Autonomy and Communal Jewish Debts During the French Revolution of 1789

by ZOSA SZAJKOWSKI

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ABBREVIATIONS OF SOURCES USED IN THE NOTES AND THE APPENDIXES

AACV	— *Annales d'Avignon et du Comtat Venaissin.*
Ad BdR	— Departmental archives of Bouches-du-Rhône, Marseille.
Ad BR	— Departmental archives of Lower Rhine, Strasbourg.
Ad Gironde	— Departmental archives of Gironde, Bordeaux.
Ad Hérault	— Departmental archives of Hérault, Montpellier.
Ad HR	— Departmental archives of Upper Rhine, Colmar.
Ad Moselle	— Departmental archives of Moselle, Metz.
Ad Vaucluse	— Departmental archives of Vaucluse, Avignon.
AHRF	— *Annales historiques de la Révolution française.*
AI	— *Les Archives israélites.*
AIU	— Library of the Alliance Israélite Universelle, Paris.
Am Ales	— City archives of Ales.
Am Altkirch	— City Archives of Altkirch.
Am Avignon	— City archives of Avignon.
Am Bx	— City archives of Bordeaux.
Am Carpentras	— City archives of Carpentras.
Am Cavaillon	— City archives of Cavaillon.
Am L'Isle	— City archives of L'Isle-sur-Sorgue.
Am Metz	— City archives of Metz.
Am Stg	— City archives of Strasbourg.
AN	— Archives Nationales, Paris.
AnAI	— *Annuaire des Archives israélites.*
AP	— *Les Archives parlementaires.*
AR	— *Annales révolutionnaires.*
Arsenal	— The Arsenal Library, Paris.
ASEJ	— *Annuaire de la Société des Etudes Juives.*

Barjavel — C.-F.-H. Barjavel, *Dictionnaire historique, biographique et bibliographique du département de Vaucluse* (Carpentras, 1841). 2 vols.

Bibliography — Bibliography on the debts of the Jewish communities in France, see pp. 139–57.

BJGL — *Blätter für jüdische Geschichte und Literatur.*

Bm Bx — Municipal Library of Bordeaux.

Bm Carpentras — Municipal Library of Carpentras.

Bm Metz — Municipal Library of Metz.

Boug — De Boug, *Ordonnances d'Alsace* . . . (Colmar, 1775). 2 vols.

BSHP — *Bulletin de la Société de l'Histoire de Paris et de l'Ile de France.*

BuStg — The National and University Library of Strasbourg.

Calvet — The Calvet Library of Avignon.

Chauffour — André Waltz, *Catalogue de la Bibliothèque Chauffour* (Colmar, 1889).

CJ — *Cahiers Juifs.*

Columbia — The Libraries of Columbia University, New York, N. Y.

Documents — A collection of "Documents on the Jewish Communities in France during the Revolution of 1789," in the Library of the Hebrew Union College, Cincinnati (Ohio).

EcSt — Z. Szajkowski, *The Economic Status of the Jews in Alsace, Metz and Lorraine 1648–1789* (New York, 1954). 152 pp.

Emancipation — Z. Szajkowski, "The Emancipation of Jews During the French Revolution. A Bibliography . . . 1789–1800." *SBB*, III–IV (1958–59).

GNMU — *Gazette nationale ou Moniteur universel.*

Guerre — Archives of the War Ministry, Château de Vincennes (Seine).

Halphen — A.-E. Halphen, *Recueil des lois . . . concernant les Israélites* . . . (Paris, 1851).

Hildenfinger — P. Hildenfinger, *Documents sur les Juifs à Paris au XVIIIe siècle* (Paris, 1913).

HJ — *Historia Judaica.*

HUC — Library of the Hebrew Union College-Jewish Institute of Religion, Cincinnati, Ohio.

Jerusalem — The Jewish Historical General Archives, Jerusalem.

JFrance — *The Jews in France.* Edited by E. Tcherikower (New York, 1942). 2 vols. (In Yiddish.)

JQR — *The Jewish Quarterly Review.*

JSS — *Jewish Social Studies.*

JTS — Library of the Jewish Theological Seminary, New York, N. Y.

Kuscinski — A. Kuscinski, *Dictionnaire des Conventionnels* (Paris, 1918).

Landmann — Salomon Landmann, Catalogue des Archives Consistoriales Israélites de Metz. 1934. 2 vols. [Manuscript.]

Lévylier — [Roger Lévylier,] *Notes et documents concernant la famille Cerfberr* (Paris, 1902–06). 3 vols.

Liber — Maurice Liber, "Les Juifs et la convocation des Etats Généraux. 1789." *REJ*, LX–LXVI (1912–13).

MGWJ — *Monatsschrift für die Geschichte und Wissenschaft des Judentums.*

Napoleonica — Z. Szajkowski, "Judaica-Napoleonica. A Bibliography . . . 1801–1815." *SBB*, II (1956), 107–152, 524 Nos.

Nation — "Registre et Répertoire des délibérations de la Nation Juive Portugaise de Bordeaux, commencé en Mai 1790 et terminé en Février 1790" (in Ad Gironde).

NBG — Firmin-Didot Frères, *Nouvelle Biographie Générale* (Paris, 1852–66). 46 vols.

Pacquet — René Pacquet, *Bibliographie analytique de l'histoire de Metz pendant la Révolution 1789–1800* (Paris, 1926). 2 vols.

PAJR — *Proceedings of the American Academy for Jewish Research.*

QJFM	— *La Question Juive en France et dans le monde.*
Robert	— A. Robert, E. Bourloton, G. Cougny, *Dictionnaire des parlementaires français* (Paris, 1891).
SBB	— *Studies in Bibliography and Booklore.*
Sitzmann	— Fr.-J.-E. Sitzmann, *Dictionnaire de biographie des hommes célèbres de l'Alsace . . .* (Rixheim, 1909–1910). 2 vols.
SS	*Souvenir et Science.*
SIW	— *Strassburger israelitische Wochenschrift.*
RA	— *Revue d'Alsace.*
RdGJP	— *Revue des grandes journées parlementaires.*
Rég.	— *La Régénération — Die Wiedergeburt* (Strasbourg).
REJ	— *Revue des Etudes Juives.*
RF	— *La Révolution française.*
RHBG	— *Revue historique de Bordeaux et du département de la Gironde.*
RHMC	— *Revue d'histoire moderne et contemporaine.*
RJL	— *Revue juive de Lorraine.*
RO	— *Revue Orientale.*
UI	— *L'Univers israélite.*
YAJSS	— *Yivo Annual of Jewish Social Science.*
ZS	— In the author's possession.

Excerpts of documents are quoted in the notes without changes in the original spelling.

For a complete list of printed sources see the index on pp. 177–82.

For the detailed description of pamphlets and printed documents on the Jews during the Revolution see "Emancipation," and for those under the First Empire see "Napoleonica."

I. THE JEWISH COMMUNITIES IN FRANCE ON THE EVE OF THE REVOLUTION OF 1789

Prior to the Revolution of 1789 there were four main centers of Jewish population in France:

(1) Three sub-centers of Ashkenazic Jews in both parts of Alsace (with 182 communities according to the census of 1784); in the city of Metz and the Trois-Evêchés (about 50 communities); and in Lorraine (52 communities according to the privileges of 1753).

(2) Sephardic Jews in southwestern France (Bordeaux, Saint-Esprit-lès-Bayonne, Dax, Peyrehorade, and in several smaller towns).

(3) The four Jewish communities of Avignon, Carpentras, Cavaillon and L'Isle-sur-Sorgue in the papal possession of Avignon and Comtat Venaissin.

(4) A mixed community of Ashkenazic, Sephardic, Avignonese and Comtadin Jews in Paris. Small Jewish communities also existed in Marseilles, Nîmes, Montpellier, Lyons, Fontainebleau, Versailles and other cities.[1]

Until the expulsion of the 14th century the Jews of various French provinces were organized in a single body.[2] The situation was quite different, however, at the outbreak of the Revolution in 1789. Jewish groups in the various centers were not united by any organizational ties, nor even by a feeling of solidarity, of

[1] For a general picture of the number of Jews in France see Z. Szajkowski, "The Growth of the Jewish Population in France." *JSS*, VIII (1946), 179–92, 297–318; Idem, "The Demographic Aspects of Jewish Emancipation in France during the French Revolution." *HJ*, XXI (1959), 7–36; Idem, "Population Problems of Marranos and Sephardim in France, From the 16th to the 20th Centuries." *PAAJR*, XXVII (1958), 83–105.

[2] Simon Schwarzfuchs, *Etudes sur l'origine et le développement du rabbinat au moyen âge* (Paris, 1957). 79 pp.

sharing persecution because of their common origin. On the contrary, they were antagonistic.[3] Only one exceptional case of cooperation occurred when the Sephardic and Ashkenazic Jews of Paris signed a joint petition of August 26, 1790 demanding full citizenship.[4] This tragic chapter in the history of the Jews in France was not to end until the days of the First Empire, when Napoleon I convened the Sanhedrin and established the central Jewish consistory.[5]

The Jewish communities of Alsace were organized in a council (called *Nation Juive*) that dealt with financial and other matters. The council met annually in Obernai, where its by-laws were adopted on June 28, 1763. The last session prior to the Revolution took place there on November 10, 1788. The Jews of Lower Alsace were also organized separately in a council of the Lower Alsatian communities.[6]

As we shall see a strong union existed between the Jews of

[3] Z. Szajkowski, "Relations among Sephardim, Ashkenazim and Avignonese Jews in France from the 16th to the 20th Centuries." *YAJSS*, X (1955), 165–96.

[4] [Jacques Godard,] *Adresse présentée à l'Assemblée Nationale le 26 Août 1789, par les Juifs résidant à Paris* ([Paris], 1789). 9 pp.; Léon Kahn, *Les Juifs de Paris pendant la Révolution* (Paris, 1898), p. 18; Liber, LXVI, 176; E. Tcherikower, "The French Revolution and the Jews." *JFrance*, II, 145–46.

[5] Szajkowski, "Relations . . .," 192–94.

[6] See De Boug, contains much information on Jewish autonomy; M. Ginsburger, *Die rechtliche Stellung der elsässischen Rabbiner unter französischer Herrschaft* (Zürich, 1907), reprint; Idem, "Elie Schwab, rabbin de Haguenau (1721–1747)." *REJ*, XLIV (1902), 104–21, 260–82, XLV (1902), 255–84 (on the conflicts in Jewish communities of Alsace); Idem, *Histoire de la communauté israélite de Bischheim au Saum* (Strasbourg, 1937), pp. 18–28 (on the syndics of Alsatian communities); Idem, "Mutzig." *SS*, IV, No. 5 (1933), 9 (Mutzig was the residence of the general Alsatian syndic); Idem, "Rechte und Pflichten eines Judenvorstehers in der Grafschaft Rappolsheim." *BJGL*, IV (1903), 67 ff.; Idem, "Samuel Sanvil Weil, Rabbin de la Haute et Basse Alsace (1711–1753)." *REJ*, XCV–VI (1933), 54–75, 179–98; Idem, "Une élection rabbinique au XVIIIe siècle." *UI*, LVIII (1902), 625; Idem, "Un emprunt . . ." (see Bibliography, No. 147); I. Loeb, "Les Juifs de Strasbourg de 1349 à la Révolution." *ASEJ*, II (1883), 139–98; Rodophe Reuss, *L'Alsace au dix-septième siècle* (Paris, 1898), II, 590–91 (on the functions of rabbis); Elie Scheid, *Histoire des Juifs d'Alsace* (Paris, 1887). 424 pp.; Julien Weill, "Contribution à l'histoire des communautés alsaciens au XVIIIe siècle." *REJ*, LXXXI (1925), 169–80.

Metz and the smaller communities of the Metz province.[7] The Jews of the entire Lorraine province were legally recognized as only one community — Nancy — directed by three syndics and one rabbi. Even before the Revolution the smaller Jewish communities of Lorraine tried to break away from the community of Nancy. In 1788 the Jews of Lunéville were denied the right to elect their own rabbi. During the Revolution the Jews of Lunéville and Sarreguemines petitioned the National Assembly for their own rabbis and syndics, claiming that the Nancy syndics "multiplied expenses and did not even deign to consult . . . the Jews of Lunéville and Sarreguemines."[8]

There was some cooperation among the three groups of Ashkenazic Jews. We do know, e. g., that in 1787 Cerfberr, the Paris agent of the Alsatian Jews, and Moïse Weill, the agent of the Metz Jews, combined their efforts in behalf of the Ashkenazic Jews.[9] In 1789 the Ashkenazic Jews of all three provinces held a joint assembly which drew up its memorial of grievances (*cahier des doléances*).[10] However, these united actions were limited to the Ashkenazic Jews.

[7] On the autonomy of the Metz community see Abraham Cahen, *Le Rabbinat de Metz pendant la période française (1567–1871)*. Extrait de la *REJ* (Paris, 1886). 91 pp. Contains much information on the rabbis' functions; Roger Clément, *La condition des Juifs de Metz sous l'ancien régime* (Paris, 1903). 296 pp.; J. de Fombesque, "Les Juifs de Metz." *QJFM*, II, No. 9 (1943); N. Netter, *Vingt siècles d'histoire d'une communauté. Metz et son grand passé* (Paris, 1938). 536 pp. See also Appendix II.

[8] *Mémoire pour les Juifs de Lunéville et de Sarreguemines. A Nosseigneurs de l'Assemblée Nationale. 3 Août 1789* (n. p., [1789]). 8 pp.; *Nouveau mémoire pour les Juifs de Lunéville et de Sarreguemines; présenté à l'Assemblée Nationale, le 26 Février 1790* ([Paris,] 1790). 8 pp.; Alfred Lévy, *Notice sur les Israélites du Duché de Lorraine* (Paris, 1885), pp. 25–26; H. Baumont, *Histoire de Lunéville* (Paris, 1900), p. 211; Chr. Pfister, *Histoire de Nancy* (Paris-Nancy, 1908), III, 324; [A. Benoît,] *Lunéville et ses environs. V. Les élections aux Etats généraux de Lunéville* (Lunéville, [1879]), 105–111.

[9] Landmann, Ce 106. The councils of Jewish communities, or even individual large Jewish communities, maintained their agents (*syndics*) in Paris to seek privileges from the government. In 1790 Moïse Weil paid large sums to high officials in Paris for some favors obtained for the Jews of Metz (Landmann, Ce 98–101, 113, 117). Mayer Hadamar (or Hademar) was also mentioned as the Paris agent of the Metz community. P. Hildenfinger, index, p. 280. See also Appendix III.

[10] On this assembly see AN, BA–11 (Alsace), dr. 7, and BA–52, Metz I,

There was, most probably, no common council of the Sephardic Jewish communities in France, although the Paris agent of the *Nation* of Bordeaux, Jacob Rodrigues Pereire (1715–1780), was also the agent of the *Nation* of Saint-Esprit-lès-Bayonne.[11] In 1788 the Jews of Bordeaux and Saint-Esprit jointly sent a delegation to the so-called Malesherbes commission, in charge of determining a new status for the Jews, and in 1789 to the National Assembly.[12]

p. 9; H.-B. Grégoire, *Motion en faveur des Juifs* . . . (Paris, 1789), p. v; Berr-Isaac Berr, *Lettre . . . à Monseigneur l'évêque de Nancy* . . . (Paris, 1790), pp. 3–5; Lévylier, I, pp. 32–33; Liber, LXIV, 265–74, LXV, 97–133, LXVI, 161–62; Jacques Godechot, "Comment les Juifs de Lorraine élurent leurs députés en 1789." *REJ*, LXXXI (1925), 48–54.

[11] On Pereire see Ernest La Rochelle, *Jacob Rodrigues Pereire* (Paris, 1882). 576 pp. After Pereire's death David Silveyra became the Paris agent of the Bordeaux *Nation*. In 1785 the *Nation* dismissed him, but he regained his position and held it until the Sephardic Jews were granted full citizenship on Jan. 28, 1790 (Nation, fol. 137, No. 536). Benjamin Mendez and Aaron Hananel Vidal were mentioned as *syndics* in Paris of the Sephardic Jews (Hildenfinger, 148–49, 201, 221, 230, 232, 235), but most probably were visiting *syndics* of the Bordeaux *Nation*. (In earlier years the community of Saint-Esprit attempted to force its authority upon the smaller communities of Saint-Jean-de-Luz, Bidache, Peyrehorade, and Biarritz. As a result there were many conflicts. Henri Gross, *Gallia Judaica* (Paris, 1897), pp. 92–93.) Saint-Esprit was incorporated into Bayonne in 1857. In one document Pereire was called "syndic de la nation portugaise des Juifs de [Saint-Esprit-lès-] Bayonne." Ad Gironde, C 2896.

It is worth while to note the description of the Bordeaux chronicler, Pierre Bernardau, of the role of a Jewish *syndic*: "Raba junior est nommé syndic de la Nation juive, à la place du bel-esprit Furtado. Celui qui est revêtu de cet emploi a inspection sur ses commettans et est comme médiateur de leurs diférens" (Bm Bordeaux, ms. 713–1, vol. 1, p. 201, Apr. 11, 1788). Silveyra was a bridge builder. *Projet du sieur Silveyra pour l'établissement d'un pont sur la rivière de Garonne* (n. p., n. d.). 12 pp.; L. Kahn, *Les Juifs de Paris pendant la Révolution* (Paris, 1899), 133–34.

[12] Z. Szajkowski, "The Diaries of the Delegates of the Bordeaux Jews to the Malesherbes Commission (1788) and the National Assembly (1790)." *Zion*, XVIII (1953), 31–79 (in Hebrew).

On the autonomy of the Sephardic *Nations* see L. F. B. [Louis-Francia de Beufleury], *Histoire de l'établissement des Juifs à Bordeaux et à Bayonne, depuis 1550* (Paris, an 8 [1799]). 198 pp.; L. Cardozo de Béthencourt, "Le trésor des Juifs Sephardim." *REJ*, XX (1890), 287–300, XXV (1892), 97–110, 235–45, XXVI (1893), 240–56; G.-E.-A. Cirot, *Recherches sur les Juifs Espagnols et Portugais à Bordeaux* (Bordeaux, 1908). 198 pp.; Idem, "Les Juifs de

The Jews of Carpentras, Cavaillon, L'Isle-sur-Sorgue, and a few smaller communities (Caromb-Montel, Châteauneuf, Entraygues, Maulaucène, Mazan, Mornas, Noirmoiron, Pernes, Thor, Vaison) in the papal province of Comtat Venaissin were organized in a council of communities, or rather in a single community. Thus, the by-laws of 1490, January 5, 1605, March 24, 1620, January 5, 1665, and of 1733, were common for all these communities of Comtat Venaissin. In many documents they are mentioned as forming one community.[13] (The same documents also often refer to the Jews of these communities as "travelling-Jews" (*juifs forains*), because they were mostly itinerant merchants and peddlers.[14]) It seems, however, that the

Bordeaux, leur situation morale et sociale de 1554 à la Révolution. XIV. Appendice. Ce que désiraient les Juifs à la veille de la Révolution." *RHBG*, XXII (1939), 60–66; Idem, "Notes sur les "Juifs Portugais" de Bordeaux." *Miscelânea de Estudas en Honra D. Carolina Michaëls de Vasconcellos* (Coimbra, 1933), pp. 158–72; Ad. Detcheverry, *Histoire des Israélites de Bordeaux* (Bordeaux, 1850). 116 pp.; H. Léon, *Histoire des Juifs de Bayonne* (Paris, 1893). 436 pp.; T. Malvezin, *Histoire des Juifs à Bordeaux* (Bordeaux, 1875). 375 pp.; Z. Szajkowski, "Relations . . .," 187–91 ("The Sephardic Nations").

[13] Ad Vaucluse, annex of Carpentras, 8, fol. 212–16 (Jan. 1, 1665); H. Chobaut, "Les Juifs d'Avignon et du Comtat et la Révolution française." *REJ*, CI (1937), 7 ("communauté des Juifs de Carpentras et de tout le Comté de Venise," 1616); Armand Mossé, *Histoire des Juifs d'Avignon et du Comtat Venaissin* (Paris, 1934), pp. 121, 128–31, 138.

[14] *Ibid.* In a printed document of 1820 we read the following about these itinerant Jews: "Tous les Juifs de la Carrière, tant habitans que forains . . . Ces Juifs forains se rendaient presque tous dans leur Carrière respective, aux approches de Pâques, pour y manger l'agneau pascal, et fin septembre, pour célébrer la fête des Tabernacles" (*Observations*, pp. 3–5, see Bibliography, No. 104). The term *forains* was also applied to Jews who had settled in other communities: "l'arrangement qui fut pris vers le commencement de la révolution entre les juifs *forains* de la communauté et ceux de Carpentras" (Columbia, X 893C–C22, vol. 2). For a bibliography on the legal and economic status of the itinerant Jews from Comtat in France see Z. Szajkowski, "The Jewish Status in the Eighteenth-Century France and the "Droit d'Aubaine." *HJ*, XIX (1957), 149, note 4.

