement with slaves, namely slave-trading itself.

³⁵ Riley 155, cited in *HTC*, vol. II, p. 361.

³⁶ 1 Spears 223, cited in *HTC*, vol. II, p. 385.

³⁷ 15 La. An. 38, cited in *HTC*, vol. III, p. 676.

³⁸ *EL*, p. 82.

³⁹ *EL*, p. 98.

VI

JEWS AS SLAVE-TRADERS

Everyone who owned slaves participated in the barter of human beings. There were three classes of people so involved. The first group were those who purchased and sold slaves only in connection with their own personal needs. There was hardly a slave-owner who had never bought or sold a slave; only as an heir to a sizeable workforce could he fail to do so. But there were few who did not see fit at some time or other to dispose of a few superfluous slaves, or to increase their holdings through additional purchases. And even if one treated his slaves with the utmost of kindness, short of outright emancipation which was forbidden in most Southern states in the last two decades before the Civil War, no one could predict the fate of his slaves after his death. A particularly tragic case was that of "A Negro named Sam, about Eighty Years of age, diseased, and a Negro Woman named Sylvie about Seventy five years of Age," who were sold for ninety dollars in 1852 by Benjamin D. Lazarus, as Executor of the estate of Dr. Jacob De La Motta.⁴⁰ This was the same Dr. De La Motta who gave directions in his will for kindly treatment to other slaves. Perhaps the estate required cash, and undoubtedly the slaves were too old for any useful purpose, but what future could they have at the hands of a purchaser who would be compelled somehow to regain his investment?

After Solomon Jacobs, Acting Mayor of Richmond in 1818-1819, died in 1827, his family composed a tombstone epitaph which described him in most sentimental fashion:

Fond as a Husband.
Indulgent as a Father.
Kind as ■ Master . . .

If these were more than words, what would Jacobs have thought of his widow, Hetty, who in 1829 succeeded in having a special law passed by the Virginia House and Senate, allowing the sale of a

⁴⁰ Bill of sale, dated May 11, 1852, in the writer's collection.

number of female slaves and children because the "conduct of said slaves towards their mistress . . . was so very malevolent and very objectionable?"⁴¹

Thin though it may have been, there was still a line of demarcation between persons who bought or sold slaves as individuals, and those who dealt in slaves as part of their occupational pursuit. The second group of those who participated in the sale of Negroes were those merchants who dealt in many commodities, including slaves. Philip Sartorius of Louisiana and Mississippi, for instance, recalled the time in 1850 that his partner Sam Rothschild

gambled all our money off and sold [our trading] boat and stock to another flat boat man for ■ Negro girl, took her to New Orleans and traded her off for tobacco.⁴²

To Sam Rothschild, there was little difference between buying and selling a slave girl and any other kind of merchandise.

Sometimes Jewish store-keepers would take a flier at an investment in slaves for purely speculative purposes. An example of this activity was the purchase of three Negro slaves "named Joe William and Friendly" for \$4,500, in July, 1863, by Jacob Adler and Herman Cone of Jonesboro, Tennessee. Adler and Cone lost their investment, however; the Union victories deprived them of both capital and property.⁴³

An outstanding example of this kind of speculator was Jacob Barrett, an early merchant in Columbia, South Carolina, and later a resident of Charleston. Barrett was a characteristic store-keeper of the time, who carried a stock which included dry-goods, groceries, provisions, liquor, hardware, crockery, shoes, hats, saddles, horses, real estate, and when the opportunity presented itself, slaves as well. One of his clerks recalled the time when a gang of twenty Negroes was sent to him from Charleston; he promptly disposed of the slaves

at very large profits, keeping for his own use Armistead Booker, ■ goodlooking, active carriage driver and barber, who attended to his horses and in the store, and Aunt Nanny, a first rate cook.

⁴¹ *EL*, pp. 43 and 298.

⁴² *MM*, vol. II, p. 28.

⁴³ Photostats of slave bills loaned to me by Ben Cone of Greensboro, N. C., Herman's grandson.

Barrett later married the daughter of his cousin, Jacob Ottolengui of Charleston, another speculator in Negroes, and claimed before the Civil War to have around a thousand slaves working his rice plantations near the Savannah River.⁴⁴

Among this group of merchants were numerous Jewish auctioneers, commission merchants, and brokers. This was an avenue of commerce in which many Jews found their niche, because no stock of merchandise or investment of capital was required, at least at the beginning. As a merchant achieved a record in the community for sagacious advice, clever salesmanship, and financial reliability, he prospered, and then could build his own warehouses and auction rooms, and buy and sell for his own account as well as for his clients. Auctioneers were licensed by law in most communities; they were, in a sense, public officials. Even if they disliked the traffic in human flesh, therefore, they could not avoid it; they were expected by the public to deal in slaves as readily as in any other sort of merchandise. To all intents and purposes, they were slave-traders, but not exclusively. This is a list of Jewish auctioneers and commission merchants in various communities:

ATLANTA, GA., D. Mayer, Jacobs & Co.⁴⁵

CHARLESTON, S. C., Jacob Cohen⁴⁶

H. H. DeLeon⁴⁷

Jacob Jacobs⁴⁸

Myer Moses⁴⁹

Jacob Ottolengui⁵⁰

Ralph de Pass⁵¹

Abraham Mendes Seixas⁵²

■ Edwin J. Scott, *Random Recollections of a Long Life* (Columbia, S. C., 1884), pp. 82-85.

⁴⁵ Advertisement in Knoxville, Tenn., *Daily Register*, Apr. 30, 1863.

⁴⁶ Advertisement in Charleston *Daily Courier*, April 28, 1857. Though he auctioned other commodities, slaves were a very substantial part of his business. Frederic Bancroft, in his *Slave Trading in the Old South* (Baltimore, 1931), p. 190, states that Cohen was the tenth largest Charleston dealer in slaves, earning \$2,500 in commissions on slave sales in 1860.

⁴⁷ Bancroft, *op. cit.*, p. 175.

⁴⁸ Reference in his will in *AJA*, dated Nov. 20, 1797.

⁴⁹ Advertisement in Charleston *Southern Patriot*, Aug. 14, 1815, cited in Morris U. Schappes, *Documentary History of the Jews in the United States* (New York, 1950), p. 612.

⁵⁰ Advertisement in Charleston *Daily Courier*, Jan. 1, 1857.

⁵¹ *R*, p. 139.

⁵² *RE*, p. 76.

COLUMBIA, S. C., J. and L. T. Levin⁵³
 GEORGETOWN, S. C., Abraham Cohen⁵⁴
 KNOXVILLE, TENN., Isaac Joseph⁵⁵
 MOBILE, ALA., George Davis⁵⁶
 S. I. and I. I. Jones⁵⁷
 NATCHEZ, MISS., Jacob Soria⁵⁸
 NEW ORLEANS, LA., Jacob Hart^{58a}
 Jacob Levy and Lewis Florance⁵⁹
 E. J. Hart & Co.
 Hemingway, Friedlander & Co.
 Levy & Summers⁶⁰
 RICHMOND, VA., Benjamin Davis
 David Judah⁶¹
 Ash Levy
 Samuel Reese⁶²

Advertisements of slave auction notices of two of these firms, J. and L. T. Levin of Columbia, and S. I. and I. I. Jones of Mobile, are reproduced in order to underscore the fact that these members of Jewish communities who were dealers in slaves were not scorned by their fellow Jews. Both Jacob Levin and Israel I. Jones occupied particularly prominent positions in the Jewish life of their towns.

Levin was the acting rabbi and recognized leader of the Jews of Columbia. For many years he gave the main address at the annual public meetings and examinations of the Columbia Hebrew Sunday

⁵³ Advertisements in *Columbia Daily South Carolinian*, Nov. 15, Dec. 2, Dec. 9, Dec. 17 and Dec. 29, 1852.

⁵⁴ Arthur Hecht, "Abraham Cohen: Deputy Postmaster at Georgetown, South Carolina (1789-1800)," *PAJHS*, vol. XLVIII, no. 3 (March, 1959), p. 178.

■ Advertisement in *Knoxville Daily Register*, Apr. 30, 1863.

⁵⁶ *Mobile City Directories* for 1839 and 1842; article on Mobile Jewish History by Alfred G. Moses, *Mobile Register*, June 19, 1932.

⁵⁷ Advertisement in *Mobile Daily Advertiser and Chronicle*, Feb. 6, 1841.