On the autonomy of the Jewish communities in the papal province see P. Charpenne, *Histoire des réunions temporaires d'Avignon et du Comtat Venaissin à la France* (Paris, 1886), II, 402–49; H. Chobaut, *op. cit.*, *REJ*, CI (1937), 5–52, CII (1937), 3–39; Isidore Loeb, "Statuts des Juifs d'Avignon." *ASEJ*, I (1881), 165–75; M. de Maulde, *Les Juifs dans les Etats français du Saint-Siège au moyen-âge* (Paris, 1886); Armand Mossé, *op. cit.*; P. Pansier, "Les

Jews of Avignon did not belong to the council of the other communities in the papal province.

In Lyons the Jews formed an unofficial community of about fifteen families, with their own small cemetery. In 1781 the head of the police, acting on instructions from Paris, appointed Elie Rouget of Avignon as the Jewish syndic, with the object of keeping a check, through him, on the movement of the Jews. This appointment, however, impelled the Jews to organize a community.[15] Well organized communities existed also in Nîmes, Montpellier, Marseilles and a few smaller places.[16]

On the eve of the Revolution of 1789 the Jews were socially segregated from the Christians of France no less than they were in the Middle Ages.[17] The Jews were disliked and persecuted. Still, they were often able to defend themselves in an organized manner through their autonomous communities. Of course, the Jewish communities were carefully controlled by the authorities and the scope of their autonomy never afforded the Jews more than limited legal rights. The Jewish communities were largely agencies for collecting taxes and performing other administrative duties for the government and local authorities. The historian, S. Posener, noted that:

". . . these offices of "agents" and "syndics" were really created for fiscal and administrative purposes, in order to help the central and local authorities maintain surveillance of the Jewish population, particularly in Paris, and in order to levy taxes. If an "agent of the Portuguese Jewish nation," such as Pereire, as a "syndic" of the Jews of Alsace, such as Cerf-Berr [Cerfberr] or that of the Jews of Lorraine, such as Berr-Isaac Berr, interceded with the government in behalf of the Jews in economic or political matters, they did so invariably, not in their capacity of agent or syndic but by virtue of their personal position as important purveyors of the army, or as great importers of wheat

oeuvres de charité juive à Avignon du XIVe au XVIIIe siècle." *AACV*, X (1924), 71–133.

[15] Alfred Lévy, *Notice sur les Israélites de Lyon* (Paris, 1894), pp. 20–24; Elaine Dreyfus et Lise Marx, *Autour des Juifs de Lyon* . . . (Lyon, 1958), pp. 131–34.

[16] S. Kahn, *Notice sur les Israélites de Nîmes* (Nîmes, 1901). 48 pp.

[17] R. Anchel, "Sur l'histoire des Juifs en France." *CJ*, No. 19, (1936), 33.

and fodder, or thanks to their connections in Paris and at the court."[18]

But without the communities and their syndics the Jews would have been defenseless. It may be safely assumed that this was one of the reasons why the Jews demanded at the beginning of the Revolution that the existence of their communities be assured. Uncertain about their future the Jews wanted to maintain a collective body which could speak in their name and defend them.

[18] S. Posener, "The Social Life of the Jewish Communities in France in the 18th Century." *JSS*, VII (1945), 203.

II. ATTACKS UPON JEWISH AUTONOMY DURING THE REVOLUTION*

Even before the outbreak of the Revolution the Christian advocates of Jewish emancipation urged not only a better understanding of Jews by Christians, but also a partial or complete abolition of the autonomous Jewish communities as a condition for Jewish emancipation. Ch.-G. Lamoignon de Malesherbes (1721–1794), who headed the so-called Malesherbes commission, looked with disfavor upon the Jewish communities.[19] In a draft of a study of the Jews which he undertook for the Metz Academy, Pierre-Louis Roederer (1754–1835) proposed the dissolution of the Jewish communities.[20] On the other hand, the Nancy lawyer, A. Thiéry, who was the recipient of a prize awarded by the Metz Academy for his *Dissertation*, suggested in this essay that for some time the Jews should continue to retain their communities and chiefs. According to the historian, Maurice Liber, Thiéry's position was influenced by the Jewish leader Berr-Isaac Berr, who was then opposed to the dissolution of the autonomous Jewish communities.[21] The well known fighter for

* This chapter is based mainly on the author's study "Jewish Autonomy Debated and Attacked During the French Revolution." *HJ*, XX (1958), 31–46.

[19] Z. Szajkowski, "Protestants and Jews of France in Fight for Emancipation, 1789–1791." *PAJR*, XXV (1956), 119–21.

[20] A. Cahen, "L'Emancipation des Juifs devant la Société Royale des Sciences et Arts de Metz et M. Roederer." *REJ*, I (1880), 101. During the Thermidor, while attacking the government's policy on credit, Roederer made a cutting anti-Jewish remark about a *sanhédrin d'usuriers juifs*. For this he was strongly criticized by J. Rodrigues, who later became secretary of the Jewish consistory. *Journal de Paris*, No. 95, Dec. 25, 1796; L. Kahn, *op. cit.*, pp. 8–9.

[21] [Adolphe] Thiéry, *Dissertation sur cette question: Est-il des moyens de rendre les Juifs plus heureux et plus utiles en France?* (Paris, 1788), pp. 98–100; Liber, LXIV, 105. About Thiéry we were able to find only a few details in: Justin Lamoureux, *Mémoire pour servir à l'histoire littéraire du département de la Meurthe, ou Tableau statistique* (Nancy, 1803).

Jewish emancipation, abbot Henri-Baptist Grégoire (1750–1831), whose study was also awarded a prize by the Metz Academy, favored the abrogation of the autonomy of the Jewish communities in all civil matters. He advocated abolition of autonomous Jewish law in matters affecting marriage and inheritance, and in the performance of notarial and other functions by rabbis in disregard of French civil laws. Grégoire maintained that the Jews should be indistinguishable from other inhabitants in all civil matters. They should be allowed to assemble only for religious affairs, provided there was supervision by French officials.[22] Zalkind Hourwitz (1740?–1810?), a Polish Jew who fought for Jewish emancipation in France, and the author of *Apologie*, a third study awarded a prize by the Metz Academy, went even further: he proposed that outside the synagogue the rabbis and syndics of the Jewish communities be forbidden to control the life of Jews. Indeed, Hourwitz advocated stripping rabbis of their functions altogether. On September, 20, 1789 he warned the Committee of Reports of the National Assembly against the "devotees of my nation," "the rabbinical inquisition" and the "sewer" of the Jewish community.[23]

The Alsatian Intermediary Commission (*Commission intermédiaire*) appointed a special committee to prepare a draft of a new statute for the Alsatian Jews. In its report, which was presented to the third bureau (*Bureau du Bien Public*) at the end of September 1788, the committee, presided over by the Alsatian anti-Jewish leader François-Joseph-Antoine Hell (1731–1794), advocated the abolition of all Jewish communities.[24]

[22] Henri Grégoire, *Essai sur la régénération . . . des Juifs* (Paris, 1789), pp. 151–61. There is no complete study on Grégoire's fight for Jewish emancipation. See: P. Grunebaum-Ballin, *L'abbé Grégoire et les Juifs* (Paris, n. d.). 22 pp.

[23] Zalkind Hourwitz, *Apologie des Juifs* (Paris, 1789), pp. 38–39; Robert Anchel, "Un Juif polonais en France. Zalkind Hourwitz." *UI*, XCII, No. 38 (1937). On Hourwitz see L. Kahn, *op. cit.*, pp. 130–50.

[24] "L'intérêt de l'Etat et le bien public, même celui des juifs en particuliers, exigent, et l'Edit du mois du novembre dernier décide, que les juifs ne pourront plus avoir de Syndics ni agens, ni poursuivre aucune affaire au nom collectif, sauf aux particuliers à agir en justice, en leur propre nom, dans la même forme que les chrétiens; qu'ils n'auront plus d'autre préposé que celui de la sinagogue, qui continuera à être nommé par le Seigneur du lieu. Qu'il

With the outbreak of the Revolution the discussion of the future of the autonomous Jewish communities became even livelier. Many *cahiers des doléances* (memorials of grievances) demanded that they be done away with.[25] On December 23, 1789 Stanislas de Clermont-Tonnerre (1757–1792) made his famous statement in the National Assembly that "all should be refused the Jews as a nation, but everything should be granted to them as individuals." The corporate body (*corporation*) of the Jews, he argued, should be abolished, their judges (*i. e.*, rabbis) should be dismissed, and they should not form any separate political body within the French nation.[26] In Paris only the district (*section*) of Mathurins voted on February 20, 1790

soit fait défense aux juifs de s'assembler, excepté ceux demeurants dans le même endroit, pour l'élection de leur chantre, ou pour régler leurs contestations qui pourroient troubler l'ordre et la tranquilité dans la sinagogue; pour le quel effet le préposé de la sinagogue aura le droit de prononcer contre ceux qui refuseroient de lui obéir, des amendes qui ne pourront excéder le —, desquelles prononciations ledit préposé fournira l'Etat dans la huitaine, au Procureur fiscal du lieu de la demeure, pour les faire condamner au payement par le Juge ordinaire des lieux; qu'il leur soit pareillement fait défenses de faire aucuns rôles et de lever aucuns deniers sur eux-mêmes; qu'il sera cependant permis aux juifs de chaque endroit, de faire des états particuliers entre eux de leurs contributions, pour le soulagement des pauvres et le payement de leurs chantres, de maitres d'école, dans lesquels chaque individu se cotisera soi-même, avec défenses aux Rabins et aux Juifs des autres endroits de s'en mêler" (Am Stg, AA 2589); Z. Szajkowski, "The Jewish Problem in Alsace, Metz, and Lorraine on the Eve of the Revolution of 1789." *JQR*, XLIV (1954), 234–43 ("The Jewish Problem in the Alsatian Provincial Assembly"). On Hell's anti-Jewish activities see *EcSt*, pp. 123–40 ("The Case of the Counterfeit Receipts in Alsace, 1777–1789").

[25] Liber LXIII, 188.

[26] *Opinion de M. le Comte Stanislas de Clermont-Tonnerre, député de Paris, le 23 Décembre 1789* ([Paris], n. d.), p. 13. There is no proof whatsoever for the statement of the Marxist Jewish historian, Dr. Raphael Mahler, that Tonnere's slogan was directed exclusively against Jewish autonomy. *History of the Jewish People* (New York, 1957), I, 73 (in Yiddish). There is no detailed study on Clermont-Tonnerre's fight for Jewish emancipation. He was often attacked by anti-revolutionary elements as a friend of Jews, e. g. by a pamphleteer who wrote: "Puisq'il faut, je le vois, que l'innocent périsse,/Appelons, dit-il, parmi nous, / Les Juifs et les bourreaux jaloux / De faire cet office." / *Actes des Apôtres*, version seconde, No. 31 (1791), 15; Ch. Du Bus, *Stanislas de Clermont-Tonnerre et l'échec de la Révolution monarchique* (Paris, n. d.), p. 220.

against granting citizenship to the Jews. The main argument was that, since they were organized as a separate nation, the Jews could not remain loyal to the French nation. All other Parisian districts decided in favor of the Jews, but insisted on the abolition of the separate Jewish communities. In February 1790 the district of Saint-Germain-l'Auxerrois resolved to demand of the Jews "a formal renunciation of their laws and particular judges." The resolution adopted on June 30, 1790 by Paris as a whole in favor of the Jews contained the same demand for them to abandon "the particular nation within the nation."[27]

The opponents of Jewish emancipation used this discussion as an argument against the Jews in general. Abbot Jean-Sifrein Maury (1746–1817) stated on December 23, 1789 in the National Assembly that the Jews formed not only a religious sect, but a separate nation with its own laws. In these conditions to grant citizenship to the Jews would be exactly the same as granting French citizenship to Englishmen and Danes without asking them to renounce their English or Danish loyalties. The next day Hell renewed the proposal, which had been debated in 1788 by the Alsatian Intermediary Commission, to abolish all autonomous rights of the Jewish communities. The Alsatian deputy, Jean-François Reubell (1747–1807), wrote on January 5, 1790: "What do you think of people who seek to become Frenchmen, but still wish to retain Jewish administrators, Jewish judges, Jewish notaries . . . their particular laws on inheritance, marriage, tutelage, majority, etc.?" Another Alsatian deputy, C.-W. de Broglie (1756–1794), asserted that the Jews' existence as a nation within a nation was dangerous and anti-social.[28]

[27] *Extrait du procès-verbal du district des Mathurins. 20 Février 1790* [Paris, 1790.] 4 pp.; *Rapport fait par M Vion . . . sur les diverses adresses & pétitions des Juifs de Paris* (Paris, 1790), p. 23; "Extrait du procès-verbal des délibérations . . . du district des Carmélites . . . du 29 Janvier 1790," in Jacques Godard's *Recueil de pièces relatives à l'admission des Juifs à l'état civil (28–30 Janvier 1790)* (Paris, 1790); *Adresse de l'assemblée des Représentants de la Commune de Paris à l'Assemblée Nationale sur l'admission des Juifs à l'état civil* . . . ([Paris,] 1790), p. 12; Sigismond Lacroix, "Ce qu'on pensait des Juifs à Paris en 1790." *Revue politique et littéraire*, XXXV (1898), 412–24; Idem, *Actes de la commune de Paris pendant la révolution* (Paris, 1898), III, 638, IV, 201–02; VII, 551–60.

[28] Maury, in *GNMU*, Dec. 23, 1789; *Opinion de M. le Prince de Broglie* . . .

Nor were the Jews themselves all of the same opinion on this matter.

([Paris,] n. d.), p. 4; *RdGJP*, I (1897), 16; Charles Hoffmann, *L'Alsace au dix-huitième siècle* (Colmar, 1906–07), IV, 517–18.

There is no study on Reubell's attitude toward Jews. During the old regime he (or his brother) was the lawyer for the family of the Jewish martyr Hirtzel Lévy (Isidore Loeb, "Hirtzel Lévy." *ASEJ*, I (1881), 154–55). An Alsatian pamphleteer wrote in 1790 that Reubell's anti-Jewish sentiments were a consequence of his participation in lawsuits involving Jews: "étant chargé en Alsace, depuis plusieurs anneés, des affaires des juifs, il étoit assez naturel que vous pensiez réellement sur leur compte ce que d'autres feignent d'en penser: car, dans quelque religion que ce puisse être, il est peu de cliens réputés honnêtes aux yeux de leur avocat." *Lettre d'un alsacien, sur les juifs d'Alsace, à M. Ruebell, Député de cette Province, à l'Assemblée nationale* (Paris, 1790), p. 6. Michel Berr wrote in 1817 on Reubell's "déclamations intéressées:" *Eloge de M. Abraham Furtado* (Paris, 1817), p. 13. On the other hand Reubell disliked Switzerland because he lost a lawsuit in which he defended Jews against the authorities of the Berne canton. P.-L. Hanet-Cléry, *Mémoires* (Paris, 1825), II, 19; Jacques Godechot, *Les Commissaires aux armées sous le Directoire* (Paris, 1937), II, 15–16. On Aug. 5, 1789 Reubell wrote a letter in favor of the Jews to the Intermediary Commission of the Colmar district: "Il n'y a pas jusqu'à la nation juive que ne mérite quelque compasion. Je sais combien elle étoit haissable, mais ce sont des hommes et l'on ne peut se dissimuler que la manière dont leur existence étoit réglée par le gouvernement n'a pas peu contribué à leurs vices à jamais odieux, mais comme nous espérons que nos nouvelles lois les rendront honnêtes gens et laborieux, prêchez, Messieurs, la pitié pour ces misérables créatures et vous aurez rempli le plus beau des devoirs." "Lettre du député à l'Assemblée nationale Reubell, à la commission intermédiaire du district de Colmar." *RA*, XIII (1862), 530–31. Reubell was, perhaps, friendly toward Jews at the beginning of the Revolution, but he was later influenced by the traditional anti-Jewish elements of Alsace. The historian, Jean Braun, noted two phases in Reubell's attitude toward Jews: the one prior to July 14, 1789 and the other after the outbreak of the Revolution. "La Révolution de 1848 et la Seconde République dans le Haut-Rhin." *Le Département du Haut-Rhin commémore trois siècles de vie française* (Colmar, 1848), 105. While visiting Bordeaux Reubell's son stayed in the house of the Rabas, a wealthy Jewish family. The Bordeaux chronicler, Pierre Bernardau, noted a rumor, which was not factual, that Reubell was of Jewish origin (Tablettes de Pierre de Bernardau, Feb. 19, 1796. Bm Bx, 713–1). All this suggests the need for more detailed studies before reaching conclusions on various aspects of Jewish history during the French Revolution, e. g., the attitude of some Jacobins toward Jews. Reubell was a great revolutionary leader, energetic, cultured; there is no doubt that he was a sincere Jacobin, in spite of grave accusations of speculation directed against him. (On this see *Testament de Rewbell* (Colmar, 1799). 21 pp.; Etienne-François Housset,

On the eve of the Revolution the Sephardic Jews of Bordeaux tried to retain many autonomous privileges,[29] which they gave up only after being granted full citizenship on January 28, 1790. The projected by-laws for the Jewish community of Carpentras (published in 1790 or 1791), anticipated that, aside from religious problems, the members of the community "would be known only as individuals, and not as forming a society." Jews could even refuse to belong to the community, but they must sign a statement to that effect.[30]

At first the Ashkenazic Jews did not dare to request full citizenship. The very first pamphlet published by the Jews of Metz after the outbreak of the Revolution demanded only the right to live, to work and to be accepted in the professional *corporations*. No mention was made of citizenship, for Jewish emancipation was then not yet an accepted idea.[31]

The Sephardic Jews were not granted full citizenship unani-

Rapport . . . (Paris, an VII). 26 pp.; *Observations de Reubell . . . sur le rapport fait par Housset* (n. p., 1790). 3 pp.; R. Guyot, *Documents biographiques sur J.-F. Reubell, 1747–1807* (Tours, 1911), p. 172; "Reubell et Bonaparte (1802)." *Nouvelle Revue rétrospective*, XX (1904), 374–75; A. Mathiez, "Les malles de Reubell." *AR*, IX (1917), 541–43, X (1918), 246–47, XV (1923), 414; Idem, *Le Directoire* (Paris, 1934), p. 44; L. Bour, *La Grande Révolution dans l'arrondissement de Sarrebourg sous le Directoire et le Consulat, 1795–1802* (Metz, 1936), p. 12; F. Normand, "Jean-François Reubell." *Les Contemporains*, No. 940 (1910), 7; Georges Mauguin, "La Carrière militaire d'un ami de Moreau; Le Général Jean-Jacques Reubell." *Revue des études napoléoniennes*, XL (1940), 219.) The Jewish historian, Raphael Mahler, oversimplified the entire problem of the anti-Jewish attitude of the Jacobin Reubell by stating that the latter deserted the Jacobins and enriched himself by speculation. (*op. cit.*, I, 66). In spite of the large number of studies on this subject the accusations have not been proven. Such accusations were also used against Jews because some accused Jacobins (e. g. Reubell himself and his brother-in-law J.-J. Rapinat) regained then some popularity by their anti-Jewish propaganda. Guyot, *op. cit.*, p. 16; Jacques Godechot, *op. cit.*, II, 71.

[29] H. Léon, *op. cit.*, pp. 153–54; G. Cirot, "Les Juifs de Bordeaux . . .," XXII (1939), 60–66.

[30] *Préliminaire d'un projet d'arrangement* (n. p., n. d.). 8 pp.

[31] Isaac-Ber [Berr] Bing, *Mémoire particulier pour la Communauté des Juifs établis à Metz* (n. p., [1789]). 30 pp. Abbot Grégoire warned a friend, to whom he presented a copy of his *Essai*, that "it would not be prudent to let young persons read the book." André Spire, "L'Abbé Grégoire . . ." *NL*, Sept. 21, 1935.

mously. There was a strong anti-Jewish opposition in Bordeaux and Saint-Esprit-lès-Bayonne.[32] At the National Assembly some right wing deputies proposed to continue to register the Sephardic Jews as *New Christians* (*nouveaux chrétiens*), a title which was abandoned as early as 1723.[33]

In their petition of August 26, 1789 the Jews of Paris renounced the privilege of having their own particular chiefs.[34] But their brethren of Alsace, Metz and Lorraine, in a petition addressed on August 31, 1789 to the National Assembly, sought permission to retain their synagogues, rabbis and syndics in the same manner as before.[35] However, in this petition they did not request full citizenship. Later the Jewish leader of Lorraine, Berr-Isaac Berr, wrote that the Jews did not dare to demand full citizenship then, since not even all Frenchmen possessed it. They desired only to cease being slaves.[36]

[32] *Le Moniteur*, Feb. 11, 1790; *La Gazette de Paris*, Feb. 10, 11, 1790; L. Kahn, *op. cit.*, pp. 80–82; A. Vivie, *La Terreur à Bordeaux* (Bordeaux, 1877), I, 27; M. Lhéritier, *Les débuts de la Révolution à Bordeaux* (Bordeaux, 1919), p. 82; Idem, *Liberté (1789–1790). Bordeaux et la Révolution française* (Paris, 1919), p. 69.

[33] Robert de Crévecoeur, *Journal d'Adrien Duquesnoy, député du Tiers Etat de Bar-le-Duc* . . . (Paris, 1894), II, 224–30. In the Letters patent of 1723 the Marranos were referred to for the first time not as "New Christians" but as Jews. See Szajkowski, "Relations . . .," 168.

[34] [Jacques Godard,] *Adresse . . . 26 Août 1789* . . ., pp. 6–7 ("nous renonçons . . . au privilège que nous avoit été accordé d'avoir des chefs particuliers tirés de notre sein, nommés par le gouvernement"). There is no study of Jacques Godard (1762–1791), or of his fight for Jewish emancipation. For some general information on him, see his correspondence with the Dijon lawyer Jean Cortot, 1786–1789: A. Huguenin, *La Cour plenière et les édits de 1788* (Dijon, 1905). 89 pp. In 1787 Godard stated in a brief that in criminal lawsuits Jews should not be allowed to bear witness against Christians. Jacques Godard, "Consultation." *Justification de sept hommes, condamnés par le Parlement de Metz en 1769, sur les seules dépositions de Juifs-plaignans* . . . (Paris, 1787), pp. 95–103, by M.-Ch.-M.-J. Dupaty. On this affair see J. Liblin, *Les sept martyrs de Loutzelbourg et les précurseurs de Schinderhannes*, 1768–1786 (Colmar, 1864), 30 pp.; *EcSt.*, pp. 112–13.

[35] *Adresse présentée à l'Assemblée Nationale, le 31 Août 1789, par les Députés réunis des Juifs, établis à Metz, dans les Trois Evêchés, en Alsace & en Lorraine* (n. p., [1789]), p. 13 ("Que nous serons maintenus dans le libre exercise de nos loix, rites & usages, que nous conserverons nos *Synagogues*, nos *Rabbins* & nos *Syndics*, de la même manière que le tout existe aujourd'hui").

[36] Berr-Isaac Berr, *Lettre* . . ., p. 4; Liber, LXV, 133.

Only after the discussions of December 23 and 24, 1789 at the National Assembly, during which the autonomy of the Jews was strongly attacked,[37] did the Jews — in their new petition of January 28, 1790 — give up their request to maintain their independent communities.[38] For a time Berr-Isaac Berr still refused to renounce autonomy of the communities in exchange for civil rights.[39] This provoked a strong attack by Berr-Isaac Berr's nephew, Jacob Berr, a Jewish physician of Nancy, who advocated the complete abolition of the Jewish communities. In a pamphlet he maintained that Berr-Isaac Berr wished to keep the Jews in a state of estrangement from non-Jews and to perpetuate their isolation. Jacob Berr accused the "despotic regime" of the Jewish community of being responsible for many evils and criticized Berr-Isaac Berr for his "dangerous" request that the autonomous Jewish communities be maintained.[40]

But after the Ashkenazic Jews had been granted full citizenship on September 27, 1791 Berr-Isaac Berr published a *Letter* to his coreligionists in which he called upon them to abandon their involvement in a distinct community. Jews, he wrote,

[37] On Dec. 23, 1789 Adrien Duquesnoy, deputy from Bar-le-Duc, noted in his diary in connection with the discussion at the National Assembly on the question of Jewish emancipation: "Mr. Duport avait d'ailleurs fait un raisonnement fort puissant à ceux qui assurent que les juifs ne consentiront jamais à se soumettre à nos lois: Vous avez exigé un serment: si les juifs le prêtent, ils sont dans le même cas que les autres citoyens français. Ce raisonnement ne frappait personne, parce que rien ne frappe ceux que des préjugés religieux aveuglent ou égarent." On the following day, Dec. 24, he noted: "On n'a pas cru devoir prononcer sur l'état des juifs, et je crois cette réserve prudente, parce que, comme l'a observé le président Beaumetz, on ne savait pas si les juifs veulent eux-mêmes un état civil et s'ils désirent d'être citoyens français . . ." Crévecoeur, *op. cit.*, II, 204, 208.

[38] [Jacques Godard,] *Petition des Juifs établis en France . . . le 28 janvier 1790* . . . (Paris, 1790), p. 95 ("Il faut que les Juifs aient leurs loix religieuses, il faut qu'ils aient des règlemens intérieurs relatifs à l'exécution de ces loix. Mais dans tout ce qui concerne l'ordre civil, évitez toute distinction entr'eux & les Chrétiens").

[39] Berr-Isaac Berr, *Lettre* . . ., pp. 17–19.

[40] *Lettre du S^r^ Jacob Berr, Juif, maître en chirurgie à Nancy, à Monseigneur l'Evêque de Nancy* . . . (n. p., 1790), 10 pp. On Jacob Berr see E. Carmoly, *Histoire des médecins juifs, anciens et modernes* (Bruxelles, 1844), p. 204; Idem, *RO*, II (1842), 92; Chr. Pfister, *op. cit.*, III, 327.

should remain organized as a group only for religious matters; in civil and political spheres they should act as individuals.[41]

However, the decision was not left to the Jews. Citizenship was granted to them only on condition that they renounce under oath all particular privileges. This was clearly laid down in the text of the decree on emancipation of the Ashkenazic Jews as proposed by the Alsatian anti-Jewish deputies and adopted by the National Assembly. On the following October 8, 1791 the anti-Jewish deputy, Etienne-François-Joseph Schwendt (1748–1820), wrote to the city council of Strasbourg that the National Assembly regarded the Jews not as men forming a *corporation* which no longer had the right to exist, but as individuals practicing their particular religion; the Jews had ceased to exist as a nation. This was a vindictive statement, intended to pacify the defeated Alsatian opponents of Jewish emancipation.[42]

In the eyes of the generation of Jews which was emancipated by the Revolution the new regime was just and beneficent to them. Olry Terquem (Tsarphati, 1782–1862), the 19th century leader of the proponents of a reform of Jewish religious practices, in 1843 called the new regime *notre sainte révolution.* According to most impartial historians, thanks to the revolutionary attitude toward the Jewish problem Jews developed strong French patriotic feelings. The historian, H. Graetz, aptly remarked that "the

[41] [Berr-Isaac Berr,] *Lettre d'un citoyen, à ses confrères* . . . (Nancy, 1791), pp. 8–10.

[42] "aux individus Juifs qui prêteront le serment civique, qui sera regardé comme une renonciation à tous privilèges et exceptions introduits précédement en leur faveur" (Decree of September 27, 1791, which became law on the following November 13). According to Berr-Isaac Berr (*Lettre d'un citoyen* . . ., p. 10), this proposition by the Alsatian deputies was rejected, which is not correct. R. Reuss, *L'Alsace pendant la Révolution* (Paris, 1894), II, 247–48. On the anti-Jewish attitude of Strasbourg see P. Hildenfinger, "L'Adresse de la commune de Strasbourg à l'Assemblée Nationale contre les Juifs (Avril 1790)." *REJ*, LVIII (1909), 112–28; Z. Szajkowski, "The Jewish Problem in Alsace, Metz, and Lorraine on the Eve of the Revolution of 1789." *JQR*, XLIV (1954), 206–18; Idem, "The Discussion and Struggle over Jewish Emancipation in Alsace in the early Years of the French Revolution." *HJ*, XVII (1955), 130–34.

French Revolution was a judgment sent to erase the sins of a thousand years in one day."[43]

Some modern Jewish historians have argued that in giving up their autonomous communities the Jews paid too high a price for their emancipation; that this was the beginning of complete renunciation of Jewish life.[44] It is, however, doubtful whether the Jews could have retained the pre-revolutionary status of their communities, even if they had resigned themselves to doing without civil rights. In the long run a status of non-citizens for the Jews would have been incompatible with the ideology and

[43] "Lorsque notre sainte révolution éclata:" Z. [Terquem], in *AI*, IV (1843), 726. On Terquem see note 212. "Politiquement les Juifs alsaciens se sont toujours montrés patriotes. Ils n'oublient pas qu'ils doivent leur émancipation à la Révolution française:" Frédéric Hoffet, *Psychanalyse de l'Alsace* (Paris, 1951), p. 82; "Je ne me suis jamais caché . . . d'apartenir à une race qui à dû à la Révolution française la liberté et l'égalité humaines, et qui ne devrait jamais l'oublier": André Blumel, *Léon Blum, juif et sioniste* (Paris, 1952), p. 9; "La reconnaissance qu'il [mon père] lui portait parce qu'elle avait émancipé sa race, donné aux juifs les libertés civiles et politiques:" J. Benda, *Jeunesse d'un clerc* (Paris, 1936), p. 42. See also: Pierre Aubrey, *Milieux juifs de la France contemporaine* (Paris, 1957), pp. 195–96, 363, 366: "Les bourgeois juifs . . . ne sont pas toujours réactionnaires. Etre réactionnaire les ramènerait en effet en deça de la Révolution de 1789, c'est-à-dire les conduirait à combattre leur propre émancipation"; H. Graetz, *Popular History of the Jews* (New York, 1919), V, 373.

There were some exceptions. Gerson Lévy (1784–1864), another proponent of a reform of Jewish religious practices, in noting the memoirs of a Jewish peddler, attacked the "cannibals" who sentenced Marie Antoinette. The Jewish philosopher, Adolphe Franck (1809–1893), advocated love for the old regime. G. Ben Lévy, "Mémoires d'un colporteur juif." *AI*, vol. III, 1842, pp. 461–62. (On Gerson Lévy see M. Thiel, *Notice biographique sur M. Gerson-Lévy* . . . (Metz, 1865). 16 pp.; *Notice sur la vie de M. Gerson-Lévy* . . . (Metz, 1865). 40 pp.) *Distributions des prix aux élèves des écoles consistoriales de Paris* (30 Août 1883). *Discours de M. Adolphe Franck* . . . (Paris, n. d.), p. 5. Franck was well known for his dislike of all revolutionary regimes, including the Revolution of 1848, and of later socialistic ideas: Adolphe Franck, *Le communisme jugé par l'histoire* (Paris, 1848). 71 pp. (2e édition, Paris, 1849). 98 pp.; Idem, *La vraie et la fausse égalité* (Paris, 1867). 52 pp.; Idem, *Le Capital* (Paris, 1872). 23 pp. Z. Szajkowski, "The Jews and the Parisian Commune of 1871." *JFrance*, II, 151; Idem, *The Parisian Commune and the Jews* [Tel-Aviv, 1956], p. 49 (in Hebrew).

[44] E. Tcherikower, in *Oifn Scheidweg*, II (1939), 12–13 (in Yiddish).

the very existence of the new regime. Clermont-Tonnerre, who fought for Jewish emancipation in the National Assembly, stated on December 23, 1789 that, should the Jews refuse to dissolve their communities and become citizens, they should be banished. The same attitude was taken on the next day by Count H.-G.-R. de Mirabeau.[45]

Jewish emancipation in France was a consequence of the revolutionary rationalist principles, *Prinzipienreiterei*, to use Max Nordau's term. There was no alternative for the Revolution but to integrate the Jews with the French people. This attitude sprang not only from humanitarian feelings toward the Jews, but also from an urgent need to amalgamate all segments of France's population. The revolutionary leaders who looked upon the Jews as persecuted human beings[46] were repelled by the

[45] Clermont-Tonnere, *op. cit.*, p. 13; *GNMU*, Dec. 25, 1789 (Mirabeau: "Eh, messieurs, serait-ce parce que les Juifs ne voudraient pas être citoyens, que vous ne les déclareriez pas citoyens? Dans un gouvernement comme celui que vous élevez, il faut que tous les hommes soient hommes; il faut bannir de votre sein ceux que ne le sont pas, ou qui refuseraient de le devenir"). Mirabeau was, of course, a great friend of the Jews and his influence on the early fight for Jewish emancipation can not be denied. But during the Revolution he used the discussion on the emancipation of the Jews to arouse popular prejudice in order to compromise the Revolution and to reinforce the position of the monarchy. On Mirabeau's attitude toward Jews see *RdGJP*, I, 21; Louis Farges, *La question juive il y a cent ans* (Paris, 1886), p. 6; B. A. [Ben-Ami], "Mirabeau et les Juifs." *UI- Pour le Foyer, pour l'Ecole*, LXVIII (1913), 203–05; Hanns Reissner, "Mirabeaus Judenpolitik." *Der Morgen*, VIII (1932), 122–30; P. Lang, "Mirabeau et Grégoire." *RJL*, II, 248–54; Ferdinand-Dreyfus, *Misères sociales et études historiques* (Paris, 1901), pp. 223–24; Baruch Hagani, *L'Emancipation des Juifs* (Paris, 1928), pp. 177, 202–03. Mirabeau was often attacked by anti-Jewish elements, e. g. in Joseph-Michel-Antoine Servan's parody *Evénements remarquables et intéressants, à l'occasion des décrets de l'auguste Assemblée nationale, concernant l'éligibilité de MM. les comédiens, le bourreau et les Juifs* (n. p., 1790). 37 pp. A Jew of Avignon named Moïse published a pamphlet against Mirabeau: *Requête du sieur Moïse, Juif d'Avignon* . . . (according to *Courrier d'Avignon*, No. 87, Apr. 12, 1790, 148).

[46] Max Nordau, *Zionistische Schriften* (Berlin, 1923), pp. 45–46. (On Max Nordau's attitude toward the French Revolution see Meir Ben-Horin, *Max Nordau. Philosopher of Human Solidarity* (New York, 1956), pp. 115, 124, 147, 156, 168, 186, 227, 230, 235, 243;) Baruch Hagani, *op. cit.*, pp. 153, 187–

idea of excluding them alone from the family of liberated peoples. The religion of the Jews was viewed as their private concern. The deputy, Joseph-Marie Lequinio (1755–1813), who called himself *citoyen du globe*, clearly expressed this opinion in his *Adresse* of 1791 in which he concluded as follows: "The first principle of patriotism is to love one's fellow-citizens of whatever religion they may be . . . Undertake to live in peace with priests who accepted the Constitution and with those who did not, with the Jews, with the Turks."[47] Adrien Duport (1758–1798), the deputy, in proposing the vote on the grant of citizenship to the Jews on September 27, 1791, stated that the Jews should not remain the only nation of the world to be excluded from the enjoyment of civil rights.[48] Even earlier, Mirabeau's *Courrier de Provence* propounded the view that in church men are Catholics and in synagogues Jews, but in all civil matters patriots are of the same religion.[49]

This spirit of the times was evident not only in the declarations of influential officials, but also in the views of the populace.

190; Louis Ménard, *Les Questions sociales dans l'antiquité* (Paris, 1898), p. 15; Mainfroy Maignial, *La Loi de 1791 et la condition des Juifs en France* (Paris, 1903), p. 21, 177; P. Sagnac, "Les Juifs et Napoléon." *RHMC*, II (1901), 461; Kurt Stillschweig, "Die Judenemanzipation im Licht des französischen Nationsbegriffs." *MGWJ*, LXXXI (1937), 457–78.

[47] [Joseph-Marie] Lequinio, *Adresse populaire aux habitans des campagnes* (Nismes, 1791), pp. 10–11, 16. On Lequinio see: A. Aulard, "Lequinio et la dechristianisation." *RF*, XXXI, 295–99; P. Gaudet de Lestard, *Un Terroriste adversaire de la peine de mort* (La Rochelle, n. d.). 38 pp.

[48] The text of Duport's resolution of Sept. 27, 1791 was incorrectly reported in the *Moniteur*. The correct text is to be found in *Journal logographique de l'Assemblée Nationale*, XXXIV, 36: "Je demande que l'on révoque le décret d'aujournement, que l'on déclare que, relativement aux Juifs, comme à tous les peuples du monde, en remplissant les conditions prescrites par les constitutions, ils puissent devenir des citoyens actifs; je demande qu'il n'y ait pas, parmi toutes les nations du monde, les juifs seuls d'exceptés pour la juissance de ce droit, tandis que musulmans y sont admis, tandis que les païens, les Chinois y sont admis."

[49] *Le Courrier de Provence*, IV, Dec. 23–24, 1789: Qu'importe la diversité du culte? C'est à la messe qu'on est catholique, c'est au prêche qu'on est protestant, c'est à la synagogue qu'on est juif. Mais dans le monde, devant les tribunaux, dans les différantes fonctions sociales, les patriotes sont tous de la même religion."

Playing cards were called after the three main religions.[50] Marie-Joseph Chenier, author of a popular song on July 14, 1789 wrote:

> "Dieu du peuple et des rois, des cités, des campagnes,
> De Luther, de Calvin, des enfants d'Israël."[51]

Even the partisans of restricting religious freedom did not single out Jews.[52]

However, the revolutionary leaders hardly gave consideration to the religious problem, and even less to internal Jewish conflicts. The best of the Jews' friends were absolutely ignorant of internal Jewish matters, as Zalkind Hourwitz noted in his *Apologie.* Grégoire ridiculed the strict sumptuary by-laws of the Jewish communities,[53] without understanding the great value of these by-laws against luxury for Jewish self-preservation.

Of course, it was difficult, indeed almost impossible, for the Jews suddenly and completely to abandon their millennia-old

[50] *Nouvelles cartes à jouer de la République Française* (Bordeaux, n. d.). 4 pp. ("Dame de *Coeur*" became "Liberté de Coeur, ou des Cultes . . . Le Thalmud, Le Coran, l'Evangile simbole de trois plus célèbres religions, sont réunis par elle").

[51] Louis Damade, *Histoire chantée de la Première République 1789 à 1799* (Paris, 1892), p. 68.

[52] In 1796 Pierre-Charles-Louis Baudin (1748–1799), deputy of the Ardennes, stated that a citizen could be a Jew or a Moslem provided he rejected the religious observances and dogmas of Mohammed. His reason was that religion was indivisible from the social system in a theocracy: *Du maintien de la liberté des opinions religieuses et des cultes, et du système de déportation générale, ou Nouvelles observations sur la résolution du 17 floréal de l'an 4, relative aux prêtres assermentés* . . . (Paris, an IV). On Baudin see A. Hannedouche, *Les illustrations ardennaises* (Sedan, n. d.), pp. 15–19.

[53] Zalkind Hourwitz, *Apologie* . . . (Paris, 1789), p. 9 ("vue l'ignorance absolue de la plupart des savans mêmes, sur l'article du Judaïsme);" Abraham Cahen, *Règlements somptuaires de la communauté juive de Metz à la fin du XVII^e siècle. 1696–1697.* Extrait de l'*ASEJ* (Versailles, 1881), pp. 7–8; For other sumptuary laws of the Jewish communities in France see: כרוז הנכרז בשחי בתי כנסיות פה קהלתינו מיץ יע"א ביום השלישי כ"ח אדר תקל"ט לפ"ק למען ידעו כל איש ואשה בחור ובתולה איך יתנהגו בתכשיטיהם ובמלבושיהם לכל ילכדו ח"ו. ([Metz,] 1779). 1 p. fol.; Cecil Roth, "Sumptuary Laws of the Community of Carpentras." *JQR,* XVIII (1927–28), 357–83; Isidore Loeb, "Les juifs à Strasbourg . . .," 192–98, Alsatian Sumptuary laws of 1774 or 1777, reprinted in: *JFrance,* II, 312–14. For sumptuary laws of Saint-Esprit (1729) see H. Léon, *op. cit.,* p. 387.

traditions and principles. On the other hand, there was nothing particularly anti-Jewish in the attitude of the revolutionary leaders against separate Jewish communities. As Graetz remarked, the Revolution emancipated the Jews without asking them to renounce even one iota of their religion.[54] Jews were persecuted, some were even guillotined, but not because they were Jews.[55]

The Protestants of Alsace, too, were organized in autonomous bodies, and this fact was mentioned in 1779 by the author of a pamphlet on the legality in France of Jewish law with regard to divorce.[56] A group of seven Christian creditors of the Carpentras Jews argued in the year VII that unlike the Jews the Protestants never insisted that prior to the Revolution they were organized as a separate body.[57] But this was not exact. In fact, the Jews were not the only religious minority group trying to preserve their particular privileges of the pre-revolutionary period. During the Revolution it was difficult to accept the idea of being a Frenchman in the spirit of the new regime and Christian in the spirit of the old regime. Yet, the Alsatian Protestants retained many of their old privileges. Thus, thanks to some legal hair-splitting and arrangements with the Catholics, the Protestant Chapter of Saint-Thomas of Strasbourg was not nationalized. The deputy Pierre André (1767–1848) of Lower Rhine stated in February 1799 that the Protestants who suffered from religious intolerance during the old regime should be the first to give up privileges the destruction of which could only add to social welfare. But Professor Christian-Guillaume Koch (1737–1813), the Alsatian Protestant leader and deputy who directed the Protestant fight against the abolition of their privileges, opposed Jewish emancipation on the ground that the Jews would con-

[54] Heinrich Graetz, *Geschichte der Juden*, XI (Leipzig, 1911), 221.