⁵⁸ *Mississippi Free-Trader and Natchez Tri-Weekly Gazette*, September 29, 1836; Edwin Adams Davis and William Ransom Hogan (eds.), *William Johnson's Natchez: The Ante-Bellum Diary of a Free Negro* (Baton Rouge, 1951), pp. 66, 175, 224, 366, *passim*. The Johnson diary contains frequent references to sales of various kinds of merchandise, including slaves, at the Soria auctions. Davis and Hogan, *The Barber of Natchez* (Baton Rouge, 1954), pp. 31, 173.

^{58a} *Louisiana Gazette*, July 8, 1808.

⁵⁹ *New Orleans City Directory* for 1832; *Historical Epitome of the State of Louisiana . . .* (New Orleans, 1840), p. 252.

⁶⁰ *New Orleans City Directory* for 1855.

⁶¹ *EL*, pp. 44-54 and 143.

■ Bancroft, *op. cit.*, pp. 97-98.

School, of which his wife was directress. His speeches, which were deemed important enough to be reported and even quoted at length in Rabbi Isaac Leeser's Philadelphia monthly journal, *The Occident and American Jewish Advocate*, were high-minded appeals to Jewish adults as well as children to devote themselves to the traditional ideals of Judaism. Levin was also an early Secretary and Treasurer of the Hebrew Benevolent Society of Columbia. His non-Jewish neighbors held him in equally high esteem: he was elected Illustrious Grand Master of the Masonic Council.⁶³

Israel Jones was an even more distinguished leader. One of the first of Mobile Jewish residents to cleave loyally to his faith, he was the President of the first congregation in Alabama, Congregation Shaarai Shomayim, from its founding in 1844 until 1873. During the few brief years of activity of the pioneering Board of Delegates of American Israelites, the first national Jewish organization for the purpose of national and international representation, Israel Jones was honored with the office of Vice-President. Jones took great pride in the fact that his daughter Emily married the talented Rabbi James K. Gutheim of New Orleans. Occupying a similar position of high repute in the general community, he was at various times a member of the City Council of Mobile, President of the Mobile Musical Association, and founder of Mobile's street car line.⁶⁴

Slave-dealing obviously did not disqualify Jews from receiving the friendship and esteem of their co-religionists any more than it disqualified Christians; engaging in business transactions in Negro flesh was not regarded as incompatible with being a good Jew.⁶⁵

■ OCC, vol. II (1844), pp. 83-87, 147-150; vol. IV (1846), pp. 387-389; vol. V (1847), p. 164; vol. VI (1848), p. 153; vol. VIII (1850), pp. 145-158; vol. IX (1851), pp. 268-269; vol. XII (1854), p. 326; Helen Kohn Hennig, *The Tree of Life . . .* (Columbia, S. C., 1945), pp. 3-4. Melvin S. Harris, *The Columbia Hebrew Benevolent Society* (Columbia, 1947), p. 12, quotes the listing of the Levin business in the Columbia city directory of 1850 as "auctioneer and commission merchant for the sale of Real Estate, stocks and bonds, Negroes, cotton, flour and corn."

⁶⁴ Bertram W. Korn, "An Historical Excursus," in *1844-1944, Congregation Shaarai Shomayim, Mobile, Alabama* (Mobile, 1944); *Mobile City Directories* for 1839, pp. iii, 24a; 1842, p. 64; 1850, p. 48; 1856, p. 57; Korn mss. files on Jones; letter, Myer S. Isaacs to Jones, Aug. 14, 1860, Board of Delegates Mss. Files, Library of the American Jewish Historical Society.

⁶⁵ Nor, of course, did slave-owning seem to be offensive in a rabbi. Bertram W. Korn, *American Jewry and the Civil War* (Philadelphia, 1951), p. 29, gives data on the Rev. George Jacobs' hiring of a slave woman. A. J. Marks, acting rabbi of New Orleans in the 1830's, listed eleven slaves in his household in the 1840 Census for New Orleans.

Abraham Mendes Seixas was not a Jewish leader, but his brother was the famous rabbi of Colonial and early Federal New York and Philadelphia, Gershom Mendes Seixas. Abraham, like other auctioneers of slaves was neither ashamed of nor apologetic about his offerings of Negroes. He even burst into doggerel about his slave merchandise:

ABRAHAM SEIXAS,
All so gracious,
Once again does offer
His service pure
For to secure
Money in the coffer.

He has for sale
Some Negroes, male,
Will suit full well grooms,
He has likewise
Some of their wives
Can make clean, dirty rooms.

For planting, too,
He has a few
To sell, all for the cash,
Of various price,
To work the rice
Or bring them to the lash.

The young ones true,
If that will do,
May some be had of him
To learn your trade
They may be made,
Or bring them to your trim.

The boatmen great,
Will you elate
They are so brisk and free;
What e'er you say,
They will obey,
If you buy them of me.⁶⁶

⁶⁶ Quoted from the *Charleston South Carolina State Gazette*, Sept. 6, 1784, in *E*, pp. 129-130.

The third group of those who dealt in Negroes were, of course, the full-time slave-traders, whose sole income was derived from purchasing, transporting and selling slaves. None of the major slave-traders was Jewish, nor did Jews constitute a large proportion of traders in any particular community. Frederic Bancroft, who has made an exhaustive study of the business, attempted to classify all traders and auctioneers in the major Southern markets. In Richmond, according to his list, only three of seventy were Jews; in Charleston, four out of forty-four; in Memphis, only one of more than a dozen.⁶⁷ Other standard works limited to the investigation of the slave-trade in Kentucky and Mississippi list many dozens of slave-traders among whom not a single Jewish name appears.⁶⁸ Probably all of the Jewish slave-traders in all of the Southern cities and towns combined did not buy and sell as many slaves as did the firm of Franklin and Armfield, the largest Negro traders in the South.

These are the Jewish slave-traders whose identity we can establish:

ATLANTA and AUGUSTA, GA., Solomon Cohen⁶⁹

CHARLESTON, S. C., B. Mordecai⁷⁰

LUMPKIN, GA., J. F. Moses⁷¹

MOBILE, ALA., Philip Goldsmith⁷²

⁶⁷ Bancroft, *op. cit.*, pp. 97-98, 175-177, 251-252.

⁶⁸ J. Winston Coleman, *Slavery Times in Kentucky* (Chapel Hill, 1940), and Charles Sackett Sydnor, *Slavery in Mississippi* (New York, 1933).

⁶⁹ Receipt for sale of slave "Warren," dated Augusta, Feb. 20, 1864, signed by Jacob Reese, for "S. Cohen, Dealer in Slaves, Ellis Street, Augusta, Ga." in the writer's collection; this Reese may have been related to Samuel Reese, a slave auctioneer of Richmond. *AJA* has a similar receipt, dated July 3, 1863, with an imprinted address in Atlanta which has been crossed out, with "Augusta" superimposed in handwriting. Cohen probably had offices in both cities. *AJA* also has receipts for three slaves purchased by Levi Cohen in various Georgia towns in 1862-1864; there is no indication whether these Cohen's were related.

⁷⁰ Mordecai, an important mercantile power in Charleston is listed here, in spite of the fact that this was not his only source of income, because his slave-dealings were so extensive; his traffic in Negroes was so constant that he had his own slave-pens alongside his warehouses. In 1859, Mordecai purchased \$12,000 worth of slaves in a single sale. 12 Richardson 547, cited in *HTC*, vol. II, p. 325; *Charleston Mercury*, Jan. 10, 1859, cited in Bancroft, *op. cit.*, p. 183; *Charleston Courier*, Jan. 1, 1857.

⁷¹ Broadside, dated Nov. 14, 1859, reproduced in Charles F. Heartman, *Americana Catalogue No. 120* (1947), p. 145.

⁷² *Mobile City Directories*, for 1850 and 1856.