[55] Z. Szajkowski, "The Attitude of French Jacobins Toward Jewish Religion." *HJ*, XVIII (1956), 111–19; Idem, "Jewish Religious Observance during the French Revolution of 1789." *S. Niger Memorial Volume* (New York, 1958), pp. 193–216 (in Yiddish); Idem, "French Jewry during the Thermidorian Reaction." *HJ*, XX (1958), 98.

[56] *Réplique pour la Dame Peixotto. Contre le Sieur Peixotto, son mari* (n. p., 1779), p. 29.

[57] *Mémoire pour . . . Chambaud*, p. 23 (see Bibliography, No. 89).

tinue to exist as a separate nation. The insistence of the National Assembly that the Jews surrender their former privileges was interpreted by Koch and Schwendt as a victory over the Jews, who would cease to exist as a *corps de nation* (national body).[58]

[58] "Réflexions sur les Juifs, redigés par M. Koch au mois de Juin 1790." Archives du Chapitre de St.-Thomas, 148–b, 77–6, II–2 (Am Stg); On Koch see J. G. Schweighaeuser, *Vie de Christ. Guil. Koch* (Strasbourg, n. d.). 78 pp. See also *Opinion de Frédéric Herman, Député par le département du Bas-Rhin, sur le projet de résolution concernant les biens . . . protestans. Séance du 9 ventôse an 7* (Paris, an 7). 26 pp.; *Opinion d'André (du Bas Rhin), sur le projet de résolution tendant à supprimer les établissemens protestans, et à nationaliser les biens qui en dépendent. Séance du ventôse an 7* (n. p., an 7). 22 pp.; R. Reuss, *Les églises protestantes d'Alsace pendant la Révolution 1789–1802* (Paris, 1906), pp. 27–28, 31–33; Jean Richerateau, *Le rôle politique du Professeur Koch* (Strasbourg, 1936), pp. 33–77; Z. Szajkowski, "Protestants and Jews . . .," 119–35. For a bibliography of contemporary pamphlets concerning the fight of the Alsatian Protestants against the nationalization of their Church properties see *Chauffour*, pp. 454–57; Charles Heitz, *Les Sociétés politiques de Strasbourg pendant les années 1790 à 1795* (Strasbourg, 1865), pp. 61–62.

On Dec. 6, 1797 Riou warned the Council of the Five Hundred that the refusal to nationalize the Jewish debts, because they were persecuted during the old regime, could serve as a precedent against Protestants: "En droit il est certain que quoique les Juifs ne fussent pas admis au fonctions publiques, quoiqu'ils ne fussent pas citoyens français, ils étaient habitants et domiciliés en France, et si aujourd'hui on fait une arme contre eux de l'oppresssion sous laquelle ils vivaient, on pourrait également tourner cette arme contre les protestants français" (Halphen, p. 336).

III. COMMUNAL JEWISH ACTIVITIES DURING THE REVOLUTION

In the first years of the Revolution the Jewish communities continued to elect their syndics, and to act in every other aspect of communal Jewish life exactly as they did during the old regime.[59] But of course, the new regime had some influence even in the Jewish communities. Thus, a new spirit prevailed at the Avignon elections of October 2, 1790. Rabbi Elie Vitte Spire [Espire] stated in a sermon at the synagogue that the *baillons* (syndics) should no longer be elected to represent existing social classes, because this was against the new principle of equality. In protest against this new conception the community's treasurer, Moïse Petit, resigned and Aron Rouget was elected in his place.[60] (Note that an anti-Jewish pamphleteer of 1790, who was against the immediate grant of full civil rights even to all classes of the Christian population, demanded that equality should exist among the Jews. The motive for this demand was not so much love of justice for the poor Jews, as dislike of the function of the syndics.[61])

In many places the revolutionary authorities tried to restrict activities of the Jewish communities even at the beginning of the Revolution. On September 29, 1790, the *Directoire* of Upper

[59] R. Anchel, *Napoléon et les Juifs* (Paris, 1927), p. 9.

[60] ". . . sans s'asservir comme par le passé à des distinctions de mains, vue que l'égalité qu'on vient de consacrer et d'établir parmi les hommes ne comporte pas aujourdhuy une nuance qui souvent tient le merite enchainé" (Ad Vaucluse, notarial minutes of Gaudibert, fol. 1094, Oct. 2, 1790). On the elections in the Jewish communities of the papal province on the eve and in the beginning of the Revolution see H. Chobaut, *op. cit.*, CI, 19–20, CII, 3–5, 11.

[61] *Sur les Juifs en France* (n. p., 1790), p. 15: "Qu'entr'eux ils seront tous égaux en rang, même dans leurs assemblées privées ou religieuses; qu'il n'y aura aucune distinction, ni de préeminence, ni de faveur graciable; qu'il n'y aura de membres distingués parmi eux, que les préposés de leur Nation leur seront donnés par le pouvoir territorial: ce pour le service religieux & les écoles d'instructions, sur la présentation de la communauté qui formera un scrutin: ceux pour la police, au choix de l'autorité territoriale."

Rhine prohibited the excommunication of Wolf Netter of Wintzenheim. The Jews of Bolwiller, who were dissatisfied with their syndic, sought permission to elect another in accordance with the spirit of the Letters patent of July 10, 1784. On January 14 and February 22, 1791 the departmental *Directoire* discussed and refused the request.[62]

But this was not a consistent policy. On March 12, 1791 the departmental *Directoire* of Upper Rhine permitted the Jews of Wintzenheim to elect three syndics.[63] The special Jewish *état-civil* (registries of births, marriages and deaths) was recorded by Jewish community officials even after the Jewish emancipation. Only when the law of September 20, 1792 secularized the *état-civil* were the Jews, too, ordered to turn over to the civil authorities all existing registries and from then on the *état-civil* of all religious groups was recorded in the same registries by the civil authorities. But some Jewish communities continued for a short time to register their *état-civil* in the old Jewish registries: Wettolsheim (Upper Rhine) in 1793; some registries of Bordeaux until September and November 1793; of Cavaillon — until November 1793; etc.[64]

In simple police matters the authorities prefered to act through the communal Jewish leaders.[65] The local and even the central government authorities acted as if they preferred to continue to deal with the Jews not as individuals but as collective Jewish bodies, especially in matters of taxation. In fact, in this respect at the beginning of the Revolution the Jews were considered to

[62] M. Ginsburger, "Arrêtés du Directoire du département du Haut-Rhin relatifs aux Juifs (1790)." *REJ*, LXXV (1922), 47, 52–53.

[63] *Ibid.*, 56–57.

[64] Z. Szajkowski, "The Reform of the *Etat-Civil* of the French Jews During the Revolution of 1789." *JQR*, XLIX (1958), 63–74.

[65] On June 29, 1790 the civil authorities of Avignon ordered the *bailons* (syndics) of the Jewish community to put a stop to the noise in the ghetto that was disturbing the rest of the *nation Juive*, especially sick persons. This order was issued at the request of Isaac Allegri, whose wife was in child-bed (Am Avignon, D–II–7). The same thing happened in later periods. Thus the Jewish community of Metz was charged with the duty of providing quarters in the former ghetto for soldiers stationed in the city: Am Metz, H–2–102; *Extrait des minutes de la Mairie de Metz. Du 23 Fructidor de l'an 13* (Metz, n. d.). Broadside.

be autonomous bodies.[66] In September 1789, even in Bordeaux, the much privileged Sephardic Jews paid their taxes through their *Nation* (9,406 livres 13 sols 3 deniers in *capitation* taxes, which was collected by the *Nation* from one hundred and sixty families.)[67] The Alsatian Jews requested that they be freed from paying collectively various taxes for 1789 amounting to 25,000 livres, because many Jews had been ruined during the anti-Jewish riots of that year.[68] The finance Minister, J. Necker, was in favor of granting the Jewish request. In 1791, the Jews again protested against paying taxes because they had already paid a tax before the Revolution especially imposed on Jews. On June 11, 1791 the *Directoire* of Lower Rhine ordered them to pay only the balance. This meant that in paying taxes Jews were on a par with all other citizens. However, even earlier the Intermediary Commission had ruled that Jews should not pay separately the 7,582 livres tax *vingtième d'industrie*, but that they should be inscribed together with all other citizens on the supplementary lists for this tax. The Council of State decided, however, that this tax should be paid by the Jews according to the old rule, *i. e.* separately as a group, because the supplementary lists would comprise only the tax *vingtième* on real estate and not industry. Accordingly, on June 1, 1790 the Intermediary Commission ordered that, except for this tax, the Jews should be included in the general tax system.[69] In 1790 the Jews of Metz still paid their taxes not as individuals but as a collective body.[70]

[66] In 1813–1814 the Jews of Upper Rhine were forced to pay a special tax. R. Anchel, "Contribution levée en 1813–1814 sur les Juifs du Haut-Rhin." *REJ*, XCIII (1932), 113–34. In 1815 the Jews of Altkirch (Upper Rhine) were forced to deliver to the army 200 shirts, 100 matrasses, 200 sheets, 100 pillow cases, 2 wooden bath tubs, food and 40,000 francs in cash (Am Altkirch, Juifs).

[67] Am Bx, CC 1098.

[68] On the anti-Jewish riots of Alsace see Z. Szajkowski, "Anti-Jewish Riots during the Revolutions of 1789, 1830 and 1848." *Zion*, XX (1955), 82–102 (in Hebrew).

[69] Ad BR, C752, pp. 149–50, 172; *Extrait du Procès-verbal des séances de la Commission intermédiaire provinciale d'Alsace, du premier Juin 1790* (n. p., n. d.). 3 pp.; *Délibération du Directoire du Département du Bas-Rhin. Du Samedi onzième Juin 1791* (n. p., n. d.). 4 pp.

[70] Landmann, Ce 291–93.

As late as August 18, 1791 the district of Metz referred in an account of taxes to be paid by Jews not to Jews in particular but to the *communauté des Juifs*.[71]

In many instances the local authorities approved special taxation of Jews by the Jewish communities according to the pre-revolutionary system. The local authorities often forced the Jewish communities to pay back salaries to their rabbis and other employees. On December 18, 1791 the *Directoire* of Lower Rhine ordered the former *Nation* of the Alsatian Jewish communities to pay back salaries totaling one thousand livres to its secretary and translator, Simon Halle.[72] In August 1790 Abraham Hirsch demanded payment of 72 livres for expenses incurred during his stay in Strasbourg in connection with the assembly that drafted a *cahier des doléances* on behalf of the Alsatian Jews. One month later Marx Berr [Cerfberr] sought permission to levy a tax on all Jews to cover the expenses of this assembly. On September 1, 1790 the *Directoire* of Upper Rhine granted the demand of Hirsch David of Rosheim, treasurer of the council of Alsatian communities, to force Lazare Meyer and Goschel Bloch of Dürmenach and Wintzenheim to pay the arrears in taxes for 1788 and 1789. On March 3, 1791 the *Directoire* of Lower Rhine permitted the Jews of Hattstatt to levy a tax for support of paupers.[73]

This state of affairs continued even after the Ashkenazic Jews were granted full citizenship and their communities were officially dissolved.

The syndics Salomon Benjamin, Schillé Baruch and Isaac of Bouxwiller complained to the departmental authorities that many communities were very much behind in paying their rabbis' salaries. The Revolution had abolished *eo impso* their functions and thus they had no right, without special permission from the departmental authorities, to levy taxes. Such permission was granted to them.[74] On May 29, 1792 a tax to cover the salary of the rabbi of Mutzig was still obligatory. But it should be remembered that the law of September 4, 1792 requiring non-Catholics to defray the expenses of their religious activities, was

[71] See Bibliography, No. 20. [72] Ad BR, 1 L 825.

[73] Hildenfinger, "Actes du district de Strasbourg relatifs aux Juifs (1790)." *REJ*, LX (1910), 238–39; Ginsburger, "Arrêtés . . .," 45, 55–56.

[74] Julien Weil, "Contribution . . .," LXXI (1925), 176.

still in force. The Revolution did not abolish the financial restrictions imposed upon religious minorities.[75]

It seems that even "voluntary" revolutionary gifts, which were more often nothing less than confiscations of gold, silver, copper and other valuables, in some places were taken from Jews not as individuals but as organized Jewish communities.[76] Only on November 2, 1792 did the *Directoire* of Lower Rhine publish an order that practically aimed at abolishing the financial system of the Jewish communities: except for a special Jewish tax to cover the debts of the former Jewish communities no Jew was to be forced to pay any special tax for the Jewish community.[77] In Alsace the official and general liquidation of the Jewish communities came later, and most probably as a result of the regime of the Terror. On July 1, 1793 the *Directoire* of Upper Rhine announced the general liquidation of the "Jewish Nation." The decision was announced again on the following

[75] It was not until August 6, 1831 that the government agreed to consider rabbis as government employees and to pay their salaries. Halphen, pp. 93–94.

[76] On Feb. 15, 1790 Marx Berr [Cerfberr], "general syndic of the Jewish Nation," presented a patriotic gift in the name of the Wintzenheim Jews. *Suite de l'Etat des boucles et autres effets en argent, remis au bureau du Comité de la Garde Nationale Strasbourgeoise pour don patriotique offert à la Nation* (n. p., n. d.). Broadside. In the district of Altkirch there existed a special register of such patriotic gifts with the names of Jewish communities and individual Jews. Following are a few of the patriotic "gifts" noted in this register: "La commune Juive de Hirsingen Don 150 livres [de cuivre] . . . La commune juive de Seppois-le-Bas 1 main [en argent] servant d'index, 1 lustre de cuivre . . . Zillisheim. Les Juifs 4–17 [de cuivre,] 4–87 [d'étain,] — 09 [de plomb]" (Documents, Alsace, No. 8, fol. 23–34).

[77] *Délibération du Directoire du Département du Bas-Rhin. Du 2 Novembre 1792* (Strasbourg, n. d.). 4 pp.; R. Reuss, "L'antisémitisme dans le Bas-Rhin pendant la Révolution." *REJ*, LXVIII (1914), 260; Hildenfinger, *op. cit.*, 19. (". . . la liquidation des anciens intérêts qui les lioient, a nécessité la continuation d'un régime qui ne peut plus subsister sous la règne de la liberté & de l'égalité, & lorsque tous les citoyens de la république ne doivent plus connoître de loix que celles qui leur sont communes à tous; considérant en outre, que les loix assurent aux individus de la religion de Moïse la faculté de choisir à leur gré les ministres de leur culte . . . Le Directoire . . . a arrêté: qu'à compter du 1er Novembre courant, aucuns individus de la religion de Moïse ne pourront être contraints au payement d'aucunes sommes destinées à acquitter le traitement dû à des soi-disans préposés, caissiers, rabbins ou autres qui exerceroient une jurisdiction particulière, à la charge néamoins par eux de payer comme du passé les sommes arriérées . . .")

August 16, A similar announcement was made by the *Directoire* of Lower Rhine.[78]

The financial system of the Jewish communities was officially and in fact destroyed by the law of September 29, 1795 which abrogated obligatory taxes for religious activities,[79] but this law was not aimed exclusively against Jews.

In most Jewish communities many religious and social activities continued during the Revolution, often even during the Terror. Synagogues, cemeteries, philanthropic societies, slaughtering according to Jewish law, officials including rabbis and cantors were maintained and payment was required for their upkeep or services. In many places the communal organizations were continued through the bodies which were formed for the liquidation of the debts owed to Christian creditors by the former communities. In order to pay for protection, residence permits, and the heavy taxes imposed on them, the Jewish communities of France and the papal province of Avignon and Comtat Venaissin which were in existence before 1789, had to borrow large sums. The communities of Metz, Avignon, Carpentras and L'Isle-sur-Sorgue were in debt to Christian creditors, and the Jewish communities of Alsace to Jewish creditors. The revolutionary regime refused to take over these debts and thus forced the Jews to remain organized in order to collect taxes. As a result the French Revolution, which emancipated the Jews on condition that the separate Jewish communities would be dissolved, made it necessary for the Jews to maintain communities for the purpose of discharging pre-revolutionary debts.

[78] Ginsburger, "Arrêtés . . .," 65.

The Jewish community of Nice hired, in October 1797, night watchers over Jewish stores. Their salaries were paid with money from the philanthropic society. J. Bauer, "L'Université israélite de Nice de 1785 à 1803." *REJ*, LXIII (1912), 274. In many instances Jewish community councils continued to exist as "former" communities. Thus, e. g., a financial document of Nancy for the years 1794–1800 is titled "Extrait du Registre des recettes et dépenses de la ci devant Communauté d'Israélites de Nancy, écrit en caractère[s] hébraïque[s], par M[r] Mayer Marx père" (Documents, Metz, No. 121, fol. 703).

[79] In the year XIII Rabbi David Sintzheim dunned the Jewish communities for the arrears of his salary. Because of the law of 1795 the court could not decide what action it should take on this matter. Anchel, *Napoléon . . .*, pp. 44–45.

IV. THE ORIGIN OF THE DEBTS OWED BY THE JEWISH COMMUNITY OF METZ

The King and the local authorities assessed the Jews of Metz a maximum in taxes. Prior to the Revolution the Jews constituted only one eighteenth of the general population of Metz, but they paid one sixth of the *capitation* tax. In 1757–1766 the non-privileged bourgeois of Metz paid the city 221,727 livres and the Jews paid 55,248 livres. In 1789 they constituted only one twentieth of the general population of Metz, but they paid 9,648 of 57,736 livres in city taxes. In addition they were forced to pay annuities and bribes to a large number of civil and Church institutions and officials. Even the palms of the Ministers in Paris were greased. Moïse Weill of Bischheim, who was the Paris agent of the Jewish community of Metz, on the eve of the Revolution lavished thousands of livres in yearly gifts on various Ministers. On many occasions he presented geese to Ministers, including Necker, the famous Minister of Finance. All this was a heavy burden on the budget of the Jewish community. During the seventy-seven years covered by the periods 1605–1610, 1650–1660, 1700–1735, 1765–1780 and 1785–1789 the budgets of the Jewish Community of Metz aggregated 427,783 livres, of which only 138,651 livres was spent for the community itself and the rest on gifts for government and city dignitaries, the Brancas tax (beginning 1715, which is discussed below) and annuities to pay off debts owed by the community. In 1785–1790 its average annual expenses amounted to 108,479 livres 10 s. whereas average income was only 69,086 livres 11 s. 6 d. In 1790 it planned an annual expense budget of 108,479 livres 10 s. and anticipated only 39,392 livres 18 s. 6 d. in revenues. Among the expenses were 36,744 livres it was assessed in various taxes and 47,735 livres 10 s. in annuities it paid to Christian creditors of the community. This was also a burden on each Jew individually. In 1785–1789 each of about four hundred and ten Jewish families of Metz paid over 360 livres in Jewish community taxes in addition to various city and government taxes. According to a yearly list of city taxes paid by the community until

1790 (54,495 livres yearly) only four families paid 1,000 livres or more each, ten — from 500 to 999 livres, ninety — from 100 to 499 livres and the rest, less than 100 livres each.[80]

The case of the Brancas tax was particularly striking in the history of taxes paid by the Jewish communities. Charles-François de la Baume de Blanc, the marquis de la Vallière, was a nephew of a famous duchess who was a mistress of the King. The marquis, too, decided to profit from the duchess' affair, so in 1714 he requested the privilege of imposing an annual tax of 40 livres upon each Jew of Metz. The Jews sent many petitions and Vallière's request was refused. But on Dec. 31, 1715 Louis de Brancas, duc de Villars was granted such a privilege by Philip of Orléans, the Regent, with the help, of course, of his mistress, the beautiful wife of an officer, Fontaines (Countess Marie-Louise-Charlotte de Pelard de Givry), and a mistress of the Regent also. All the petitions of the Jews and bribes they paid were unsuccessful. By Letters patent of July 1718 the existing annual tax of 40 livres per Jew was changed to an annual tax of 20,000 livres imposed upon the Jewish community of Metz. Also, the Jews were forced to pay 70,000 livres for the preceding three years and various expenses. Altogether, the community spent 100,000 livres in vainly opposing the new tax. Voltaire who, it is well known, disliked Jews, wrote on the occasion of the publication of M[me] de Fontaines' novel *La Comtesse de Savoye* [Paris, 1726]:

> Adieu; malgré mes épilogues,
> Puissiez-vous pourtant, tous les ans,
> Me lire deux ou trois romans
> Et taxer quatre synagogues.