NATCHEZ, MISS., and NEW ORLEANS, LA., Benjamin and Jacob Monsanto⁷³

NEW ORLEANS, LA., Levy Jacobs⁷⁴

PETERSBURG and RICHMOND, VA., Ansley, Benjamin, George, and Solomon Davis⁷⁵

RICHMOND, VA., Abraham Smith⁷⁶

Slave-dealing was an extremely profitable business. Through natural increase, the upper South produced more slaves than its over-worked soil required, while the lower South needed constant recruits for an ever-increasing labor force on its newly developed plantations. When the price of cotton was high, slave-traders could double their investment by leading long coffles of slaves from one section of the South to the other, despite the expenses of fattening up their wares and giving them medical attention.⁷⁷

A simple example of the profit to be made in a slave sale is given in two bills of sale relating to transactions of B. Mordecai's firm in Charleston. Mordecai purchased a slave named Abram or Abraham, about fifty years old, for \$180, from an estate, on Dec. 3, 1851. The slave was sold about six weeks later for \$250. The slave must have been fairly undesirable to bring such a small sum of money, but thirty-nine percent profit was a good return on a six weeks' investment.⁷⁸

⁷³ The Monsanto brothers owned plantations at Natchez and dealt in slaves there and in New Orleans, where they also maintained a residence. There is good reason to believe that they were Dutch-born Marranos, and if so, they were probably the first residents of Jewish birth in Natchez and in New Orleans. *AJA* has photostats of documents relating to their transactions in slaves during 1787-1794, from the Office of Chancery, Natchez, and the files of the Louisiana Historical Society contain many references to the brothers and their wives. See also, *MC*, pp. 456-457, and *Universal Jewish Encyclopedia*, vol. VII (New York, 1942), p. 586, for additional references to the Monsanto brothers.

⁷⁴ *New Orleans City Directories*, for 1823, 1824, 1827, and 1835.

⁷⁵ Bancroft, *op. cit.*, pp. 93-94.

⁷⁶ Interview with his grand-daughter, Mrs. Hattie E. Genbrun, recorded by Louis Ginsburg, Petersburg, Aug. 29, 1958.

⁷⁷ Every once in a while an unconscionable dealer would foist a sickly slave on an unwary customer. *HTC* gives instances of such occurrences which were brought to court: In June, 1821, a man named Samuel sold a slave woman ill of a venereal disease to a client named Minter; the woman died soon afterwards, and Minter went to court to regain the purchase price. 3 A. K. Marsh 480, cited in vol. I, p. 296. In Nov., 1860, B. Cahn of New Orleans sued a slave-trader who had sold him a consumptive slave; the vendor had to repay Cahn the money involved in the transaction. 15 La. An. 612, cited in vol. III, p. 685.

⁷⁸ Bills of sale in the writer's collection.

The largest Jewish slave-trading firm in the South seems to have been the Davis family of Petersburg and Richmond, including Ansley, Benjamin, George, and Solomon.⁷⁹ They were the only Jews mentioned by Harriett Beecher Stowe in her little-known commentary, *A Key to Uncle Tom's Cabin*.⁸⁰ Mrs. Stowe quotes a letter by Dr. Gamaliel Bailey, referring to them:

The Davises, in Petersburg, are the great slave-traders. They are Jews, came to that place many years ago as poor peddlers . . . These men are always in the market, giving the highest price for slaves. During the summer and fall they buy them up at low prices, trim, shave, wash them, fatten them so that they may look sleek, and sell them to great profit.

The Davis family traveled far and wide with their slave merchandise. We reproduce a bill of sale imprinted with Ansley Davis' name, produced for use in South Carolina, attesting to the receipt of \$475 for "a female slave named Savry about 15 years of age warranted Sound and Healthy," from the purchaser, Abraham Tobias of Charleston, signed as witness by another Jew, M. Lopez, on Dec. 14, 1854.⁸¹ The Davises were obviously well-prepared to do business in various Southern states, with legal forms already printed for their use. The family was also known in Georgia. Benjamin Davis advertised in the Columbus *Enquirer* of April 12, 1838, that he had for sale

Sixty Likely Virginia Negroes — House Servants, Field Hands, Blow boys, Cooks, Washers, Ironers, and three first-rate Seamstresses.

Davis was remaining in Columbus, and assured the local folk that he would continue to receive shipments of additional bargains "by every arrival" for almost two more months.⁸²

In these ways did Jews participate in the commercial components of the slave system.

⁷⁹ Data about these men is given in Ginsburg, *op. cit.*, pp. 25, 31, 35-36, and *EL*, p. 143.

⁸⁰ Boston, 1853, p. 151.

⁸¹ Photostat from the family papers of Thomas J. Tobias, Charleston.

⁸² Cited in Ralph Betts Flanders, *Plantation Slavery in Georgia* (Chapel Hill, 1933), p. 135.

VII

CASES OF MISCEGENATION INVOLVING JEWS

Inter-racial cohabitation was quite common in the South, but there is little available documentary evidence which can be utilized to establish statistical indices, either for the general white population, or for any minor division thereof.

A search in the available records for Jewish names borne by Negroes encounters the inevitable difficulty of distinguishing Jewish from non-Jewish names. Many, like Aaron, Abrahams, Benjamin, David, Davis, Emanuel, Hart, Isaacs, Lyons, Marks, Moses, Myers, Noah, Samuels, Salomons, and Stein, can be Jewish or Gentile, as the case may be. Nor have we any notion of whether Northern Negroes with names like Hannah Adler, Perry Cohen, Isaac Farber, Richard Levy, Peter Levy, Benjamin Levy, Isaac Nathans, Abraham Stern, and thirteen Negro Tobias', went North before or after receiving their names. But it is likely that some of these Negroes did receive their names either from Jewish owners or Jewish fathers. This is probably also true of Sheldon Cohen of St. Peters Parish, South Carolina, Constance Herschell of New Orleans, Levy Jacobs of Fayetteville, North Carolina, George and Samuel Kauffman of King and Queen County, Virginia, Affey Levy of Charleston, Justine Moïse of New Orleans, Harry Mordecai of Frankfort, Kentucky, Betty Rosenberg of Charleston Neck, and Catherine Sasportes of Charleston.⁸³ Lists of Negroes active in Reconstruction days in South Carolina provide a few additional Jewish-sounding names: H. B. Da Costa, a well-regarded teacher; Philip E. Ezekiel, who was nominated for the positions of inspector general and adjutant on the Reform Republican ticket in 1872; Richard Moses, who was a leader in the South Carolina Conference of the Methodist Episcopal Church in 1870; Julius Mayer, a Representative from Barnwell District; T. K. Sasportas, a delegate and secretary of the 1867 organizational convention of the South Carolina Republican Party; Charles C. Levy and J. R. Levy, who were South Carolina delegates to National Republican Party Conventions in later days.⁸⁴

⁸³ Carter G. Woodson, *Free Negro Heads of Families in the United States in 1830* (Washington, 1925). Eight of these Negroes, incidentally, owned a total of thirty-nine slaves: Woodson, *Free Negro Owners of Slaves* . . . pp. 4 ff.

⁸⁴ John S. Reynolds, *Reconstruction in South Carolina 1865-1877* (Columbia, 1905) pp. 60-61; Alruthus Ambush Taylor, *The Negro in South Carolina During the Recon-*

There is no available data to help us to ascertain whether these Negroes took their names from Jewish masters, or fathers, or neighbors, or benefactors, or, in certain cases, from the Bible. But there are situations where a relationship of friendship if not of parentage seems quite likely, as for instance, George Darmstadt, a free Negro of Richmond, who, with his wife Patty, was given permission in September, 1816, to live in the city in recognition of his "faithful services, honesty, and good demeanor."⁸⁵

We do not even have the help of religious affiliation in our investigation of this question, since Jewish congregations would not accept Negro members. The Richmond congregation required that its members be free; and the Charleston Beth Elohim constitution of 1820 accepted proselytes only if "he, she, or they are not people of colour."⁸⁶ There is only one reference to a Jewish Negro in all of Southern Jewish records, "a free man of color" who was converted to Judaism by his master, and was accustomed to attending services at the Charleston synagogue in 1857, during the tenure of Rabbi Maurice Mayer.⁸⁷ The fact that Jewish masters, with this exception, did not educate their slaves in the Jewish faith, and that synagogues did not welcome Negro worshippers, would seem to negate the contention that present-day Negroes who regard themselves as Jews are descended from slave-converts of Jewish masters.

There are actually only five instances in which documentary evidence indicates cohabitation of Jews with Negro women, and it is important to note that in each case they were free Negroes. In the first, the only one to be brought to court, David Isaacs and Nancy West, a free mulatto woman, were indicted in 1826 by the grand jury of Albermarle County, Va., "for outraging the decency of society . . . by cohabiting together . . . as man and wife, without

struction (Washington, 1929), pp. 98, 116, 127 and 207; "South Carolina Negro Delegates to Republican National Conventions," *JNH*, vol. XII (1922).

⁸⁵ *EL*, p. 86.

⁸⁶ *ME*, vol. II, p. 224; *E*, p. 153; *Constitution of the Hebrew Congregation Kaal Kodesh Beth-Elohim, or House of God. Charleston, 1820* (reprinted Charleston, 1904), p. 16. The first New Orleans congregation, incorporated in 1828, also restricted its membership to "white Israelits [*sic*]": Schappes, *op. cit.*, p. 180.

⁸⁷ *RE*, p. 78. Thomas J. Tobias of Charleston has directed my attention to two further references to the same person, "Old Billy," "a Jewish Negro, then about 70 years of age . . . gained his living carrying newspapers" (*Weekly Gleaner*, San Francisco, Jan. 16, 1857); the man died in 1860, as reported in the *Jewish Chronicle* (London), May 11, 1860, which stated that "for years he has been a faithful attendant at the Jewish Synagogue on the Day of Atonement, making his appearance on these occasions in a ruffled shirt."

being lawfully married." A higher court reduced the serious charge of the indictment to the lesser charge of fornication.⁸⁸

In our second case, the evidence is less positive. Samuel Simons, whose will was proved in Charleston on Feb. 13, 1824, left his entire estate to relatives and Jewish institutions in London, with the exception of an extensive bequest to his "House Keeper Maria Chapman a free woman of Colour." Simons left Maria

the Sum of fourteen hundred Dollars, two Negroes named Pompey and Peggy with the issue and increase of the females and also two Bedsteads bedding and six chairs.

Negro concubines were frequently called "housekeepers," and Simons' bequest to Maria was extraordinarily large. The supposition would be that her employer had a much more personal relationship with Maria than would be mentioned in polite society.⁸⁹ This may also be true of other men whose generous bequests have already been noted, especially when the names of children are also mentioned.

The third instance is far more definite. The will of Moses Nunes of Savannah, who died on Sept. 6, 1797, acknowledges "Mulatta Rose" as his concubine, and recognizes her children, Robert, James, Alexander, and Frances (married to George Galphin), as his own progeny. He bequeathed certain tracts of land, his home, furniture and clothing, and thirteen Negro slaves, to Rose and his four children, in addition to

a full and perfect freedom from all Slavery and servitude in reward and as an acknowledgement of the faithful conduct and behaviour of the said Mulatta Rose towards me and my Children.⁹⁰

Moses Nunes' will became an important document in 1853 when it was exhumed in connection with a lawsuit which was carried through the courts during the next eleven years. The case concerned the legality of Moses' grandson, Joseph's, sale of five slave children, his own, by his Negro concubine, Patience. What was at stake was the question of Joseph's race, since his father, James Nunes, had passed for white, and had been married to a white woman. Many witnesses testified to their belief that both James and Joseph were of pure white ancestry. Unfortunately, however, the grandfather's will was strong evidence of mixed blood. But Sherman's march through

⁸⁸ *HTC*, I, p. 145, citing 5 Randolph 634.

⁸⁹ Will in *AJA*.

⁹⁰ Will in *AJA*.

Georgia made the entire question an academic one before the final appeal was adjudicated.⁹¹

A less complicated example, in certain ways, was that of the Negro branch of the Cardozo family, which produced two leading figures in Reconstruction governments. It is a moot question whether their father was Jacob N. Cardozo, the famous Southern journalist and economist, or his lesser-known brother Isaac, who for twenty-four years was a weigher in the Charleston Custom House. Historical writers seem to have favored Jacob's name, while present-day members of the family believe that Isaac was their ancestor.⁹²

Be that as it may, Francis Lewis Cardozo, Sr., was probably the most distinguished member of the Cardozo family between his father or uncle Jacob, and Supreme Court Justice Benjamin Nathan Cardozo. Francis was born in Charleston on Jan. 1, 1837, the son of Lydia Williams, a free mulatto of mixed Negro and Indian blood. He went to school from the ages of five to twelve, and probably received some private tutoring from Jacob Cardozo; he was apprenticed to a carpenter for five years, and then pursued the trade independently for a few more. At the age of twenty-one, with money which he had saved over the years, and possibly with some help from the family and from the American Missionary Association, he went to Scotland. He matriculated first at the University of Glasgow, where he won prizes in Latin and in Greek, and then at the theological seminary in Edinburgh. He later studied at the London School of Theology, was ordained, and then returned to the United States to become the minister of the Temple Street Congregational Church in New Haven, Conn. A year later, immediately after the conclusion of the Civil War, he was sent by the American Missionary Association to Charleston, where he founded the Avery Institute, a normal school. In the following years, he was president of the South Carolina State Council of Union Leagues, a member of the South Carolina Constitutional Convention of 1868, a member of the Board of Trustees of the University of South

⁹¹ 14 Ga. 185-207; 20 Ga. 480-512; 33 Ga. 11-29, as cited in *HTC*, vol. III, pp. 33, 50-51, 87-88.

⁹² For Jacob N. Cardozo, see Alexander Brody, "Jacob Newton Cardozo, American Economist," *Historia Judaica*, vol. XV (1955), pp. 135-166; for Isaac, see *E*, pp. 161, 163-164 and 204; and Barnett A. Elzas, *The Old Jewish Cemeteries at Charleston, S. C.* (Charleston, 1903), p. 12.

Carolina in 1869, Secretary of State in the Scott administration of 1868-72, and State Treasurer in the Moses and Chamberlain administrations, 1872-76. During the latter years he studied at the South Carolina College and received his LL.B. degree in 1876. Cardozo was described by those who knew him as a "handsome, well-groomed man, with cultivated manners," as "almost white in color," with a "tall, portly . . . figure and elaborate, urbane manners." He was removed from office during the upheavals of 1877, although there was virtually no evidence of corruption on his part. To the contrary, he had fought hard to keep the state's financial condition free of speculation. In this regard, he stands in strong contrast to Franklin Moses, Jr., the notorious Reconstruction Governor, also of Jewish parentage, though never a practicing Jew. Even the most vigorously pro-Bourbon historians have been hard-pressed to uncover any excuses for criticism of Cardozo's leadership and record.

This is, of course, not the proper place for an extensive evaluation of Cardozo's services to his people and to the state of South Carolina, or of his later career as an educator in the nation's capital, but it is vital to underscore his reputation both among whites and Negroes as one of the most brilliant and highly educated public servants in South Carolina. Governor Daniel H. Chamberlain, in the midst of great corruption and mismanagement, said of Cardozo,

I have never heard one word or seen one act of Mr. Cardozo's which did not confirm my confidence in his personal integrity and his political honor and zeal for the honest administration of the State Government. On every occasion and under all circumstances he has been against fraud and jobbery and in favor of good measures and good men.

I would not want to conclude this brief sketch of Cardozo without quoting an excerpt from the comments on school desegregation which he made during the debates of the Constitutional Convention of 1868: "The most natural method of removing race distinctions," he said, "would be to allow children, when five or six years of age, to mingle in school together . . . Under such training prejudices will eventually die out." How far we would have been in the solution of all of the problems of race relations, if Francis Lewis Cardozo, Sr., and other honorable Reconstruction leaders, had been given a genuine opportunity to erase the vestiges of slavery.⁹³

⁹³ The literature on Cardozo and his participation in South Carolina political affairs is extensive. Works consulted include: William J. Simmons, *Men of Mark* (Cleveland,

The other member of the Cardozo family to occupy an important position in the Reconstruction period was Francis' brother, Thomas Y. Cardozo, who had a far less distinguished career in Mississippi political life. He came out of an obscure background which has not been recorded to any significant degree, to become a circuit court clerk in Warren County, Mississippi, following which he was elected Mississippi State Superintendent of Education, which office he held from 1874 to 1876. In the latter year he resigned under threat of impeachment. He seems to have been quite intelligent and well educated, for during 1875 he was editor of the Vicksburg *Plain Dealer*, and a man of natural capacity for leadership, in view of his founding the same year, the Vicksburg branch of the Grand United Order of Odd Fellows of America. He was, however, accused of participation in certain corrupt bargains of the time, and there was seeming proof of his embezzlement of two thousand dollars from the funds of Tougaloo University. It has not been possible to learn any further details of his training, career, or activities after 1876.⁹⁴