Brancas received 75 per cent of the tax and Madame de Fontaines 25 per cent. In 1745 the tax was renewed for another thirty years, the proceeds this time assigned only to the Brancas family. As early as 1750, however, the Brancas family obtained

[80] Am Metz, 1 G 4 (taxes paid by Jews); Landmann, Ce 98–115 (Weill's letters to Goudchaux Lévy-Spire, syndic of the Metz community); Louis Wolf, *Mémoirs*; Gerson-Lévy, *Extinction*; Olry Terquem, *Souvenirs*; N. Netter, *Die Schuldennot* (see Bibliography, Nos. 12, 139–40, 143); A. Cahen, "Budget de la communauté juive de Metz." *Mémoires de la Société d'archéologie lorraine*, series 3, III (1875); R. Clément, *op. cit.*, pp. 118–19; *EcSt*, pp. 71–72.

a further renewal of the tax until 1805. In a period of seventy-five years the Jews paid the Brancas family 1,875,000 livres. Only during the Revolution did the Jews of Metz feel it was safe to denounce the Brancas family for living in idleness on Jewish misery. In a petition to the National Assembly dated August 31, 1789 the Jews included a demand for the abolition of the Brancas tax. But the National Assembly did not act at once and the Jewish demand was renewed the next year in a special petition which argued that the Brancas tax would force rich Jews to emigrate and the Kingdom would thus suffer financially. The petition was debated by the National Assembly on July 20, 1790. M.-M.-I. Robespierre stated that the Brancas tax was illegal.[81] Charles-François Bouche (1737–1795), author of a study of the Jews of Avignon and the Comtat Venaissin, described it as a gift from the King to his corrupted courtesans. Among those who fought the abolition of the Brancas tax were abbot François-Martin Thiébault (1749–1795), deputy from Metz to the National Assembly and the Alsatian deputy Jean-François Reubell, both adversaries of Jewish emancipation. The report to the National Assembly on the Jewish petition was presented by Jacques-François-Laurent Devisme (1749–1830), a lawyer and deputy from Laon, where no Jews resided.[82] Devisme was active on many commissions of the National Assembly and helped draft decrees on important financial matters. In his report Devisme approved the abolition of the Brancas tax without compensating the Brancas family for the loss. He stated that this tax did not represent a purchase from the King, but was "a real act of generosity, a clear pecuniary favor." Still, Devisme proposed that Brancas be granted a small annuity, not to replace the tax, nor as a compensation, but as a pension for a general in the army who participated in eleven campaigns, was seventy-seven years old and sick. On July 20, 1790 the National Assembly abolished the Brancas tax. This act was much publicized and

[81] On Robespierre's friendly attitude toward Jews see: Ludwig Schosz, "Robespierre und die Juden." *SIW*, IX (1912), No. 28, 10, No. 29, 10–11; A. Mathiez, "Robespierre et l'émancipation des Juifs." *AHRF*, VIII (1931), 261–62; Idem, "Robespierre et Grégoire sous la Constituante." *Ibid.*, 261. On Bouche's project see Z. Szajkowski, "The Comtadin Jews and the Annexation of the Papal Province by France, 1789–1791." *JQR*, XLVI (1955), 181–82.

[82] On Devisme see Robert, II, 382.

hailed throughout France as an important step toward national self-respect and Jewish emancipation.[83]

As noted, the heavy taxes imposed on the Jewish community of Metz forced it to borrow immense sums from Christian creditors, including priests. From November 4, 1748 until May 3, 1789 it borrowed from Christian creditors on ninety occasions the grand sum of 526,336 livres.[84] These debts were converted into life-annuities (*rentes viagères*) in the amount of 42,172 livres 10 d. to be paid yearly. The largest sum — 21,000 livres — was borrowed on November 17, 1781. From 1760 to 1770 the community of Metz paid for new annuities totalling 6,955 livres; from 1771 to 1780 — 8,996 livres; from 1781 to 1785 — 5,880 livres.[85] As we shall see, it owed to its Christian creditors almost 500,000 livres for unpaid annuities at the outbreak of the Revolution.[86]

[83] AN, D–III–174; Bibliography, Nos. 1–3, 12–18; Voltaire, *Oeuvres*, édition of Garnier (Paris, 1777–85), X, 215; *Adresse . . . le 31 Août 1789 . . .*, pp. 5–7; [Godard,] *Pétition . . . le 28 Janvier 1790 . . .*, p. 101; F.-M. Thiébault, *No. ou Récit IV . . .* (Metz, 1789), p. 11 (on Thiébault see H. Thibout, "Un émigré messin." *Cahiers lorrains* (1932), 57–60); *RdGJP*, I (1897), 55–58; *AP*, XVII (1884), 215–19; *Moniteur universel* (réimpression), V, 186, VI, 185; *Mercure de France*, Jan. 16, 1790, 135 ("Réclamation," by Brancas); *Journal de Bordeaux et du département de la Gironde*, No. 73 (July 24, 1790), 504 ("Croiroit-on qu'on continnoit, dans ce siècle de philosophie, à percevoir une taxe sur les Juifs, à cause de leur religion"). The Decree of July 20, 1790 was registered in August 1790 by the Toulouse parliament (Ad Hérault, B 1877); Netter, pp. 17–21 (see Bibliography, No. 143).

[84] Large sums were borrowed on earlier dates: 1,570 livres from the brothers Houselle in 1698; 20,000 livres from Charles Colbert in 1713, etc. (Landmann, R 1–2).

[85] AN, D–III–174, dr. Metz; JTS, No. 01565. Terquem, p. 9 (see Bibliography, No. 140). According to another inventory of May 8, 1794, the Jews had borrowed during the same period only 415,237 livres on 79 occasions, for which they paid annuities of 41,897 livres 10 s. (Documents, Metz, No. 10, fol. 49–52). Among the Christian creditors of Metz were the priests Joseph Saintignon, Jean-Pierre Vendel, Guillaume de la Neve, François-Dominique du Ballé, Claude-Nicolas Edme (called Fidry), Louis Woirhaye (according to an inventory of Apr. 18, 1792. Documents, Metz, No. 1, fol. 1–2).

[86] According to an inventory of May 8, 1794, the Jewish community also owed 15,999 livres 11 s. 8 d. to ten Jewish creditors, mostly sums for minors left by deceased Jews in the care of the community (Documents Metz, No. 38).

On the value of the livre *tournois*, which was used in Metz, see Natalis de Wailly, "Mémoire sur les variations de la livre tournois." *Mémoires de l'Académie des inscriptions et belles lettres*, XX–2 (1857), 177–427. A livre was valued at 20 sols and each sol at 12 deniers.

V. THE ORIGIN OF THE DEBTS OWED BY THE JEWISH COMMUNITIES IN THE PAPAL PROVINCE OF AVIGNON AND COMTAT VENAISSIN

The four Jewish communities of the papal province of Avignon and Comtat Venaissin borrowed large sums from Christian creditors in order to pay high taxes imposed upon them. These Jews were taxed on many pretexts: for permission to wear beards, to marry, to bear children, to bury their dead, to protect their ghettos during Christian holidays. In addition they paid general taxes and bribes to Church dignitaries and their servants, *corporations*, city officials. In Carpentras, for example, the *évêque des fous* and the *abbé de la jeunesse*, who presided at local celebrations and enjoyed the traditional right to shave the beards of the Jews by force, collected sums from them for not exercising it. Similarly, Christian children who, on the day of Innocents had the right to create a breach of the peace in front of the synagogue, exacted a fee for keeping the peace. In Avignon the Jews were forced to sweep the *Place du Palais* on the eve of Corpus Christi. On June 28, 1771 the Jews were exempted from this humiliating duty in return for paying the *Chapitre de Notre Dame* 300 livres and other gifts yearly. The anonymous author of the pamphlet *L'Hermite de Luberon*, published in Comtat during the Revolution, told how Jews arrested during the old regime in Cavaillon were confronted with two alternative conditions: either to pay a large sum or to desecrate the Sabbath. They chose to pay. The same situation was described during the Revolution by the anonymous author of another Comtadin pamphlet (*Avis plus que pressant*). As late as December 28, 1789 the Jews of Avignon paid 36 livres as a compulsory Christmas gift to the city; on October 12, 1790 — 288 livres to the *Chartreuse de Villeneuve*.

According to one document the Jewish community of Carpentras borrowed 110,000 livres from Christian creditors from 1767 until 1786. But according to another, during this period the community borrowed a total of over 283,000 livres on eighty occasions. In 1747, during the French occupation of the papal province, the three Jewish communities of Comtat Venaissin were compelled to lend the occupation forces a sum of 50,000

livres, 23,000 livres of which they had to borrow from the provincial administration. In 1779 the Carpentras community had expenses of 38,358 livres, including 24,664 for annuities to Christian creditors. In 1780 all four communities of the papal province had an annual income of 43,300 livres, but their outlay on pensions and annuities to their Christian creditors was far greater. On the eve of the Revolution the debt of the four communities, exclusive of unpaid annuities, amounted to about 800,000 livres.[87]

The Christian creditors of the Jewish community of Avignon were organized in a *Corps de Messieurs les créanciers* which often influenced the activities of the Jewish community. Thus, they determined the amount of communal taxes to be paid by the Jews. On May 24, 1673 the Christian creditors of Carpentras granted the Jewish community a delay of five years in repaying its debts on condition that the Jews impose a sufficiently large tax to cover current expenses.[88]

There was frequent conflict between the Jewish communities and their Christian creditors. As a result of such a conflict a sale of the properties of the Jews of Avignon was ordered in 1662. On October 21 of that year the *Auditeur Général de la Légation* of Avignon classified the Christian creditors in categories according to the priority of their mortgages, and the sums to be repaid to them. But the idea of selling the properties was abandoned, because of the heavy expenses which such a sale would have involved and because it would have ruined not only the entire Jewish community but also the revenue obtained by the city from the Jews' commercial activities. It was then arranged that the Jews would pay yearly annuities of 2,700 livres to be distributed among their Christian creditors. This arrangement was approved on September 12, 1735 by the papal author-

[87] Ad Vaucluse, G 447, fol. 346, 353 (contract between the Jews of Avignon and the *Chapitre de N. D.*, June 28, 1771 and Oct. 22, 1772); Calvet, ms. 2104, Nos. 688, 787; Columbia, 893C–C22, vols. 5, 7; *Observations*, p. 3; *Impôts et budget*, p. 5 (see Bibliography, Nos. 104, 106); P. Charpenne, *op. cit.*, II 457, 540–41; *Avis plus que pressant* (n. p., n. d.), p. 7; *L'Hermite du Luberon au Solitaire du Mont-Ventoux. Salut et repos* (n. p., n. d.), p. 2; J. Bauer, "Les troupes du maréchal de Belle-Isle et les Juifs du Comtat-Venaissin (1746–1758)." *REJ*, XXVII (1893), 263–68; Chobaut, *op. cit.*, CI, 24.

[88] Calvet, ms. 2103 (the *Corp*'s minutes, 1735–66); AIU, R 43, p. 49 (delay of May 24, 1673).

ities of Avignon and on September 22, 1736 by an assembly of the Avignon Jews. The 2,700 livres were paid yearly to the treasurer of the *Corps* of creditors, whose salary of one hundred livres was also the responsibility of the Jews. The arrangement was changed, first by a notarial act of August 8, 1748 which reduced the treasurers salary to sixty livres; second, in 1766 by the Jews who decided to pay the annuities directly to their creditors without an intermediary. This step provoked a chain of lawsuits, but from 1766 until 1791 the Jews paid the annuities directly to their creditors or through the judicial authorities. In the meantime the Jews of Avignon borrowed new sums and the annuities to the new creditors, which totalled about 1,300 livres, were paid in the same manner.[89]

The Jewish community of Avignon paid a total of 7,232 livres in annuities to Christian creditors from 1755 to July 20, 1789. As late as August 16, 1789 the community decided to borrow again, this time a sum of 12,000 livres.[90]

As a result of the dissolution and nationalization by the revolutionary regime of properties of religious and other corporate bodies which were creditors of the Jewish communities, the government and various municipal agencies acquired their assets. Thus, the Jewish community of Avignon became a debtor of the government in the sum of 11,367 livres 1 s. 4 d. incurred between 1791 and 1806 for unpaid annuities to twenty-two dissolved Catholic institutions. During the Revolution the community of Carpentras paid the government annuities for six pensions owed to former Catholic bodies. In 1816 the Carpentras commission, appointed to liquidate the debts, tried to settle the debt of 18,131.94 francs in sums borrowed and 15,298.80 francs for unpaid annuities owed to the government. The commission asked the King to cancel this debt, but the request was rejected and on April 27, 1824 the government accepted the sum of 20,000 francs. Of the 129,515.88 francs owed in 1818 by the

[89] Documents, Comtat, No. 21, fol. 71–72. Earlier, on Aug. 29, 1569, the community of Avignon appointed Lion Alfandri to discuss with the Christian creditors a proposed sale of the synagogue and other communal Jewish properties as a way of repaying its debts (Ad Vaucluse, notarial minutes of Vincenti, 1350, fol. 575).

[90] Calvet, ms. 2104, fol. 122–25; Ad Vaucluse, Gaudibert's notarial minutes, 1789, fol. 1040.

former Jewish community of L'Isle-sur-Sorgue, which represented fifteen loans, three had to be paid to the government and the city, including one loan of 34,103.70 francs.[91]

Did the Jewish community of Cavaillon owe any debts? The above mentioned loan of over 23,000 livres was granted in 1747 by the authorities of Comtat Venaissin to the communities of Carpentras, L'Isle and Cavaillon.[92] On July 30, 1765 the latter community borrowed 1,200 livres for various synagogical expenses and on September 25, 1775 another 6,000 livres for the reconstruction of its synagogue.[93] A source of 1823 refers to "debts of the Cavaillon community."[94] But we know very little of these debts and no mention of them was ever made in the official documents on the discharge of the debts owed by the three other communities of the former papal province. It is, thus, possible that most of the debts were settled by the community of Cavaillon before the emancipation.

[91] Documents, Comtat, No. 21, fol. 72; *Observations* (see Bibliography, No. 104), p. 17 ("Leurs créanciers, qui sont au nombre de plusieurs centaines parmi lesquels est le Gouvernement, qui représente les Corps supprimés"); Columbia, X893C–C22, vols. 1, 6, 9, 10 ("Reçu des Juifs de la Commune de Carpentras la somme de deux mille cinquante deux livres pour quatre annuités des six differentes pensions . . . qu'ils servaient aux ci-devant Religieuses de Ste. Claire d'Avignon. A Avignon le 2 Germinal 4^{me} Rép. [Signé:] Le Reçeveur de l'Enregistrement et du Domaine National"); Chobaut, *op. cit.*, CII, 35.

[92] Columbia, X893C–C22, vol. 5 (Nos. 11, 12), vol. 7 (list of creditors).

[93] Ad Vaucluse, Poncet's notarial minutes, July 30, 1765; Guis' notarial minutes, 327, fol. 652. See also Calvet, ms. 2160, fol. 26 ("Graduation de Messieurs les créanciers des carrières de L'Isle et Cavaillon").

[94] "Quant aux contribuables des lieux voisins, il n'y a que MM Cremy frères de Marignanne [Marignane] qui consentiront à payer, si vous leur garantissez le remboursement en cas qu'on vienne à les rechercher pour les dettes de la C^{té} de Cavaillon." A letter from Aix to Carpentras, Jan. 23, 1823, signed by J. [Jacob] Lisbonne, Rabbi Mardochée Crémieu[x] jr. and Th. Milhaud (JTS, No. 01529).

Following are a few examples from Avignon and Carpentras that illustrate the value of the livre in the papal province: On February 14, 1737 the Christian Pierre Fructus sold to Mordacay Petit of Avignon a razed house (*entièrement démolie*) for 800 French livres. On Aug. 14, 1752 the Jewish community of Avignon paid 300 livres to Monteux and Joseph Semat Pichot for a yard (*cour, escour vannade*) to be used for the construction of a hospice for foreign paupers. According to a contract of 1747 the *sagarein* (*shohet*) Ain Lévi was paid a yearly salary of 300 livres. In the 1790's, the annual salary of rabbi Elie Ispir of Carpentras was 860 livres. Ph. Prévot, *A travers la carrière des Juifs d'Avignon* (Avignon, 5702), I, 10, 32, 37, II, 9.

VI. THE FIGHT FOR THE NATIONALIZATION OF THE DEBTS OWED BY THE COMMUNITY OF METZ

At the very beginning of the Revolution, while still fighting for emancipation the Jewish community of Metz promised to repay the debts owed to Christian creditors. A *Mémoire* of the community (1789), which has the character of a *cahier des doléances*, argued against an immediate dissolution of the Jewish community, because among other things, the repayment of its debts would be endangered. Later, when the Jews of Metz requested their nationalization the Christian creditors reminded them of their earlier promises to repay them. To this allegation the report of a special commission appointed by the Council of the Five Hundred (*Conseil des Cinq Cents*) replied that in the early days of the Revolution, when the Jews were still organized legally as autonomous communities, they could not have acted otherwise. At that time even the debts owed by non-Jewish corporate bodies had not yet been nationalized, and the Jews had no legal basis for requesting such action in relation to their own debts.[95]

By a law of May 20, 1791 the National Assembly referred all conflicts over the debts to the administration of the Metz district.[96] But four months later, on September 27, 1791, the Ashkenazic Jews were granted full citizenship and the autonomous Jewish communities were therefore dissolved. Nationalization of the debts owed by a dissolved corporate association then became a possible legal solution of the problem.

At first the Jews of Metz did not consider asking the government to nationalize their debts and repay their Christian creditors from public funds. In their petition to the National Convention they merely showed that the assets of the Jewish community (evaluated at 917,559 livres 7 s. 11 d.), were larger than the

[95] Isaac-Berr Bing, *op. cit.*, pp. 26–27; Déprille, p. 4 and Riou, p. 4 (see Bibliography, Nos. 28, 34).

[96] Decree of May 20, 1791 (see Bibliography, Nos. 19–21).

liabilities (365,000 livres). However, in the assets were included not only the synagogue and other communal real estate of the value of about 70,000 livres, but also unpaid taxes owed by local Jews and the provincial communities. The petition requested the Government to repay the debts from a fund to be set up from the proceeds of the sale of communal Jewish property and from the taxes to be collected from the Jews over a period of ten years. The basis for the request was that only penalties imposed in the name of the Republic for failure of Jews to pay taxes for the liquidation of the debts would be effective. Otherwise, the Jews would be forced to maintain their own syndics and tax collectors — and in effect recreate the dissolved Jewish communities. As a result unhealthy relations would develop between the Jews of Metz and those of the smaller communities and would perpetuate a spirit — or even fanatical and superstitious ideas — contrary to that of the new regime.

As we shall see in the following section, unlike the Jews of Metz, their coreligionists of Avignon, directly upon the dissolution of their community, called upon the Government to assume and repay the debts.[97] It was not until much later that such a request was also made by the Jews of Metz.[98]

[97] "Mais ce seroit rétablir une Corporation supprimée, renouer des relations continuelles entre les ci-devant juifs de Metz et ceux du plat pais; ces relations pouroient réveiller dans beaucoup de têtes l'esprit de corps si contraire à l'égalité, à la liberté; peut-être même des idées fanatiques et superstitieuses, et faire manquer, dans un coin de la France et pour un objet modique le but sacré de la révolution et de la loi salutaire qui a assimilé les juifs aux autres citoyens." "Pétition à la Convention N^{ale} pour les ci-devant Sindics et Elûs de la Ci-devant Communauté des Juifs de Metz" (JTS, 01530–1); *Petition*, pp. 17–19 (see Bibliography, No. 23); *Observations*, pp. 4–10 (see Bibliography, No. 85); Landmann (Co–5) mentioned a "Projet d'un état de l'actif de la ci-devant communauté, présenté à la Convention Nationale."

[98] Michel Wolf and Goudchaux Mayer Cahen were sent on missions to Paris to seek the nationalization of the debts. On July 1, 1792 Wolf was paid 85 francs for travel expenses and Cahen was paid 600 francs on Jan. 18 and 1,200 francs on Nov. 1, 1797 ("Bordereau des sommes payées par les ci-devant administrateurs de la Communauté des Juifs de Metz pour dépenses diverses à la charge de la dite Communauté." Documents, Metz No. 38, fol. 211). Goudchaux Mayer Cahen was the father of Jacob Aronssohn, who became a physician at the end of 1790. Carmoly, *Histoire des médecins . . .*, pp. 202–203.

How to avoid demands by creditors before nationalization of the debts was achieved, became a crucial problem.

Three Metz lawyers stated in a brief dated November 27, 1791 that since the debts were incurred as a result of the Brancas tax,[99] and with dissolution of the Jewish communities, the Jews could not be held responsible to the Christian creditors. The lawyers held that the Jews were individually in the same position as the inhabitants of Metz were in regard to debts contracted by the city of Metz. In order to avoid lawsuits by the creditors, while the question of the nationalization of the debts was pending, they advised the Jewish syndics to discontinue all their activities and to transfer the community's funds to the departmental authorities. The latter, they suggested, should prepare an inventory of the Jewish community's properties.[100]

[99] The Jews also argued on moral grounds for the nationalization of the debts, claiming that they were forced to borrow money as a result of various anti-Jewish restrictions (*Petition*, pp. 1–7, see Bibliography, No. 23).

[100] "Le Conseil soussigné qui a vue le décret [du 27 septembre 1791], non encore officielement connu, concernant les Juifs . . . estime qu'il n'est pas douteux que le premier et infaillible effet de la publication du décret, sera de dissoudre le régime actuel des Juifs de Metz, qui ont subsisté jusqu'à présent en corps de communauté, ayant une administration particulière, tant pour le spirituel que pour le temporel . . . Il sera prudent, par exemple de sitôt l'affiche et la publication du décret qui déclare les Juifs citoyens actifs [. . .], que les sindics et administrateurs cessent toutes fonctions actives et passives, en cette qualité. Qu'ils en préviennent sans délais M. le Procureur Général Sindic du département, auquel ils offriront les clefs de la caisse commune, en l'invitant par une pétition particulière, de requerir du Directoire la nomination d'un ou plusieurs commissaires, à l'effet d'arrêter leurs registres, et de faire l'inventaire des biens de la communauté . . ." Déliberé à Metz, le.27.9^{bre} 1791" (Documents, Metz No. 7, fol. 37–38).

The brief was signed by the lawyers, Jean-Baptiste Juzan de la Tour, Baudesson and François Aubertin. Juzan de la Tour was a lawyer of the Metz Parliament from 1758 on, a member of the Patriotic Committee in 1789 and a judge of the criminal tribunal in 1792. Baudesson the elder was a judge of the civil tribunal during the Revolution. Aubertin was a lawyer of the Metz parliament from 1760 on. Emmanuel Michel, *Biographie du Parlement de Metz* (Metz, 1853); Paquet, I, 21, 36, 111, 303, 443, II, 1484.

Among the lawyers who were later consulted by the Jews of Metz were the famous Claude-François Chauveau-Lagarde (1765–1841) and Jean-Jacques-Régis de Cambacérès, who wrote two pamphlets in favor of the Jews' demand for the nationalization of the debts (see Bibliography, Nos. 29, 31). Chauveau-

The decree of September 27, 1791 granting citizenship to the Ashkenazic Jews was published in Metz on Sunday, December 15, 1791.[101] In accordance with the lawyers' advice the Jewish syndics sealed their office[102] and on the next day, December 16, requested the departmental *Directoire* to take over all the assets of the Jewish community and to appoint commissioners to draw up an inventory of communal Jewish properties.[103] Joseph Gougenheim and Goudchaux Mayer Cahen addressed a petition to the *Directoire* in the name of the former syndics of the Jewish community. They stated that the most natural consequence of the decree of September 27 was to abolish the "political body" (*Corps politique*) and the autonomous "administrative system" which the Jews had formed.

In general the Christian creditors of the Metz Jews did not favor assumption of the latter's debts by the government, although on one occasion they did so.[104] To begin with, the creditors had little faith that the government would repay them and later they were alarmed by the prospect of being repaid in *assignats* (paper money).

It seems also that at first the local civil authorities of Metz

Lagarde was appointed by the revolutionary courts-of-laws to defend Francisco-Antonio-Gabriel Miranda, Marie-Antoinette, Charlotte Corday and Mme. Elisabeth. During the Terror he was himself arrested. E. Pascallet, *Notice biographique sur M. Claude-François Chauveau-Lagarde* (n. p., n. d.). 29 pp.; Doublet de Boisthibault, *Chauveau-Lagarde* (Chartres, 1841). 8 pp.; Vital Pillore, *Eloge de M. Chauveau-Lagarde* (Toulouse, 1854). 29 pp.; L. Aimé-Martin, *Quelques esquisses de la vie judiciare de M. Chauveau-Lagarde.* Extrait de *Journal des Débats* (Paris, 1841). For other pamphlets by J.-F. Chauveau-Lagarde on Jews see Emancipation, Nos. 198, 200; Napoleonica, No. 425.

[101] "dimanche dernier, le décret qui les déclare citoyens actifs . . . a été rendu public par la voie de l'impression et de l'affiche" (in the Jewish memorandum of Dec. 16, 1791. Paquet, II, 1087). We did not find any Metz edition of the decree of Sept. 27, 1791. See Emancipation, Nos. 180–81.

[102] ". . . la chambre sindicale qu'ils ont fermée à l'instant de la publication du décret qui a mis les Juifs au rang des Citoyens" (from the departmental *Directoire*'s decision of Feb. 7, 1792. Documents, Metz, No. 52, fol. 520–39).

[103] Netter, 126–27 (see Bibliography, No. 143). The inventory of communal properties was drawn up by the notary Conflans from March 22 through December 12, 1792 (*Compte*, p. 4, see Bibliography, No. 39).

[104] *Précis* (see Bibliography, No. 28); Paquet, II, 1415.

unofficially favored the nationalization of the debts. On January 11, 1792 the general council of the Metz district stated that only by eliminating the council of Jewish communities would it be possible to improve the Jews' morals, and their usurious practices and defeat the rabbis' superstitious influence. Should the government not assume the debts, the Jewish community of Metz and its organic ties with the other communities of the province would continue, in spite of the law abolishing these communities.[105] The departmental *Directoire* acted as if it had already been decided to treat the debts as national debts. But on January 4, 1792 the city council took a stand against nationalization, because the creditors would no longer have anyone to dun for payment. The city officials manoeuvred to postpone the decision until the National Assembly could rule on the question. They also insisted that the former syndics of the Jewish community should be forced to remain in office and be authorized to collect taxes and to repay debts, and that no Jew should be allowed to move to another community before paying one eighth of his fortune as his contribution toward paying off the debts. A formal request was made to the *Directoire* to prevent a premature dissolution of the Jewish community (*à empêcher cette société de se dissolve prématurement*). On January 14, the *Directoire* of the Metz district approved the city council's resolution of January 4 and on February 7, 1792 the departmental *Directoire* authorized the continuation of the special tax imposed by the Jewish community for repayment of debts.[106]

The Jews did not give up. They asked the *Société populaire* of Metz to help them gain nationalization of the debts and protested against being forced to continue the financial activities of

[105] AN, D–III–174.

[106] "Et jusqu'a ce que l'Assemblée Nationale ait prononcé, d'enjoindre aux cy devant sindics de continuer leur gestion par recette et dépense . . . D'ordonner, en autre, que les mêmes ci devant sindics seront tenûs de s'opposer, de tout leur pouvoir, et à peine d'une responsabilité personnelle à ce qu'aucun juif n'abandonne son domicile en cette ville, en transportant son mobilier, qu'il n'ait satisfait aux obligations qui lui étoient imposées par la cy devant communauté, c'est, à dire qu'il n'ait remis à la caisse le huitième de sa fortune pour l'acquit de sa portion contingente dans la dette commune." See also Paquet, II, 1087–88.

their dissolved community.[107] But the local law-court ordered them to elect five syndics, who should direct the liquidation of the debts. The Jews were then forced to appoint (in January 1792) a commission for the purpose of levying taxes and repaying the debts.[108] The "citizens of the former Jewish community of Metz" (*Les citoyens composant la cy devant communauté des juifs de Metz*) were called by a town crier to assemble on April 26, 1792. To the presidium of the meeting were elected: Mayer Godchaux as president, Joseph Lévi as secretary, Marchand Mayence, Mayeur Hayem Bingue and Moyse Gompertz. At the first meeting, with ninety-seven voters present, only two Jews won election as syndics: Marchand Mayence obtained fifty-one votes and Louis-Isaac Cain forty-nine. It was then necessary to call another meeting on April 27 at which Louis [-Moyse] Gompertz was elected, winning thirty-three votes of the fifty-six cast. As the second meeting also could not complete the election of the syndics, a third meeting was called on April 28 at which Aron-Marx Lévy and Mayeur-Louis Schaube [Schwabe] were elected.[109]

[107] "A la difference de toutes les autres Corporations la Ci-devant Communauté des Juifs de Metz, quoique formellement supprimée par les loix comme Corporation a cependant été obligé de conserver la gestion de ses propriétés foncières et mobilaires, avec toutes les charges dont elles sont grevées. Cette distinction n'aurait certainement pas eu lieu sous le régime de l'égalité, si elle eut été bien connu des Législateurs .... La ci-devant Communauté est prête d'abandonner tout son actif, la Nation doit le prendre pour son compte, ainsi que son passif. Qu'on ne crye pas qu'il existe une grande disporportion entre l'un et l'autre, au contraire le premier offre des grandes ressources, et le second ne consiste qu'en rentes viagères dont les titulaires sont pour la plupart très vieux, mais ces ressources deviendroient nulles si elles restoient entre les mains qui faute de lieu et d'assemblée n'ont plus ni le droit ni les facultés de les faire valoir" (Undated petition by the Jews of Metz to the *Société populaire*, JTS, No. 01565). It is possible that the petition was written by a Jewish Jacobin. On Jews in the Jacobin Club of Metz see L. Bultinghaire, *Le Club des Jacobins de Metz* (Paris, 1906), p. 101; Z. Szajkowski, "Gli Ebrei nei club dei Giacobini durante la rivoluzione francese del 1789." *La Rassegna Mensile di Israel*, XXIV, No. 7 (1958), 299. The Jews stated that because of their emancipation they had lost all "common means" to pay their debts, *i. e.*, the right to levy taxes (*Resumé*, pp. 1, 6–7, see Bibliography, No. 31).

[108] AN, D–III–174.

[109] Minutes of the elections, Apr. 26–27, 1792 (Documents, Metz, No. 5, fol. 23–28).

VII. THE FIGHT FOR THE NATIONALIZATION OF THE DEBTS OWED BY THE COMMUNITIES OF THE FORMER PAPAL PROVINCE

Reference was made earlier to the request of the Jews of the former papal province for the nationalization of the debts owed by their former communities, although during the Revolution they continued for a while to pay annuities to creditors.[110]

On the whole, the Jews, far from favoring, openly opposed the nationalization of their communal properties in order to repay the debts, although on one occasion, in a petition to the Convention for the nationalization of their debts, the Jews of Avignon declared themselves ready to give up their synagogue inasmuch as God does not reside in temples.[111] Still, most communal properties of the four communities in the former papal province were nationalized. This fact was constantly cited by the Jews as an argument in favor of the government's assumption of their debts.

On April 18, 1795 the Legislative Committee (*Comité de Législation*) of the National Convention ordered all judicial

[110] Calvet, 2104, No. 880 (124 livres paid on Feb. 29, 1792 by the community of Avignon to a creditor). The community of Carpentras paid annuities during the entire revolutionary period, e. g. 20,167 livres to four creditors from Jan. 19 to Feb. 1, 1792 (Columbia, X893C–C322, vols. 4, 8, 10).

[111] Calvet, 4340, fol. 67. The Avignon Jews petitioned the Prefect in 1817 that they "ont vu envahir par la nation tous les biens de la Communauté de leurs pères . . . Et qu'on ne vous dise pas, Mr. le préfet, qu'en ce moment nous possédont un de nos anciens temples. Le local ou nous pratiquons nos cérémonies religieuses est une propriété nationale. On nous a permis de la consacrer à notre culte, mais elle ne nous appartient pas . . . section des contributions foncières, section dite de l'Egalité, lettre No. 795, justifient ce fait important" . . . (Documents, Comtat, No. 1, fol. 2). The Jewish cemetery of Avignon was sold on March 24, 1796 for the sum of 1,188 francs (Documents, Comtat, No. 6, fol. 36, No. 7, fol. 38). In 1817 the seven Jewish families who remained in L'Isle-sur-Sorgue wrote to the authorities: "la révolution, les excès populaires, les ordres des autorités départementales ont envahi, dissipé, on détruit ces trésors, ces temples, cette Communauté" (AN, F–19–1847). According to an inventory of 1816 the revolutionary regime confiscated from the Carpentras synagogues objects valued at 44,465 livres (Columbia, X893C–C22, vol. 1).

procedures over the debts to stop temporarily until the Convention would come to a decision on this matter. In spite of this order the widow of Pierre-Louis Chalertan of Lyons, one of the creditors, requested 10,000 livres from the Avignon Jews for unpaid annuities. In rejecting the plaintiff's request, on April 28, 1795 the tribunal of the district of Avignon was guided by the spirit of the decision of the Legislative Committee.[112]

The question of the Avignon debts was again debated on March 12, 1799 by the second section of the *Tribunal civil* of the Vaucluse department (the former papal province). The substitute to the government's commissioner stated in a memorandum submitted to the tribunal that the Jews were never organized as a corporate body and that their communal properties were nationalized by mistake. The Jews were represented by F.-R.-Ch.-J. Cottier who requested the tribunal to delay a decision until the legislative authorities would rule on nationalizing the Jews' debts. The judge stated that while the Jews did form a *corps de communauté*, which was approved by the government of the old regime and whose communal properties were nationalized by the Revolution, the merit of the Jews' demand for the nationalization of the debts had still to be considered by the legislative authorities. In the meantime the judicial authorities could not anticipate a future decision by the legislative authorities. The judges then ordered the Jews to pay only annuities for non-transferable principal of the debts. The request for payment of annuities for transferable principal was rejected with the proviso that the ruling could be appealed after the legislative authorities would reach a decision.[113]

[112] *Extrait* . . . Apr. 8, 1795 (see Bibliography, No. 87); Documents, Comtat, No. 4, fol. 22–31.

[113] Documents, Comtat, No. 3, fol. 6–21. François-Régis-Charles-Joseph Cottier was a lawyer and highly placed official of Comtat. On July 21, 1790 he became one of the eight members of the provisional superior tribunal. In the year VI he was a judge of the civil tribunal of Carpentras and in the years VII–VIII its president. Cottier was the author of many historical studies, including *Notice historique sur la ville de Carpentras* (Carpentras, 1827), 172 pp., in which he wrote favorably about the Jews. See Barjavel, I, 409–413. Cottier was the author of *Dialogue* [Carpentras, 1789], a 15 pp. pamphlet on the emigration of the Jews from Carpentras. Another pamphlet on the same subject, *L'Enfant du patriotisme* [Carpentras, 1789], 13 pp., by Cottier-Julian, was much more favorably inclined toward Jews. See also note 312.

VIII. THE ATTITUDE OF THE GOVERNMENT TOWARD THE JEWS' DEMANDS FOR THE NATIONALIZATION OF THE DEBTS

In October 1790 the National Assembly dissolved the *corporations*, including religious communities;[114] their debts were assumed by the Government by the decrees of June 14 and July 30, 1791 and by the law of August 15, 1793. At that time the debts owed by the Catholic Church were estimated to be 140 million livres by Necker, the Finance Minister, and 130 million livres by Marquis A.-P. de Montesquiou-Fezensac. According to the latter estimate institutions had accumulated 45 million livres of the Catholic debt, individuals 85 million livres. The clergy claimed that the debt had been incurred because of huge sums paid by the Church to the government. Later Jews, like the Catholics, also argued that their debts were incurred in order to pay huge sums in taxes and bribes.[115]

It seemed then only a matter of time until the government would accept the demand of the dissolved Jewish communities that their debts be nationalized. But the eventuality was not so simple. At first the legislative, judicial and executive authorities were unwilling to speak out openly for or against the nationalization of the debts owed by the Jews and all decisions taken on this matter were of a temporary character.

Discussions concerning the debts in the first years of the Revolution had no effect on the outcome of the Jewish fight for emancipation. The civil authorities of Carpentras stated on October 14, 1791 that the Jews could not be refused full citizenship for not paying their debts, since they had not been declared bankrupt. The Jews as a body were no longer organized for political ends, but to fulfill civil obligations (*i. e.*, to repay the debts).[116]

[114] On the abolition of the *corporations* during the Revolution see Fr. Olivier-Martin, *L'organisation corporative de la France d'ancien régime* (Paris, 1938), pp. 541–57.

[115] A. Denys-Buirette, *Les questions religieuses dans les cahiers de 1789* (Paris, 1919), pp. 108–125.

[116] Am Carpentras, Rév. 45, p. 191, 199.

The prospects for nationalization of the debts were, however, injured by the fact that emancipation and dissolution of the Jewish communities did not take place until September 27, 1791.

No special law was enacted regarding the dissolution of the Jewish communities and the nationalization of their properties. The decree of September 27, 1791 on Jewish emancipation applied to a particular case. Of course, the decrees of June 14 and July 30, 1791 and the law of August 15, 1793 on the dissolution of all corporate bodies made no reference to Jewish communities. When their creditors seized on this point the Jews of Metz replied that the general law of 1793 on the dissolution of corporate bodies applied also to the Jewish communities, even though they were not mentioned by name. They also noted that the Republic could not tolerate the continued existence of Jewish communities in view of the general law of 1793.[117]

Nevertheless, on December 6, 1797 the Council of the Five Hundred decided that the Jewish communities were not included in the dissolution order of the laws on communities and other corporate bodies. The Council also decided that the laws on communities and the sale of the properties of these dissolved associations were not applicable to the dissolved Jewish communities.[118] As late as on March 30, 1801 this argument of the creditors was the basis for the rejection by the Moselle prefecture of a petition by Samuel Hayem Worms, Lyon Worms and other Jews against the special tax to repay the debts of the Jews. The prefecture ruled that the decree of September 27, 1791, which abolished the Jewish communities, had no retroactive effect with respect to nationalization of their debts.[119] As late as in the

[117] *Consultation*, p. 4 and *Résumé*, p. 4 (see Bibliography, Nos. 29, 31).

[118] Valabrègue, p. 7 (see Bibliography, No. 146).

[119] ". . . les décrets du 14 Juin et 30 Juillet 1791, d'après lesquels toutes Corporations ont été abolies, n'offrent dans leurs dispositions, rien de relatif aux Juifs; que la raison de ce silence est facile à concevoir, à expliquer; c'est que les Juifs ne formoient pas à proprement parler, une communauté d'habitans français; mais qu'ils étoient une classe d'hommes, une étrangère dans l'état où ils étoient tolérés, sans qu'ils puissent espèrer au droit de cité que depuis la Révolution, ils ont sollicités et dont, après plusieurs ajournement succesifs, il leur a été permis de jouir par la loi du 27 7^{bre} 1791, à condition qu'ils préteroient le serment civique; d'où sort la conséquence que, jusqu'à cette époque, ils n'avoient participé en rien, aux avantages de la Révolution, et que

1820's the Vaucluse deputy, Forbin des Issarts, repeated the same argument.[120]

Most syndics of the Jewish communities underwrote the loans granted by Christian creditors. They naturally desired to be relieved of personal responsibility for the debts and, accordingly, perhaps, they did not always wait for the nationalization of the debts. On the other hand they were up against a wall of prejudices, a well organized campaign conducted by the creditors and a mass of complicated legal factors. The Jews of Metz stated that their creditors would profit from the nationalization of the debts inasmuch as the Jewish co-signers could not be held judicially responsible.[121] This was hardly the case. According to the creditors the guarantors were personally responsible,[122] and they warned that if the Jewish communities should refuse to discharge the debts the courts would enforce payment by the underwriters or their heirs. The syndics and their heirs protested against such action by the creditors, but there was little reason to expect that the debtors' cause would prevail after long and expensive lawsuits. In fact, occasionally the courts did order the co-signers to repay the debts. The only hope for the syndics then remained not in the expensive and doubtful outcome of the lawsuits, but in a general decision on the governmental level in favor of nationalization of the debts.

This was the policy not alone of the leadership of the Jewish communities but also of the government itself, although for different reasons. In a report submitted in 1807 to Napoleon I,

les réformes par elle introduits, leur avoient été étrangères; que c'est donc uniquement des expressions de cette dernière Loi, qu'il convient de partir, pour bien déterminer les effets que la Révolution a du produire à leurs égards et les changements qu'elle a du apporter à leur état" (Documents, Metz, No. 44, fol. 261).

[120] "La communauté fut dissoute, mais les engagemens vis-à-vis des tiers ne purent l'être, la loi aurait eu un effet rétroactif impossible ou à supposer." Forbin des Issarts, p. 5 (see Bibliography, No. 107).

[121] *Résumé*, pp. 8–9 (see Bibliography, No. 31).

[122] [François-Balthazar] Darracq, *Opinion de Darracq dans l'affaire des Juifs de Bordeaux, Séance du 18 Floréal an 7* [7 Mai 1799] (Paris, an 7), p. 20 ("des sommes empruntées, non pas tant par la *nation juive* mais par quelques *Juifs* individuellement, & avec OBLIGATION PERSONNELLE"). On Darracq see G. Cabannes, *Galerie des Landais* (n. p., n. d.) I, 103–04; *NBG*, XIII (1855), 130–31.

the government recognized that the debts owed by the Jews of the Italian States were a result of anti-Jewish restrictions during the old regime. Still, the Jews were forced to repay and the authorities favored the settling the debts by a decree rather than through judicial channels. The Jewish communities were officially dissolved and a court would have been unable to appoint a commission for the purpose of collecting taxes for the liquidation of the debts.[123]

In the former papal province the policy of the Christian creditors was from the beginning to sue first the individual Jewish guarantors and then their heirs. This procedure was, most probably, adopted as a result of Jewish emigration from the province during the course of which most rich guarantors left their communities. A group of seven creditors of the Jewish community of Carpentras sued Jassé-Haïn Crémieu, son of the rich former syndic Jassuda-David Crémieu, who was the guarantor for many loans contracted by the former Jewish community. Crémieu was naturalized as a French citizen and settled in 1785 in Arles. In the year VII his son argued that the naturalization released his father and heirs from any individual responsibility to the creditors of the Jewish community of Carpentras. This argument was so weak that Jassé-Haïn Crémieu was ready to turn over to the seven creditors six houses valued before 1789 at 40,000 livres which he owned in the Carpentras ghetto.[124] Anyway, as long as the former leaders of the Jewish community or their heirs were held individually responsible by the courts of the revolutionary regime for the community's debts, their effort to liquidate the debts through special taxes was morally correct.