1887), pp. 428-431; W. E. B. Du Bois, *Black Reconstruction* (N. Y., 1935), pp. 392-393, 395, 397-398, 402, 427 and 617; John E. Farley, "Francis L. Cardozo," ms. senior thesis, Princeton University, April 13, 1949; Franklin, *op. cit.*, pp. 201, 313-314; William Francis Guest, *South Carolina, Annals of Pride and Protest* (New York, 1960), pp. 264-265; Ralph Selph Henry, *The Story of Reconstruction* (New York, 1938), pp. 292, 314 and 445; Daniel Walker Hollis, *University of South Carolina* (Columbia 1956), vol. II, pp. 50, 70 and 75; L. P. Jackson, "The Educational Efforts of the Freedmen's Bureau and the Freedmen's Aid Society in South Carolina, 1862-1872," *JNH*, vol. VIII (1922), p. 39; James S. Pike, *The Prostrate State: South Carolina Under Negro Government* (New York, 1874), pp. 75 and 152 ff.; Reynolds, *op. cit.*, pp. 77, 87, 123, 157, 224, 235, 247, 296, 307, 366, 462 and 485; Francis Butler Simpkins and Robert Hilliard Woody, *South Carolina During Reconstruction* (Chapel Hill, 1932), pp. 55, 77, 92, 97, 116-117, 163, 203-204, 206, 437, 446, 448-449, 475, 516-523, 543, 546; Taylor, *op. cit.*, pp. 87, 98, 103, 107, 127, 130, 132, 136, 138-139, 142-143, 156-157, 193, 206, 222-224, 253 and 284-285; Mary Church Terrell, "History of the High School for Negroes in Washington," *JNH*, vol. II (1917), pp. 256-258. Additional data has been provided by Cardozo's grandson, W. Warrick Cardozo, M.D., of Washington, D. C.

⁹⁴ Data about Thomas Cardozo is difficult to locate. The first appearance of his name, according to the records of the Mississippi State Department of Archives, is in the Warren County tax rolls for 1871. The following works supply the few available facts: James Wilford Garner, *Reconstruction in Mississippi* (New York, 1901), pp. 293, 332, 336 and 405-406; John R. Lynch, *The Facts of Reconstruction* (New York, 1913), pp. 74-75; *Journal of the State of Mississippi — Sitting as a Court of Impeachment, in the Trials of Adalbert Ames, Governor; Alexander K. Davis, Lieutenant-Governor; Thomas Y. Cardozo, Superintendent of Instruction* (Jackson, 1876); Vernon Lane Wharton, *The Negro in Mississippi, 1865-1890* (Chapel Hill, 1947), pp. 164-272. Dr. W. W. Cardozo supplies

It is instructive to note that some historians of the Reconstruction are far more eager to dwell upon those political figures who were guilty of corruption than those who had an honorable and useful career. Both Claude G. Bowers and E. Merton Coulter take occasion to mention Thomas Y. Cardozo as an example of a corrupt, politically-oriented Negro office-holder, without even a bare mention of his more important, more talented, and more honorable brother Francis.⁹⁵

Our final example of miscegenation concerns the family of Barnet A. Cohen, who was born in 1770 in Bristol, England, had plantations in King's Creek, South Carolina, and died there on March 23, 1839. The fortunate preservation of a batch of family papers enables us to comprehend, in a uniquely personal way, the difficult social and psychological problems which faced a free mulatto.⁹⁶

By 1810, when the first of these papers was drawn up, Barnet A. Cohen had fathered two children, Barnet Owens Cohen and Benjamin Phillip Owens Cohen, by a "free woman of Colour," Catherine Owens. A number of neighbors, including four Jews, signed a document attesting to the family relationship and the free status of the woman and her children. According to the second document, in March, 1822, Barnet A. Cohen, the father, as legal guardian for his son Benjamin, and on his behalf, purchased "a Negro wench named Sarah and her child Lina," the mother probably being bought as a concubine for Benjamin. The lot of a free Negro was far from simple; his choice of mates was extremely limited. Most frequently he had to buy his own women, and unless he could emancipate them, which was next to impossible, he was compelled also to own title to his own children.

In 1832, with the approval of his father-guardian, Benjamin Cohen purchased a nine-month old Negro, "Alonzo," for \$100. It would seem obvious that Alonzo must have been his own child by a slave

these dates for his great-uncle's birth and death: Dec. 19, 1838, and April 13, 1881. There was a third brother, Rev. Henry W. Cardozo, born in 1831, who died on Feb. 21, 1886.

⁹⁵ Claude G. Bowers, *The Tragic Era* (Cambridge, 1929), p. 414; Coulter, *op. cit.*, pp. 322-323.

⁹⁶ These papers, in the writer's collection, are dated April 4, 1810; March 30, 1822; Jan. 23, 1833; Nov. 13, 1837; May 2, 1840; April 8, 1844; no date, 1850. Data about Barnet A. Cohen from *E*, pp. 133 and 144; Cecil Roth, *The Rise of Provincial Jewry* (London, 1950), p. 41; *R.*, p. 24; Barnett A. Elzas, *The Old Jewish Cemeteries of Charleston* (Charleston, 1908), pp. 5-6.

woman whose owner refused to part with her; why else should he, or for that matter, anyone, buy a Negro infant?

In 1837, two years before his father's death, Benjamin purchased some land in Barnwell District, adjoining farms which belonged to his father and his mulatto brother, Barnet. By now, his white half-brother, Moses A. Cohen, was signing as his guardian. It is significant that the Negro and white members of this family lived in such close proximity and, apparently, harmony, as well. The father's white wife, Bella, died in 1836; and when the father died in 1839, there was no sign of strain in the family's feelings, at least on Barnet's tombstone, which commemorated "the virtues of a beloved parent . . . as a memorial of [his childrens'] love and veneration . . ." What a shame that we have no way of telling whether Benjamin and Barnet had a hand in composing this epitaph!

From 1840 to 1850, Benjamin was worrying about the future of his slave family. He wanted to set them free, and thus assure their status after his own death, but he could not find the way. In 1840, he consulted an attorney who informed him that

no Slave can be Set free in this State except by Act of the Legislature on a Petition. But it is *almost impossible* to have such a Petition granted — The Legislature almost always refuses them.

If it was "*almost impossible*" in 1840, it became altogether so, on December 17, 1841, when the South Carolina legislature passed "An Act to Prevent the Emancipation of Slaves," a copy of which Benjamin secured and kept among his papers. According to this law, any effort through "bequest, deed of trust, or conveyance," to send slaves out of the state for the purpose of emancipation, was declared null and void. The act also prohibited any stratagem whereby "slaves shall be held in nominal servitude." In 1844, Benjamin Cohen consulted another lawyer, and, after paying a fee of ten dollars, received the categorical advice that

a free coloured man can purchase a Slave, but he cannot give her her freedom — the Slave and her children will always remain Slaves.

In 1850, Benjamin Cohen, free man of color but without the freedom to do very much, by then about fifty years of age or perhaps older, was altogether anxious to do something for his family. So he drew up a draft of a will — one of the most pathetic wills I have ever been privileged to read. After the usual formalities, including a request for "Christian burial," he bequeathes all his property to his

“esteemed patron and benefactor, Samuel Cohen,” who must have been another white half-brother. Then, in an effort to forestall the effects of the law of 1841, he offers this declaration of loyalty and disclaimer of intention:

SECONDLY. I give and devise unto the aforesaid Samuel Cohen, the following Slaves, viz — Jane, John, Susan, Benjamin, Alonzo, Moses, Dani[e], Emma, Sarah, and Frances, and as most of them are my offspring, and Jane my wife, it may be thought that this devise is intended to avoid and defeat, the laws of this commonwealth, which affords me protection, and to which I deferentially bow, in gratitude. I therefore declare and Solemnly asseverate that I intend no such unlawful act. I know that by the law, they are slaves, and must remain so. Wherefore through the means of this my will I choose their Master, preferring him, for my heir at Law to any one else. Neither is there any understanding secret, or otherwise, that the above named Slaves are to be held in nominal servitude only.

Benjamin makes only one bequest — he provides for a gift of \$100 to his niece Emily, the daughter of his deceased mulatto brother Barnet (or “Barney” as he calls him in this document). All other property is left to Samuel Cohen, “in consideration of my friendship and his many kindnesses to me.” It was apparently no longer proper for a will to mention the familial relationship of Negroes and whites.

This is the final document which concerns Benjamin Philip Owens Cohen. A probated will cannot be discovered in the records of the Barnwell Court House. Only this rough draft has been preserved, together with his other papers, among the records of his half-brother Samuel, who lived into the 1870's and had a store in a town with one of the most remarkable names in the United States, Cohen's Bluff, South Carolina. But the fact that these papers relating to Benjamin were preserved by Samuel, without the inventories and other documents an executor would have needed to prepare, would seem to be convincing proof that the will was never executed in its present form. Perhaps Benjamin Philip Owens Cohen outlived the institution of slavery and was able to spend his last days with a family freed from involuntary servitude by the bloodshed which began a century ago this year. That at least is the hope and prayer of the present-day owner of the papers which record the tribulations of Benjamin Cohen.

VIII

OPINIONS OF JEWS ABOUT SLAVERY

This study has thus far traced a pattern of almost complete conformity to the slave society of the Old South on the part of its Jewish citizens. They participated in the buying, owning, and selling of slaves, and the exploitation of their labor, along with their neighbors. The behavior of Jews towards slaves seems to have been indistinguishable from that of their non-Jewish friends. This description also characterizes the opinions of Jews about slavery.

No Jewish political figure of the Old South ever expressed any reservations about the justice of slavery or the rightness of the Southern position. Men like David Levy Yulee of Florida and David S. Kaufman of Texas were typical exponents of Southern views on states' rights and the spread of slavery.⁹⁷ Judah P. Benjamin of Louisiana was regarded as one of the most eloquent defenders of the Southern way of life. Though far from a fanatic, he stood squarely with his Senatorial colleagues every inch of the way that led from Washington to Montgomery and then to Richmond. Benjamin did question the wisdom of entrusting Negro slaves with complicated agricultural machinery, and advised sugar planters to employ trained white mechanics, but he never admitted that this deterrent to progressive agriculture was an inevitable consequence of the slave economy. Despite his conservative views, however, he was the only notable Confederate leader who advocated the arming of slaves during the Civil War, and who urged that they be emancipated as reward for this effort. He seems to have been far ahead of most Southerners in his willingness to use any weapon for the deliverance of the Confederacy. "The true issue," he said, is, "is it better for the Negro to fight for us or against us?" He urged the

⁹⁷ *Speech of Hon. David S. Kaufman, of Texas, on The Slavery Question. Delivered in the House of Representatives, February 10, 1847* (Washington, 1847); *Speech of Hon. D. S. Kaufman, of Texas, on The Slavery Question and Its Adjustment. Delivered in the House of Representatives, Monday, June 10, 1850* (Washington, 1850); Hühner, *op. cit.*, pp. 14, 20-22. Although Kaufman has generally been regarded as stemming from Jewish parents, there is no contemporary evidence for the assumption; all such testimony is of comparatively late date, as for instance, Henry Cohen *et al.*, *One Hundred Years of Jewry in Texas* (Dallas, 1936), p. 8.

adoption of his policy as an answer to the ever-present manpower shortage, but he also believed that "the action of our people on this point will be of more value to us abroad than any diplomacy or treaty-making." But most Southerners would rather lose the war than weaken the slave system in any way.⁹⁸

Benjamin's proposal was certainly not a repudiation of slavery. Neither was the program which Judge Solomon Heydenfeldt of Alabama advocated in 1849 as an antidote to the problems created by the concentration of Alabama capital in slave property. Heydenfeldt first published his *Communication on the Subject of Slave Immigration, Addressed to Hon. Reuben Chapman, Governor of Alabama*, in the Huntsville *Democrat* on Jan. 31, 1849, and subsequently in pamphlet form. The jurist questioned the economic wisdom of unlimited slave immigration and protested that the state would become impoverished through the uncontrolled "dumping" of slaves in Alabama. But his arguments were denounced by fellow-Alabamians. One critic said, in the Wetumpka *Daily Stateguard* of February 12, 1849, that if Heydenfeldt's proposal were to be adopted, an artificial scarcity of slaves would be created, the prices of slaves would soar, and the rich would become richer, while the poor who hoped sometime to become slave-owners would be deprived of any expectation of economic advancement. Heydenfeldt was far from being the abolitionist some have imagined him to be.⁹⁹

Long after the Civil War had been fought and lost by the South, Philip Phillips of Alabama, who for a time served in the House of Representatives and was perhaps the outstanding Jewish attorney of the ante-bellum South, said that he regarded emancipation as a new opportunity for the South. "So far as the loss of property in slaves was involved," he said, "I regard it as the greatest blessing . . . A new generation with self-reliant spirit will create a new South, and crown it by their energy and industry, with all that enriches and enobles a land . . ." But he never criticized slavery as an enemy of self-reliance and creativity while it was the accepted economic and social foundation of his state and section.¹⁰⁰

⁹⁸ Sitterson, *op. cit.*, pp. 131, 154; Meade, *op. cit.*, pp. 92, 100 ff.; Bell Irvin Wiley, *Southern Negroes 1861-1865* (New Haven, 1938), pp. 152, 154 and 157; *Speech of Hon. J. P. Benjamin, of Louisiana. Delivered in the Senate of the United States, May 22, 1860* (Washington, 1860).

⁹⁹ Schappes, *op. cit.*, pp. 293-301 and 643-644; James Benson Sellars, *Slavery in Alabama* (University, 1950), pp. 188-190.

¹⁰⁰ *MM*, vol. III, p. 149.

Nor was there anyone among the many Jewish journalists, writers, and publicists of the Old South who questioned the moral, political, or economic justice of slavery. Jacob De Cordova, the Texas real-estate promoter, newspaper editor and geographer, emphatically denied charges that he had given voice to "free-soil doctrines" during his 1858 lecture tour in the North, and "wish[ed] it distinctly understood that our feelings and education have always been pro-slavery."¹⁰¹ Isaac Harby, the Charleston dramatist and political essayist, was writing in Charleston in opposition to "the abolitionist society and its secret branches," as early as 1824.¹⁰² Jacob N. Cardozo, the editor and political economist, asserted that slavery was defensible both economically and morally. In the former respect, he maintained that

Slavery brought not only great wealth to the South, but to the slaves a greater share of its enjoyment than in many regions where the relation between employer and employee was based on wages.

In regard to the ethical question, he placed the responsibility squarely on the Deity: "The reason the Almighty made the colored black is to prove their inferiority." After the Civil War, in his well-known *Reminiscences of Charleston*, Cardozo expressed his sympathy with the planters who were now suffering great privation:

The owner of two hundred to five hundred slaves, with a princely income, has not only to submit to the most degraded employments, but he frequently cannot obtain them. In some instances, he has to drive a cart, or attend a retail grocery, while he may have to obey the orders of an ignorant and coarse menial. There is something unnatural in this reverse of position — something revolting to my sense of propriety in this social degradation.¹⁰³

Edwin De Leon, the journalist and Confederate diplomat, devoted many pages of his reminiscences to an extended apologia for slav-

¹⁰¹ *Lecture on Texas Delivered by Mr. J. De Cordova, at Philadelphia, New York, Mount Holly, Brooklyn and Newark. Also a paper read by him before the New York Geographical Society, April 15th, 1858.* (Philadelphia, 1858), pp. 2 and 24-25.

¹⁰² "Essays by Junius," I, pp. 95 and 135, in Henry L. Pinckney and Abraham Moise, *A Section from the Miscellaneous Writings of the Late Isaac Harby, Esq.* (Charleston, 1829).