[123] AN, F–19–1847.

[124] *Mémoire pour . . . Crémieu*, pp. 5, 15, 30 (see Bibliography No. 89). On the eve of the Revolution J.-D. Crémieu signed himself "négociant juif de Carpentras, citoyen de la ville d'Arles" (Ad Vaucluse, Martin's notarial minutes, 1789, No. 1305, fol. 47). In 1790 Crémieu appraised his own property at 329,693 livres (*ibid.*, 1790, No. 1310, fol. 146). For Crémieu's act of naturalization as a French citizen see *Lettres patentes du Roi, portant naturalisation du Sr. Jassuda David Crémieu, natif de la ville de Carpentras . . . Négociant Juif en la ville d'Arles, de sa femme & de leur descendans naturels & légitimes, qui leur permettent de demeurer dans le Royaume, d'y vivre & trafiquer . . . à la charge par ledit Jassuda David Crémieu de donner, suivant ses offres, une somme de 3000 liv* . . . . (Aix, 1785). 10 pp. (Calvet).

IX. THE ABSENCE OF JEWISH CREDITORS

The historian, S. Posener, characterized the loans granted by Christians to Jewish communities as "business relations with the surrounding non-Jewish world, thus performing a valuable social function in the national economy."[125] Of course, Christian institutions and individuals with large capital sums were eager to find Jewish borrowers. Not only Jewish communities, but even individual Jews borrowed money from Christians in exchange for pensions and annuities.[126] But these financial relations between Christian creditors and Jewish communities boded ill for the latter. The Jewish communities borrowed the money because they had no other choice.

This raises another problem. Why did the Jewish communities borrow money from Christians and not from Jews?[127] Jassuda-David Crémieu, to whom reference has been made, helped obtain loans for the Jewish community of Carpentras from Christians, but he himself was a very rich man. According to a notarial act of April 15, 1790 he placed a value of 398,224 livres upon his possessions (two houses in Carpentras valued at 5,000 livres; two houses in Avignon — 3,000 livres; a property in Arles — 34,000 livres; furniture and other house items — 300 livres; the rest in cash and promissory notes).[128] Individual Jews did borrow from Jewish money lenders. A large percentage of lawsuits at the commercial tribunal of Strasbourg involved Jewish creditors and their Jewish debtors,[129] and the same situation prevailed in other provinces. As we shall see, the Sephardic *Nation* of Bordeaux did borrow money from Jewish creditors,

[125] S. Posener, "The Social Life . . .," 210.

[126] Chobaut, *op. cit.*, CI, 15.

[127] Chobaut writes of the debts owed by the communities of the papal province: *le plus souvent aux chrétiens* (*op. cit.*, CI, 23), without naming even one Jewish creditor.

[128] Ad Vaucluse, E. Martin's notarial minutes, No. 3110, fol. 146, Apr. 15, 1790.

[129] Ad Lower Rhine, 122–L–1–8.

but as a result of special circumstances. Otherwise Jews borrowed from Christians.

One of the reasons that the Jewish communities borrowd only from Christian creditors was that loans from Christians were available for very long periods and could be transformed into *rentes* (annuities). Most Jewish creditors were themselves debtors[130] and thus could not lend for long periods large sums which did not belong to them.

Although *rentes* were the most profitable and secure way of money-lending, this field of credit operation was closed to most Jews in France. No special laws existed prohibiting *rentes* as a form of money-lending by Jews in Alsace, Metz, or Lorraine. But there did exist many restrictions not connected directly with *rentes*, which in effect achieved that end, e. g. the laws restricting the size of loans that Jews could grant, the prohibition against produce as security or as interest on loans granted by Jews, etc. In a memorandum of 1717 the Alsatian Jews stated that their income from granting loans was restricted because in Alsace loans were repaid mostly with produce and Jews could not profit from this form of repayment. On September 12, 1709 the Intendant of Metz, de Saint-Contest, wrote to the *Contrôleur général de finances* that Jews did not hold *rentes*. In a memorandum of 1711 the Jews of Metz stated that they were not allowed to trade in *rentes*. The Jews of Avignon and Comtat Venaissin were also not permitted to trade in *rentes*.[131] But there were no

[130] *EcSt*, pp. 87–91 (Jews as intermediaries for Christian creditors).

[131] In 1497–1506, Jews were allowed only chattels as security for loans in the seignoiry of Ribeaupierre. Orders of 1520 and 1530 prohibited the use of crops as guarantee for loans obtained from Jews. Only old debts could be repaid to Jews with wine, at the highest market price. "Aucun Juif ne prêtera à un bourgeois, soit à sa sollicitation ou autrement sur un bien en fond ou sur la maison ou vendange . . . Les Juifs ne prêteront à qui que ce soit autrement que sur des gages mobiliaires" (Ad HR, E699). *Mémoire pour les Juifs établis en Alsace* (n. p., [1717]), p. 4. ". . . Ils [les Juifs de Metz] y portent toujours de l'argent, et n'ayant ni charges, ni terres, ni maisons, ni rentes, il falloit nécessairement que tout leur argent roulât dans le commerce." A. M. Boislisle, P. de Brotonne, *Correspondance des contrôleurs généraux des finances avec des intendants des Provinces* (Paris, 1897), III, 206. But Jews were frequently intermediaries in investing money in stocks for Christian capitalists. In the 1720's Nathan de Morhange of Metz was given 20,000 livres by Collart, an attorney at the Paris Parliament, in order to establish

such restrictions on the Sephardic Jews of Bordeaux and Saint-Esprit.[131a]

In a memorandum of July 1789 addressed to the King, the Alsatian Jews pointed out that a project to convert the debts owed them into *rentes* was not workable, since the peasants owed Jewish creditors small sums. Jews would be unable to trade *rentes* in such small sums because they would not be accepted by bankers and merchants and because the expense of selling them in distant cities would be as great as the entire value of these small *rentes*. Only big capitalists could afford to convert their capital into *rentes*, but Jews made only small loans.[132] On the other hand the exclusion of the Jews from the trade in *rentes* was in other respects a blessing, because it lessened the possibility of dispossession or exile of the Jews. In April 1702 de Saint-Contest, intendant of Metz, declared himself against a proposed expulsion of Jews from the province of Metz, because the Jews possessed only cash and promissory notes and, if they should leave with these assets, the province would suffer from lack of cash.[133]

a *rente* for the latter (". . . il avoit assez de crédit pour faire placer ces effets en rente viagère." Arsenal, 10738). "D'ailleurs ils sont encore taxez comme aiséz pour acquerir des rentes, quoiqu'ils n'en ayent pas la faculté." (Landmann, Ce 259); "La Constitution de pensions perpétuelles leur étant deffendue il leur est moins avantageux de prêter à jour quoique à un fond plus haut" (a document of Carpentras, AIU, R43, No. 96).

During the year 1785, Jewish merchants and creditors of Carpentras granted seven hundred sixty-one loans to Christian creditors. Almost all of these loans consisted of small sums, which in most cases had resulted from credit sales by the Jewish merchants (Ad Vaucluse, E 46). Of 446 debts owed to Jews in the district (*subdélégation*) of Belfort (Alsace), only 9 were of 1,000 livres or more each; 96 debts were of less than 100 livres each. (According to a register of 1780, compiled in connection with the Affair of counterfeit receipts. Ad HR, varia).

[131a] Abraham Furtado, e. g., was the recepient of a yearly *rente* of 210 livres (Am Bx. Revolutionary period, P 8).

[132] "Ce sont les capitalistes embarrassés de leurs richesses, qui placent à constitution, et pour avoir leur argent, il faut leur offrir à la fois de fortes valeurs et de grands avantages" (Am Stg, AA2394).

[133] Guerre, A-1-1583, Nos. 68, 73, 2679, Nos. 75-76, 79; *EcSt*, pp. 83-87. The statement made by the historian, Raphael Mahler, that Jewish creditors received interest in products (*op. cit.*, I, 168) is completely contrary to the facts. See also the author's review of R. Mahler's book, in *Yivo Bleter*, XLI (1957-58), 348-55 (in Yiddish).

Contemporary opinion did not always attribute the debts to the heavy taxes during the old regime. On April 7, 1799 the anti-Jewish minded deputy to the Council of the Five Hundred, J.-F. Darracq, stated that the Jewish communities of Metz and Avignon had borrowed the money for business purposes.[134] In 1801 the author of a Metz memorandum also stated that the Jewish community had borrowed the money for business speculation.[135] On March 29, 1819 the Minister of the Interior reported incorrectly to the King that the Jewish community of Metz had borrowed the money during the old regime for religious purposes.[136] In 1820 the creditors of the Comtadin Jews stated that the former Jewish communities had borrowed money in order to purchase houses.[137] The same explanation of the debts was presented in a prefectural report at the beginning of the 19th century.[138]

[134] ". . . les fonds qui leur avoient été prêtes avoient servi non-seulement à payer leurs *taxes communes d'hospitalité*, mais encore à réaliser leurs spéculations particulières, à étandre leur commerce, à centupler leurs riches mobilières . . ." (Darracq, *op. cit.*, pp. 15, 17).

[135] ". . . la contribution Villars n'a été que le prétexte et le manteau qui couvrait la bourse commune, le monde de piété, établi pour l'avantage de toute la Corporation . . . il peut donc déjà passer pour certain que la dette ne résulte ni de la contribution Villars, ni de étrennes aux puissants de Metz, mais uniquement d'emprunts faits pour alimenter le fond commun qui faisoit la ressource de tous le chefs de familles de la Corporation, et à l'aide du quel elle augmentoit son agiotage . . . Le mont de piété prétoit à ceux de la Nation juive domiciliés dans la Généralité, pour soutenir le commerce de l'emprunteur, ou pour faire face à des engagements actuels qui excédoient ses moïens. . . . Enfin le mont de piété donnait encore l'avantage d'établir les enfans de famille par le mariage" ("Mon opinion dévéloppe et discutée sur la prétention des jeunes gens juifs contre les anciens," an unsigned memorandum of March 30, 1801. Documents, Metz, No. 6, fol. 31–36).

[136] "elle avait emprunté le capital pour le service de son culte" (AN, F–19–1848).

[137] "Pour l'achat des maisons, pour la construction de leur Temple, pour les frais de leur Culte . . ." (*Observations*, p. 3, see Bibliography, No. 104).

[138] Documents, Comtat, No. 21, fol. 69. The Jews did borrow large sums for the reconstruction of synagogues. The Carpentras community borrowed 12,000 livres for this purpose on June 20, 1741, May 16, 1742 and Apr. 30, 1743. Similarly, on Sept. 25, 1771 the Cavaillon community borrowed for this purpose 6,000 livres (Ad Vaucluse, annex of Carpentras, reg. prov. 23, fol. 145, 227, 327 and Guis' notarial minutes, 327, fol. 652).

It is true that in Poland the elders of the Jewish communities borrowed from Christian creditors at about a 7 per cent interest rate and lent the money to Jewish business men at a much higher rate. There was a similar development in Rome.[139] But there is no proof whatever that borrowing for business purposes was the source of the debts of the Jewish communities in France.

[139] Salo W. Baron, *The Jewish Community* (Philadelphia, 1942), III, 191–92. On the debts owed by the Jewish communities of Poland and the German States see Baron, *op. cit.*; Judyta Freylich, "The Problem of Liquidating the Debts of the Community of Kazimierz after the Third Partition (1795–1809)." *Miesięcznik żydowski*, III–1 (1933), 467–78 (in Polish); I. Galant, "The Indebtedness of the Jewish Communities in the Seventeenth Century." *Evreiskaya Starina*, VI (1913), 129–32 (in Russian); Dr. J. Landsberger, "Schulden der Judenschaft in Polen." *Jahrbuch der Jüdisch-Literarischen Gesellschaft*, VI (1909), 252–79; Manfred Laubert, "Die Schuldenregulierung der jüdischen Korporationen in der Provinz Posen." *MGWJ*, LXVII (1924), 321–31; David Kaufmann, "Die Schuldennot der Gemeinde Posen während des Rabbinates R. Isak b. Abrahams (1668–1685)." *MGWJ*, XXXIX (1895), 38–46, 91–96; S. Rothschild, *Die Abgaben und die Schulden Last der Wormser jüdischen Gemeinde 1563–1854* (Worms, 1925); Dr. J. Schipper, "The Financial Collapse of the Central and Provincial Autonomy of Jews in the Old Poland (1650–1764)." *Ekonomishe Schriftn*, II (Wilno, 1932), 1–19 (in Yiddish).

X. THE REPORTS PRESENTED TO THE COUNCIL OF THE FIVE HUNDRED

Many influential personalities favored the nationalization of the debts owed by the Jewish communities.

The Council of the Five Hundred appointed a special commission to report on the requests of the Jews of Avignon and of Metz for the nationalization of their debts. The commission was composed of Henri-Baptiste Grégoire (1750–1831); Jacques-Henri Laurenceot (1763–1833); Haycinthe-Adrien-Joseph Chapuy [Chappuis] (1764–1817), and Jean-Baptiste-Michel Saladin (1752–1812).[140] But the commission did not meet regularly and its report, which was in favor of the Jews, was never presented to the Council. The Council then appointed a second commission composed of Grégoire, Chappuis, Saladin, Pierre-Florent Louvet (1757–1818) and Joseph-François Baron de Beyts (1763–1832).[141] On August 24, 1797 Saladin presented to the Council the report of the commission. It held that the laws

[140] Grégoire was the well known fighter for Jewish emancipation. Laurenceot was a lawyer, a moderate in politics. While on a mission to the Cher department he helped the Catholics reinforce their position. Chappuis, born in Carpentras, was a former abbot who favored the new regime and became a Carpentras official. He probably knew the situation of the Jews from his experience in Carpentras. Saladin, a lawyer and adversary of the clergy, voted for the death sentence for Louis XVI, but was later in contact with counter-revolutionary elements. Kuscinski, II, 371, 553–54; Robert, II, 48; Th. Lemas, "Les représentants du peuple Cherrier et Laurenceot en mission dans le Cher après le 9 Thermidor." *RF*, XXIV (1893), 272–83, 289–303. At the beginning of the Revolution it did not occur to Grégoire that the debts of the Jewish communities could be liquidated by having the government take them over. In 1789 he wrote that the Jews who emigrated from Metz would have to contribute funds for the repayment of the community's debts. However, the Jews themselves had not yet conceived the plan of liquidating the debts through nationalization. H.-B. Grégoire, *Motion en faveur des Juifs* . . . (Paris, 1789), pp. 33–34.

[141] Louvet was a Paris lawyer and moderate politician. During the Thermidor he defended persecuted republicans. In the Council of the Five Hundred he often reported on taxes and other financial matters. Beyts was a deputy from Belgium. In the Council he spoke out against the Terror in Alsace, but he also favored the exclusion of noblemen from administrative offices. Kuscinski, II, 419; Robert, I, 312.

on the dissolution of *corporations* and nationalization of their properties and debts applied also to the Jewish communities. To act otherwise would be unconstitutional inasmuch as the Jews could reorganize themselves in *corporations*. It would also be impracticable because of the impossibility of returning to the Jews those units of their communal property which had been nationalized and sold. The Republic — the report stated — "elevated the Jews to the status of French citizens, she cannot now degrade them." But the Council did not act on Saladin's report. A third commission to report on the debts, which was appointed by the Council of the Five Hundred, was composed of Grégoire, Laurenceot, Saladin and Chappuis. On April 5, 1797 Chappuis presented a report to the Council urging the nationalization of the debts. Chappuis elaborated the point that if the Jews would be forced to levy taxes to repay their debts they would have to reconstitute their former separate communities. Again the Council did not act and the commission's report was tabled. Later the Council appointed a fourth commission composed of Beyts, Chappuis, Louvet, Grégoire and François-Marie-Joseph Riou de Kersalaun (1765–1811), a lawyer of Brest.[142] On November 24, 1797 Riou reported that the commission rejected the arguments of the Christian creditors and favored the nationalization of the debts owed by the Jews of Metz and Avignon. Riou stated that the existence of the debts gave the impression that the political life of these emancipated Jews was impermanent. As the law of 1793 did not except the former Jewish communities, there was no reason for the government not to assume their debts. Otherwise the unity of the Republic would be broken, the constitution violated; there would exist a class of citizens, with religious ties who would be united even more closely by political ties. They would have communal debts, tax-collectors, agents, communal properties, they would therefore form anew a real *corporation*. The report therefore supported nationalization of the debts.[143]

In the end the debts were not taken over by the government and this created a confused situation. The refusal to nationalize

[142] On Riou, see P.-J. Levot, *Biographie bretonne* (Vannes, 1852–57), II, 714–16.

[143] Reports of Chappuis, Saladin and Riou (see Bibliography, Nos. 32–34).

the debts owed by the Jewish communities was the result of a short-sighted policy. It is also possible that this policy expressed a well organized opposition to Jewish emancipation. A memorandum of the Jewish community of Metz complained that people of the old regime were appointed to settle the question of the debts.[144]

Economic reasons also influenced the decision not to nationalize the debts. The Christian creditors supported the view that since the sum owed to them by the Jews was much larger than the value of the communal Jewish properties,[145] assuming the debts would involve the French nation in the loss of a large sum. To this the Jews of Metz replied that it would be insulting for "a miserable calculation of finances" to deter the government from nationalizing these debts. Chappuis also stated in his report to the Council of the Five Hundred that the law on the nationalization of the debts of the dissolved *corporations* was not based on financial considerations; it was not a fiscal edict. The law reflected a more important consideration — the union of all Frenchmen in a social order with liberty. But the powerful Committee of Finances thought otherwise, namely, that the nationalization of these debts would be ruinous to the Republic's finances. The Committee decided that it would be better to discontinue the nationalization of communal Jewish properties and to let the Jews themselves liquidate the debts they owed.[146]

[144] "Des gens de l'ancien régime ont été chargés des intérêts réciproques des parties, ils ont fait des volumes d'écritures" (JTS, 01565).

[145] The same situation prevailed in other countries. "The problem of liquidating their debts offered a formidable obstacle to Jewish emancipation . . . by 1800, the indebtedness of the community of Worms was six times larger than the comulative value of all communal property" (Baron, *op. cit.*, II, 274).

[146] "Quoi! vous vous êtes chargés, sans examen, de payer les dettes des pénitens de toutes les couleurs, dont la plupart n'avoient pour hypothèques que des collectes éventuelles, & vous refuseriez d'acquitter celles dont le gage est entre vos mains! La loi qui a prononcé la suppression des communautés n'auroit donc eu pour base qu'un intérêt pécunaire? Ce n'étoit donc qu'un édit bursal? Ah! craignons de nous arrêter sur une pareille idée; ne dégradons pas les vues élevées qui ont dicté cette loi. Non, ce ne fut point une étroite opération de finances. Des intérêts d'une bien plus haute importance, la réunion des Français en un seul faisceau & l'affermissement de la liberté, voilà son objet:" *Résumé*, pp. 2, 5; Chappuis, pp. 8–9 (see Bibliography, Nos. 31–32); AN, D–III–174.

XI. DISCUSSION ON JEWISH AUTONOMY DURING THE OLD REGIME*

The controversy over the abolition of the autonomous Jewish communities made clear that the Jews were organized in legal corporate associations (*corporations*),[147] governed by their own syndics[148] and by statutes pertaining to almost all phases of collective and individual Jewish life. Yet, in order to win the

* This chapter is based mainly on the author's study "Jewish Autonomy Debated and Attacked During the French Revolution." *HJ*, XX (1958), 31–46.

[147] The term *corporation* for the Jewish community was used in many documents of various periods: *Prix proposés, en 1788, par la Société Royale de Metz* (Metz, 1788), p. 2, and *Affiches des Evêchés et Lorraine*, No. 35, 1788 ("Les Juifs forment, presque par-tout où ils sont établis, des corporations autorisées"). The same term was used by the central consistory in a document of May 1809: *Le Consistoire Central des Israélites, à Messieurs les Membres du Consistoire départemental* . . . [Paris, Mai 1809,] p. 3 ("Qu'il y a loin de votre organisation actuelle à celle qui réglait ces corporations anciennes"). In some sources Jewish autonomy was called *police particulière* (Stillschweig, *op. cit.*, 458).