¹⁰³ *Reminiscences of Charleston* (Charleston, 1866), p. 10; Brody, *op. cit.*, pp. 150-151.

ery.¹⁰⁴ His brother, Thomas Cooper De Leon, one of the most prolific Southern litterateurs of the second half of the nineteenth century, wrote many novels and other works in the Southern romantic style of which he was a major practitioner. In one of his most famous works, *Belles, Beaux and Brains of the Confederacy*, De Leon described all talk of cruelty in the slave system as propaganda and mythology; he underlined the fact that Harriett Beecher Stowe was compelled to ascribe a Yankee origin to her famous character, Simon Legree.¹⁰⁵ Samuel Mordecai, the bachelor journalist of Richmond, derived part of his income from his articles in Edmund Ruffin's *The Farmer's Register*, a journal devoted primarily to the interests of Southern employers of slave labor forces. Mordecai loved everything about old Virginia, and wrote tenderly of the old colored aristocracy, in his *Richmond in By-Gone Days*. He too regarded slavery as a natural and desirable condition of society.¹⁰⁶

Even in the days of the secession crisis, and the subsequent prolonged war and eventual defeat, many Southern Jews believed slavery to be indispensable to their happiness and security. George W. Mordecai, born a Jew but now an Episcopalian banker, railroad executive, and plantation owner in North Carolina, wrote to a Northern Republican in Dec., 1860:

I would much sooner trust myself alone on my plantation surrounded by my slaves, than in one of your large manufacturing towns when your labourers are discharged from employment and crying aloud for bread for themselves and their little ones.¹⁰⁷

In 1864, Private Eugene Henry Levy of the Confederate Army objected to the radical suggestion that Negroes be utilized in the war effort and be freed for this assistance. "The slaves," he said, "are in their proper sphere as they are at present situated within the boundaries of the Confederacy."¹⁰⁸

¹⁰⁴ *Thirty Years of My Life on Three Continents* (London, 1890), vol. I, pp. 13-36.

¹⁰⁵ (New York, 1909), pp. 15-16; see also his *Four Years in Rebel Capitals* (Mobile, 1890), p. 370.

¹⁰⁶ "Writers of Anonymous Articles in *The Farmer's Register* by Edmund Ruffin," *Journal of Southern History*, vol. XXIII (1957), pp. 90-102; *Richmond in By-Gone Days* (Richmond, 1946), pp. 354-355; letter, Samuel Mordecai to G. W. Mordecai, Dec. 17, 1860, Mordecai Mss., Duke University Library.

¹⁰⁷ Quoted in Clement Eaton, *Freedom of Thought in the Old South* (Durham, 1940), p. 232.

¹⁰⁸ *MM*, vol. III, pp. 308-309.

After the war was over, some Southern Jews still believed that slavery had been a necessary foundation of human society. Eleanor H. Cohen, the daughter of Dr. Philip Melvin Cohen of Charleston, said in the innocent selfishness of young maidenhood:

I, who believe in the institution of slavery, regret deeply its being abolished. I am accustomed to have them wait on me, and I dislike white servants very much.¹⁰⁹

Perhaps no more concise and self-deceptive rationalization of slavery was ever written than the observations which were recorded by Solomon Cohen, the distinguished civic leader and merchant of Savannah, who had lost a son in the war, in a letter which he wrote to his sister-in-law, Emma Mordecai, shortly after the end of the war:

I believe that the institution of slavery was refining and civilizing to the whites — giving them an elevation of sentiment and ease and dignity of manners only attainable in societies under the restraining influence of a privileged class — and at the same time the only human institution that could elevate the Negro from barbarism and develop the small amount of intellect with which he is endowed.¹¹⁰

Such sentiments might well be expected of members of families long resident in the South and thoroughly acclimated to its habits and assumptions. The De Leon's, Mordecai's, and Cardozo's had lived with their neighbors long enough to share their ideas and attitudes. But what of the newly immigrant German Jews who came to the South in increasing numbers beginning in the 1840's? There is no evidence that they found it very difficult to adjust to the slave society of which they became a part. Julius Weis, of New Orleans, who came to the United States in 1845, recorded his shock at his first sight of a Negro

being whipped upon his bare back by an overseer. The sight of a human being punished in this manner was very repugnant to me, though living in the midst of a country where slavery existed. I afterwards got somewhat accustomed to it, but I always felt a pity for the poor slaves.

¹⁰⁹ *MM*, vol. III, p. 368.

¹¹⁰ Letter, dated Jan. 8, 1866, Mordecai Mss., Duke University Library. A more extensive apology for slavery, embodied in a letter from Cohen to his aunt, Rebecca Gratz, has been published by Joseph R. Rosenbloom in his article, "Rebecca Gratz, Example of Conflicting Sectional Loyalties during the Civil War," in *The Filson Club History Quarterly*, vol. 35 (1961), pp. 8-10.

But Weis' compassion seemed to be limited to this matter of punishment, for he owned several slaves during the period from 1853 to 1857, and bought a Negro barber in 1862. He notes that "I never found it necessary to punish them in such a manner," but his feeling of pity never led him to adopt a critical attitude toward the entire system of slavery.¹¹¹

Louis Stix of Cincinnati wrote of a German Jewish immigrant to the South who became violent in his pro-slavery opinions. They met at a Jewish boarding-house in New York City; at dinner one night this unidentified Southern Jew said that "Southerners could not live without slavery." "I replied to this," wrote Stix, "by a very uncalled-for remark not at all flattering to our race who were living in the South . . . The Southerner . . . drew his pistol to compel me to take back my words . . . I hope [he] has since learned to do without slaves, or has returned to the place from which he came, where he was almost a slave himself."¹¹² But such a direct application of logic from Jewish experience in Europe to the situation of the Negroes in the South could only stem from the mind of a Northern Jew; it was never, to my knowledge, expressed in such blunt terms by a Southern Jew. To the contrary, the average Southern Jew would probably have agreed with Aaron Hirsch, who came to the United States in 1847 and worked through Mississippi and Arkansas, and who said that

the institution of Slavery as it existed in the South was not so great a wrong as people believe. The Negroes were brought here in a savage state; they captured and ate each other in their African home. Here they were instructed to work, were civilized and got religion, and were perfectly happy.¹¹³

Some Southern Jews, however, did not deceive themselves into thinking that the Negro slaves were "perfectly happy." These sensitive spirits were appalled at human exploitation of the life and labor of other human beings. Most of them reacted in a purely personal way, by avoiding the owning of slaves or by helping slaves. Major Alfred Mordecai of the United States Army, reared in the South and brother to planters and defenders of slavery, purchased only one slave in his life, simply to emancipate her. He believed

¹¹¹ *MM*, vol. I, pp. 51 and 56.

¹¹² *MM*, vol. I, p. 338.

¹¹³ *MM*, vol. II, p. 138.

that slavery was "the greatest misfortune and curse that could have befallen us." Yet he would do nothing to oppose slavery, and when the lines were drawn, he resigned his commission rather than fight for the North, without being willing to take up arms for the South.¹¹⁴ Judah Touro, the New Orleans merchant, is reported to have emancipated many slaves whom he purchased solely for that purpose, and is even said to have established some of them in business at his own expense.¹¹⁵ Another such spirit was Lazarus Straus, immigrant store-keeper of Talbotton, Ga., who used to argue with local Protestant ministers about the Biblical grounds for the defense of slavery. According to his son, Oscar, hired slaves who worked for the Straus family would beg to be purchased by them. "As the result of such pleadings," Oscar said, "my father purchased household slaves one by one from their masters, although neither he nor my mother believed in slavery."¹¹⁶ Probably many Jews as well as non-Jews were caught in the dilemma of purchasing slaves just because they did not believe in slavery; since emancipation was virtually impossible, all they could do was to become the most generous masters possible under the circumstances. But there is, of course, no way of telling what proportion of people who could not conscientiously condone slavery was included in the statistics of slave-owners.

The literature has preserved only one instance of Jewish participation in the dangerous game of taking a Negro slave to the North for clandestine emancipation. This was the risk taken by the Friedman brothers of Cincinnati, Ohio, and Tuscumbia, Alabama, who purchased Peter Still and conspired to take him North after he had earned enough money to refund his purchase price. This exciting story is told in Kate E. R. Packard's *The Kidnapped and the Ransomed*.¹¹⁷ Joseph Friedman and his brother Isaac had been regarded by the townsmen with suspicion and dislike when they first came to Tuscumbia, but their behavior gradually overcame the local prejudices. Six or seven years later, Peter Still, beloved by his owners and by the community in general, prevailed on the Friedmans to hire him. After he felt certain that he could trust them, he confided

¹¹⁴ Stanley L. Falk, "Divided Loyalties in 1861: The Decision of Major Alfred Mordecai," *PAJHS*, vol. XLVIII, no. 3 (March, 1959), pp. 149-150.

¹¹⁵ Leon Hühner, *The Life of Judah Touro* (Philadelphia, 1946), p. 69.

¹¹⁶ *MM*, vol. II, pp. 295-296.

¹¹⁷ First published in 1856, and reprinted in part in *AJAM*, vol. IX (1957), pp. 3-31, with notes and introduction by Maxwell Whiteman.

to their ears his hope of obtaining freedom, so they purchased him from his owner. There was much criticism of the transaction in the town. People knew that the Friedmans had no use for a slave in their business, and that they maintained no home. The townsfolk therefore suspected that Joseph Friedman would ultimately sell Peter away from the community to some stranger who would mistreat him. Kate Packard quotes a child as saying, "Ma says he's a Jew, and she says *Jews will sell their own children for money.*" The authoress highlights the contrast between the behavior of "the slandered Jew" who is Peter's friend, and "the gaudy hypocrisy of his traducers" who "had bought and sold, and beaten and oppressed the poor until their cry had gone up to heaven." The plot succeeds: Peter saves up enough money to repay Joseph Friedman; the brothers close up their store and return to Cincinnati, taking Peter with them so that he can be freed. But the brothers never return to Alabama, for eventually their duplicity is revealed. Peter's well-wishers are indignant that the slave has been emancipated: that was carrying friendship too far! Joseph and Isaac Friedman are worthy of remembrance as anti-slavery activists: though other Southern Jews may well have risked fortune and reputation to evade state laws which restricted the emancipation of slaves, theirs are the only names recorded as having taken part in this risky venture.

We should not be surprised to discover that there was not a single abolitionist among the Jews of the South, but at least one did stem from this background. He was Marx E. Lazarus, eccentric scion of two distinguished Southern Jewish families, who was attracted to various radical social movements, including Fourierism, the North American Phalanx, Socialism, phrenology, spiritualism and homeopathy. In 1860, Lazarus contributed a number of articles and translations to Moncure D. Conway's radical journal, *The Dial*, which was published in Cincinnati. One of these was entitled "True Principles of Emancipation," and was signed, "A Native of North Carolina and a Citizen of the World." In this article, Lazarus reminded his readers that Negro slavery was only one aspect of "the manifold cruelties that labor elsewhere suffers at the hands of capital, classes or castes, from their social superiors . . ." He warned idealists against the "conversion of chattel slavery into that of labor for wages, changing the form, but not the facts, of slavery and oppression." "This prolonged crucifixion of a martyr race," he said, "demands a resurrection more humane than the liberty of selling

oneself by the day, the cut-throat competitions of labor for wages, the outrages sanctioned by prejudice against color, careworn indigence or paralyzed pauperism." Despite these advanced views, Lazarus, in contrast to Major Mordecai, would not abandon the land of his birth-place; with the outbreak of war he returned home to enlist in the Confederate army as a private.¹¹⁸

But men like Marx Lazarus were outright anomalies. The Southern intellectual scene, in the main, was a drab, monochromatic landscape of unquestioning adherence to the dominant Southern doctrine about slavery during the two decades before the Civil War. Jews not only accepted this doctrine; some of them helped to formulate and circulate it, although their role was by no means a significant one.

¹¹⁸ Caroline Cohen, *Records of the Myers, Hays and Mordecai Families from 1707 to 1913* (Washington, 1913), p. 56; Moncure Daniel Conway, *Autobiography, Memories and Experiences* (Boston, 1904), vol. I, pp. 313-314; Eaton, *op. cit.*, p. 322; Frank Luther Mott, *A History of American Magazines 1850-1865* (Cambridge, 1938), p. 535; letter, Marx E. Lazarus to George W. Mordecai, New York, March 24, 1846, Mordecai Mss., Southern Historical Collection, University of North Carolina Library; *The Dial*, vol. I (1860), pp. 219-228.

IX

AN EVALUATION

This investigation has traced Jewish participation in various aspects of the "peculiar institution" of the Old South. Jewish opinions about and relationships to the system of slavery were in no appreciable degree different from those of their non-Jewish neighbors. If more Jews owned slaves in terms of their numerical proportion of the population, it was because larger percentages of Jews lived in the towns and cities; if more Jews were auctioneers of slaves, it was because they were also auctioneers of every kind of merchandise; if fewer Jews were large-scale planters, it was for understandable social and economic reasons.

The significant thing is that being Jewish did not play any discernible role in the determination of the relationship of Jews to slavery. Except for the teachings of a very few rabbis like David Einhorn of Baltimore, Judaism in America had not yet adopted a "social justice" view of the responsibility of Jews towards society. Ante-bellum Southern Jews were more likely to quote the Talmudic maxim that "the law of the land is the law [for Jews]," and to regard the institution of slavery as part of the law which they were bound to uphold and follow, than they were to evaluate the failings of slavery in the light of the prophetic ethic.

Their acceptance of slavery as a natural aspect of the life of their section should not be regarded as a deliberately contrived "protective coloration," in order that they might remain inconspicuous. There is no iota of evidence, no line in a letter, no stray remark, which would lead us to believe that these Jews gave conscious support to the slave system out of fear of arousing anti-Jewish prejudice. Any such motivation for their behavior and attitudes, if it existed at all, was well hidden in the unconscious psyche.

It is true, however, that their small numbers militated against the creation of a distinctively Jewish approach to any political or social question other than anti-Semitism. Jews were only a fragment of the Southern population, thinly distributed throughout the area. Even in the largest cities, New Orleans, Charleston, Richmond, they were a tiny group. They would be entirely likely, therefore, to

derive their opinions from discussions with non-Jewish neighbors, rather than with Jewish friends. This was especially true of the more prominent Jews, planters, attorneys, physicians, newspaper editors, merchants, whose associations with non-Jews were quite intimate.

Whatever prejudice there was in the South, before the Civil War aggravated every possible source of tension, was directed largely against the alien Jew, the immigrant peddler and petty store-keeper, the insecure newcomer, whose very survival was in the hands of his customers. He would, therefore, be inclined to adopt their opinions and attitudes, not because he was afraid to disagree with them, but because he wanted to succeed in his new home.

Slavery played an unacknowledged role in this question of Jewish status in the Old South, too. Although Southern society fostered a caste system which also applied to various classes of whites, and which distinguished the store-keeper from the wealthier merchant, the merchant in turn from the professional man, and the attorney and physician from the planter, the all-pervasive division was between the races. The Jews were white, and this very fact goes a long way towards accounting for the measurably higher social and political status achieved by Jews in the South than in the North. Foreign observers like Salomon de Rothschild and I. J. Benjamin were acutely aware of the sharp contrast between the South, where so many Jews were elected to high office, and the North, where Jews constituted a larger percentage of the population, yet had achieved fewer honors.¹¹⁹ The Negroes acted as an escape-valve in Southern society. The Jews gained in status and security from the very presence of this large mass of defenseless victims who were compelled to absorb all of the prejudices which might otherwise have been expressed more frequently in anti-Jewish sentiment. As I. J. Benjamin said,

The white inhabitants felt themselves united with, and closer to, other whites — as opposed to the Negroes. Since the Israelites there did not do the humbler kinds of work which the Negro did, he was quickly received among the upper classes, and early rose to high political rank.

Although this was too broad a generalization, and not all Jews were treated so generously, the road to social and economic advancement

¹¹⁹ *MM*, vol. III, p. 104; I. J. Benjamin, *Three Years in America* (Philadelphia, 1956), p. 76.

and acceptance for many Jews was smoothed by the ever-present race distinction which imputed superiority to all whites. And even the path of the poor, foreign Jew was made easier by the institution of slavery. Oscar Straus remembered that when his father was peddling through the rural areas of Georgia, he

was treated by the owners of the plantations with a spirit of equality that is hard to appreciate today. Then, too, the existence of slavery drew a distinct line of demarcation between the white and black races. This gave to the white [peddler] a status of equality that probably otherwise he would not have enjoyed to such a degree.¹²⁰

Slavery, therefore, played a more significant role in the development of Jewish life in the Old South, than Jews themselves played in the establishment and maintenance of the institution. The history of slavery would not have differed one whit from historic reality if no single Jew had been resident in the South. Other whites would have owned slaves; other traders and auctioneers would have bought and sold slaves; other political and intellectual leaders would have propagandized in behalf of slavery; a few slaves might have fared better or worse at the hands of other masters, but their feelings were immaterial details in the total story of the institution itself. But whether so many Jews would have achieved so high a level of social, political, economic and intellectual status and recognition, without the presence of the lowly and degraded slave, is indeed dubious. How ironic that the distinctions bestowed upon men like Judah P. Benjamin, Major Raphael J. Moses, and the Honorable Solomon Cohen were in some measure dependent upon the sufferings of the very Negro slaves they bought and sold with such equanimity.

¹²⁰ *MM*, vol. II, p. 291.