[148] In legal and other French documents the leaders of the Jewish communities (*parnassim* in Hebrew) were called *syndics*, thus employing a term which emphasized the communities' functions as *corporations*. On the term *syndic*, see A. Chéruel, *Dictionnaire historique des institutions* . . . (Paris, 1884), II, 1193. In Alsace the *parnassim* or *schetadlanim* of the *Nation* were called mostly *préposés géneraux* and *préposés particuliers* (local). After 1784 they were also called *syndics généraux*. Isidore Loeb, "Les Juifs à Strasbourg . . .," 178. In Bordeaux the Hebrew expressions *gabaym* or *parnassim* were often applied to the syndics and the period during which the *gabay*'s functions, the *syndicat*, were exercised was referred to as *gabayat*. Cirot, *Recherches* . . ., pp. 59, 131. *Parnas*, in its abbreviated form P^s, is found on the grave of Abr. Allourquerque, founder of the *Bikur Holim* in Bordeaux. Cirot mistakingly copied P^r (*Ibid.*, p. 135). The term *syndicat*, referring to the syndic's activities, was employed even in the 19th century by the Jews of Bordeaux and Bayonne. According to the minutes of the Nancy consistory (May 11, 1817) the syndic's functions ceased after the founding of the consistories in 1808: "que ses fonctions de syndic ayant cessé par l'effet du décret du 17 Mars 1808." Berr-Isaac Berr then wrote: "Come il n'existe plus ni communauté ni syndic des Juifs" (Minutes of the Nancy consistory, Jerusalem, 300/5). See Appendix VII.

nationalization of the debts owed by the dissolved Jewish communities the Jews had to disprove the contention of their Christian creditors and other adversaries that during the old regime they had not existed as *corporations*.

In the petition addressed to the National Convention, Aaron Ravel, Aaron Vidal and Milhaud stated in behalf of the Avignon Jews that they had been organized as a *corporation* which was dissolved by the Revolution and the properties of which were nationalized. They violently criticized the very existence of *corporations* "which cut up the State into an infinity of parties. The *corporations* formed a multitude of separate small nations in the midst of the nation itself. Each of these *corporations* had different and often opposing interests . . . All these undesirable divisions must disappear in the light of the torch of Philosophy . . ." The petitioners stated that the former *corporation* of the Jews was forced to borrow and mortgage communal Jewish properties. Since they no longer existed as a *corporation* and their mortgaged communal properties had been nationalized, would the government, they asked, dare to refuse to nationalize their debts? "Will the Jews again be treated as before, *i. e.*, as citizens only when taxes were due, but foreigners when they claimed their rights? . . . No! This would be an insult to French law. A contradiction which would disgrace our laws shall not be tolerated . . . When a system is fundamentally just, then it is necessary to accept the consequences . . . It is not possible to abolish the *corporations* and yet to continue the existence of one of them. The National Convention cannot recognize the Jews. There are no more Jews in France. There are no more Catholics, Protestants, Anabaptists, Jews, Sectarians of any kind, there are only Frenchmen." The doubts concerning the evidence that before the Revolution the Jews indeed had been organized as *corporations* under the law, constituted the main reason for not nationalizing their debts. Consequently, the Jews of Avignon prepared a second petition to the National Convention, in which they again tried to prove that during the old regime even French occupation forces in the former papal province dealt with the Jews in reference to tax and other matters, not as individuals, but as members of a *corporation*. This argument was later repeated in the report that A.-J.-B. Chappuis submitted on

April 5, 1797 to the Council of the Five Hundred, advocating the nationalization of the debts. He recalled that when in 1768 France had occupied the papal province, the Jews petitioned the parliament of Provence to register and thus recognize as valid all previous privileges accorded them and existing statutes approved by the papal authorities.[149]

The counter-argument that the Jews had never formed any legal body, but existed only as a "tolerated tribe" (*peuplade toléré*) was presented by Domonique Chambaud, a creditor of the Carpentras Jews, in a memorandum against Jasse-Haïn Crémieu, son of one of the Jewish guarantors of the loans obtained by the Carpentras community. To this Crémieu replied in a brief prepared by the lawyer Chansaud that the Jews of Carpentras formed a "real political community," with their own communal constitution. Even the manner in which the loans were made demonstrated that the Jews were organized in special bodies. Thus, loans were ratified by general assemblies of their community and approved by the papal authorities.[150] When their autonomous communities were abolished upon their emancipation, the Jews also ceased to be debtors. Chansaud compared the situation of the Jews to that of the members of the Marseilles parliament, whose indebtedness to the parliament's creditors ceased after that body was dissolved in 1771. The Christian creditor replied in a brief prepared by the lawyer Granet, that the Jews enjoyed a "legal existence," *i. e.*, permission to exist, but no political existence.[151] Yet, on March 5, 1799 the civil tribunal of the Vaucluse department (the former papal province) acknowledged that the former Jewish community did exist as a *corps de communauté*. The same statement was made earlier

[149] Petition of the Avignon Jews, and Chappuis' *Rapport*, pp. 3, 5 (see Bibliography, Nos. 32, 85–86). On Jan. 17, 1793 the Jewish paupers of Avignon demanded financial help from the city council since, as a result of the Revolution, the Jewish *corporation* (community) had been dissolved (*l'assemblée nationale ayant aboli leur corporation*) and rich Jews had left for other communities (Chobaut, *op. cit.*, CII, 28).

[150] According to a document of 1718 the Jews could not decide on taxes without the presence at their assemblies of the *recteur* or his representative (Ad Vaucluse, annex of Carpentras, register 28, "Livre d'audience de la Rectorie," 1718, fol. 286.)

[151] *Mémoire*, p. 12 (see Bibliography, No. 89).

by the civil authorities of Avignon, and repeated again on August 2, 1799.[152]

The Jews of Metz, who also demanded nationalization of their debts, put forward the same argument. In a petition addressed to the National Assembly they stated that their community was "political in character." They formed "a unique *corporation*, a state, a particular administrative subdivision in France." They had not only a synagogue, but also rabbinical judges, who were recognized by the parliament and French jurisprudence. They had their own legislation on inheritance and other civil matters. They paid general taxes not as individuals, but as an autonomous collective body. The Jewish community of Metz had authority over the provincial communities. This Jewish state of Metz was dissolved by the same revolutionary action which dissolved all other *corporations*.[153]

Many officials openly affirmed the justness of the Jews' argument. The deputy J.-F.-L. de Visme stated in his report of July 20, 1790 to the National Assembly on the abolition of the Brancas tax that the Jews formed a "particular *corporation*." On August 18, 1791 the district of Metz, in an order on taxes, referred to Jews not as individuals, but as the *communauté des Juifs*. Mention has been made above of the support the Jews received from A.-J.-B. Chappuis, member of the Council of the Five Hundred.[154]

Many more proofs that the Jews were in fact organized as *corporations* are known to us today, e. g., the contemporary statutes of the Jewish communities.[155] But the proofs put forward by the Jews during the Revolution were sufficient in themselves to confirm that they did in fact form corporate associations. In the end, however, the Jews lost the argument.

[152] *Ibid.*; Am Avignon, D 56, No. 26; Documents, Comtat, No. 10, fol. 44, Aug. 2, 1799 ("Certifie et atteste que les citoyens proffessant la religion juive qui habitoient dans cette commune avant la réunion à la France formoient depuis un tems immémorial & sans interruption une communauté distincte & separée des catholiques . . .").

[153] JTS, 01530–1; *Pétition*, pp. 1–7 (see Bibliography, No. 23).

[154] Reports by Devisme, p. 8, Chappuis, pp. 3–5 and the law of May 20, 1791 (see Bibliography, Nos. 13, 20, 32).

[155] See Appendix II.

XII. THE LACK OF UNITY AMONG THE JEWS

Among the Jews themselves there was no unity on the nationalization of their debts. The Jews of Avignon stated in their petition that their case was completely different from that of the Metz Jews.[156] The fact that both petitions were discussed together by the Council of the Five Hundred was not the result of a joint Jewish appeal. Even much later, in the 1820's, a strong tone of Jewish disunity was evident in a memorandum of the Jews of Carpentras and L'Isle-sur-Sorgue on the liquidation of their debts. They stated then that the decision not to nationalize was probably correct in regard to the debts of the Jews of Metz, but not in regard to those of the Comtadin Jews.[157]

A conflict involving the Jewish community of Bordeaux provided propaganda against the nationalization of the debts owed by the Jewish communities in general.

In September 1791 the city of Bordeaux decided to abolish all separate religious cemeteries and to replace them with one large national cemetery. This was a chapter in the general drive of the Revolution to centralize and reinforce secular influence in the new regime. Many Jewish cemeteries were confiscated and sold — not as an anti-Jewish act, because the policy was not directed against Jews alone, and Jewish cemeteries were never singled out.[158]

[156] *Observations*, pp. 1–2 (see Bibliography, No. 85).

[157] "Car le motif qui fit prévaloir la question prélable au Conseil des 500 [le 16 Frimaire an 6 — Dec. 6, 1797] fut que les juifs étaient autrefois étrangers à la France, que leurs communautés n'étaient pas reconnus, que le gouvernement ne pouvait donc considérer leurs dettes que comme des dettes privées et que par conséquent les lois sur les dettes des corporations ne pouvaient leur être appliqués. Or, ce motif, peut-être plausible pour les juifs de Metz, est absolument dénué de fondement à l'égard des communautés juives de Comtat . . ." (JTS, 01529. Petition of the Jews of Carpentras and L'Isle). Compare with the *Mémoire* of 1818, pp. 24–25 (see Bibliography, No. 103).

[158] Z. Szajkowski, "Jewish Cemeteries during the French Revolution of 1789." *Horeb*, XII (1958), 165–78 (in Hebrew).

This was the background for the confiscation and sale of the Jewish cemetery of Bordeaux to two Christians, Pierre Despiau and Augustin Pujol. In petitions of May 12 and June 8, 1796 the Jews demanded annulment of the sale by the departmental authorities of Gironde. The authorities did so on June 29, 1796 and the decision was later approved by the Ministry of Finance.

As a result of these events a sharp clash developed between the Jews of Bordeaux and the two buyers of the cemetery. Both parties put forward strongly worded arguments and each claimed to be legally in the right; both published pamphlets on the conflict. The Jewish point of view was defended by the lawyers Louis-Francia de Beaufleury, the author of the first history of the Jews in Bordeaux and Bayonne, published in 1799; François-Placide-Nicolas Ferey; J.-J.-R. de Cambacérès; Minister of Justice in the year VII; and Alexandre-Jules-Benoît Debonnières.[159] A representative of the Bordeaux Jews was even sent to Paris. The defense of Despiau and Pujol was assumed by the lawyer and deputy François-Balthazar Darracq (1749–1817), who in this connection attacked the Jews in general at the Council of the Five Hundred. This was the strongest attack of that period against Jews.[160] Despiau and Pujol stated that no exception to nationalization of communal property should or could be made in favor of the Jews, who, prior to the Revolution had been organized as a *Nation*.[160a] This was done to the properties

[159] On Beaufleury see Z. Szajkowski, "Louis-Francia de Beaufleury, a Jewish Substitute-Deputy during the French Revolution." *Davke*, No. 20 (1954), 241–48 (in Yiddish). On Ferey (1735–1807) see *NBG*, XVII, 424–25. On Debonnières see Brunetière aîné, *Eloges du premier Consul Bonaparte et du jurisconsulte de Bonnière* . . . (Paris, [1709]). 4 pp. There are many sources on Cambacérès.

Beaufleury was the son of the Bordeaux banker Louis-David Francia de Beauflury. In 1766 he married a girl named Veniere, most probably a Christian (Ad Gironde, E, Familles, Francia. Testament of Francia's mother, Rebecca-Marie, March 20, 1786). According to one source (Bm Bx, ms. 713–1, vol. 46, p. 231, P. Bernardau's chronicle) Beaufleury died in 1817 at the age of 65 in Carbonblanc (Gironde), but no trace of his death could be found in the local registries of the *état-civil*. In the same chronicle of Bernardau (vol. 7, p. 503, Jan. 26, 1800) Beaufleury was described as a converted Jew (*ex-juif*).

[160] Darracq, *op. cit.*, pp. 11–13, 15, 17–18, 23.

[160a] "Les Juifs Portugais établis à Bordeaux en 1550 . . . avoient en outre

of all other corporate bodies abolished by the new regime. The Jews replied that they had never been organized as such a body (*corporation*), but only as a philanthropic society, which owned the cemetery. Officially the cemetery was, in fact, always owned by such a society, but under the strict control of the *Nation*. Thus, on April 26, 1750 Alexander the elder, was appointed by the *Nation* as treasurer of the cemetery. On March 22, 1761, using the cemetery's funds, the *Nation* granted a loan for one year to David Lameyra at an interest rate of five per cent. On April 17, 1786 the *Nation* decided to prepare a register of all graves and to leave it for safekeeping with the burial society, *Guemilut Hasidim*.[161] The statement of the Bordeaux Jews that before 1789 they had not been organized as a *corporation* was attacked by those who sought to nationalize the cemetery. At the same time their statement was seized by those who fought the idea of nationalizing the debts of the former Jewish communities of the papal province and Metz. It demonstrated, they said, that the Jews were never organized as *corporations*, and thus could not request nationalization of the debts they owed.[162]

des statuts ou règlemens particuliers, pour l'ordre intérieur de leur réunion . . . On trouve dans la rédaction de ces statuts tout ce qui sert à reconnoître une corporation . . . . Il n'est aucun autre statut de toutes les corporations supprimées, qui ne présente les mêmes résultats . . . Qui pourra, à la vue de cette pièce, douter un instant de l'existance d'une corporation composé des Juifs Portugais? . . . Il n'y avoit guères de différence dans le régime de la corporation Avignonaise, comparée avec celle des Portugais . . . Les Lettres-patentes qui leur firent accordées au mois de mai 1759 . . . contiennent les bases du même régime que celui des Portugais" (*Mémoire pour les citoyens Despiau et Pujos de Bordeaux*). See also the Statutes of the *Nation* of the Avignonese Jews in Bordeaux: *Lettres-patentes en faveur des Juifs ou Nouveau-Chrétiens Avignonois établis à Bordeaux* (Bordeaux, n. d.). 4 pp.

[161] Nation, Nos. 177, 282, 545, fol. 41, 68, 139.

[162] *Extrait de l'Arrêté de l'Administration départementale de la Gironde, du 11 Messidor, an IV . . . [29 Juin 1796]* (n. p., n. d.). 4 pp.; *Mémoire pour les citoyens [Pierre] Despiau et [Augustin] Pujos [Pujol], de Bordeaux* (Bordeaux, n. d.). 32 pp.; *Mémoire à consulter et consultation, pour les citoyens Français, professant le culte Judaïque à Bordeaux, connus sous le nom de Juifs Portugais et Avignonais* (n. p., n. d.). 47 pp. Dated Nov. 29, 1798. Reprinted in Louis-Francia de Beaufleury, *op. cit.*, pp. 161–95; Despiau et Pujol, *Réponse à un Mémoire imprimé sous le nom des Citoyens français, professant le culte judaïque*

The Jewish statement that before 1789 they had not been organized as a corporate body was historically incorrect. There is abundant proof that they did form a well organized body, known as a *Nation.*

Various Jewish sources refer to the *Kehila Kodosha* of Bordeaux. The *Nation* of Saint-Esprit-lès-Bayonne called itself *Kehila Kodosha Tfuzot Yisrael* (also *Tfuzot Yehuda*); the *Nation* of Bidache — *Nve Shaanan* (also *Beth El*); the *Nation* of Peyrehorade — *Beth El.*[163] According to the historian Beaufleury, the first syndic of the Sephardim of Bordeaux, then known officially as New Christians, was elected on April 28, 1699. But the Bordeaux *Nation* was founded long before 1699. There exists a notarial agreement dated 1629, between George Rodrigues and the *nation portugaise* of Bordeaux, in which the latter assumed all expenses arising out of Rodrigues' litigation affecting the Christian merchants of the city.[164] The *Nation* not only collected taxes, distributed charity, supported a rabbi and ecclesiastical court, supervised *kashrut*, schools and the like, but also determined the national and municipal taxes to be paid by each individual Jew;[165] excommunicated a landlord for raising the rent

à Bordeaux (n. p., n. d.); [Marc-Florent] Prévot, *Rapport fait par Prévot, sur une pétition des citoyens Pujol & Despiau, habitans de la commune de Bordeaux, sousmissionaires des biens appartenans aux Juifs établis en cette commune. Séance du 21 Germinal an 7* [10 Avril 1799] (Paris, an 7). 7 pp.; [François-Balthazar] Darracq, *op. cit.*; Z. Szajkowski, "Jewish Autonomy Debated and Attacked During the French Revolution." *HJ*, XX (1958), 43–44.

[163] On the tombstone of Rabbi Joseph Falco one finds "beK.K. Bordeaux." The words "Yakov Emanuel Rosh Mikehilatenu N. F. I." appear on a Bayonne tombstone of 1792. The expression *kehilla* referring to an organization of Bordeaux Jews is found even in 1841–42. See also Raphael and Elazar Mildola, *Parshat haibur* (Amsterdam, 1734): "K.K. Nefuzot Yisrael"; Béthencourt, *op. cit.*, XXV (1892), 236–37; H. Gross, *op. cit.*, pp. 92, 114, 453; H. Léon, *op. cit.*, pp. 215, 364; *RO*, II (1842), 229; M. Kayserling, *Die Juden in Navarra* . . . (Berlin, 1861), p. 150; Emil Lévy, "Un document sur la communauté de Peyrehorade (Landes), 1762–1812." *AnAI 5664* (Paris, 1903), 50; G. Cirot, *op. cit.*, p. 132; *AI*, II (1841), 253, III (1842), 3. In a document dated July 6, 1807 the *parnassin* of Peyrehorade are referred to as the "Mrs composant le Kaal de Peyrehorade" (ZS).

[164] Ad Gironde, E, Lafite's notarial minutes, Apr. 15, 1632, fol. 257–58.

[165] In 1786 Moïse Gonzales asked the *Nation* to lower his taxes (Am Bordeaux, GG 30).

of two widows;[166] and had jurisdiction over marriages and divorces. A Jew of Bordeaux was not even allowed to lodge a complaint in court against another Jew without the *Nation*'s permission. On October 8, 1777 the *Nation* discussed the case of such a complaint against Moïse Silva lodged with the police by Lopes the elder, without the *Nation*'s approval.[167]

In its administrative relations with the Sephardim — as well as with the Avignonese Jews of Bordeaux — the non-Jewish world considered these bodies of Jews to be *corporations* of merchants. It was generally accepted that the term *Jew* — even when referring to a poor man — was synonymous with *merchant.* The Sephardim and Avignonese were considered *corporations*, like the other 85 Bordeaux *corporations* of bakers, shoemakers, doctors, lawyers and the other 115 occupations which are mentioned in all the lists of the Bordeaux *corporations.*[168]

In the memorandum of 1788 to Malesherbes the Sephardim of Bordeaux requested that the laws of inheritance according to Jewish law, as was the custom among the Ashkenazim, be maintained.[169] After the Sephardic Jews were granted full citizenship, on February 18, 1790 they disbanded the *Nation* and a philanthropic society assumed almost all its functions. Obviously the *Nation* was a *corporation* with all its manifold functions. The text of the decision to dissolve the *Nation* is another proof.[170]

[166] Cirot, *Recherches . . .*, p. 80.

[167] Nation, No. 453.

[168] Am Bx, HH19 and Ad Gironde, C 313 (lists of *corporations*, 1760–1791, 1785); A. Nicolaï, *La population de Bordeaux au XVIIIe siècle* (Paris-Bordeaux, 1909), pp. 184, 186, 190; G. Cirot, *Les Juifs de Bordeaux. Leur situation morale et sociale de 1550 à la Révolution* (Bordeaux, 1920), p. 15; *Liste des corporations par ordre alphabétique, et des noms de leurs députés, à l'Assemblée du Tiers-Etat de Bordeaux* (n. p., n. d.). Broadside.

"En un mot, ils formaient une espèce de communauté sous la surveillance du gouvernment." *L'Indicateur* (Bordeaux), July 31, 1804, 2–4.

[169] Henry Léon, *op. cit.*, pp. 153–54.

[170] "Les Juifs de Bordeaux ne pouvant plus être considérés comme Corps de Nation, l'assemblée des Anciens qui les représentaient s'est aussitôt dissoute, et on s'est occupé immédiatement de la formation d'une Association de Bienfaisance" (Nation, Feb. 18, 1790). Ch.-M. duc de Tayllerand-Périgord's statement of Jan. 28, 1790 that the Jews of Bordeaux had no special laws, magistrates or particular officials (*RdGJP*, I (1897), 94) was not exact.

(Even after their emancipation in January 1790 the Sephardic Jews continued to use the expression *Nation.*[171])

[171] In 1791 David Mendes France bequeathed a few hundred livres to the "poor of the *Nation*" (*pauvres de la Nation*, Am Bx, GG 14, p. 81). In 1792 Izaac Pindes figures as the "Seigneur [saigneur] des Boeufs de la Nation Juive" of Bordeaux (AmBx, CC 1098). On June 13, 1794 a document certifying good conduct (*bonne vie*) was signed by the "sindic et adjoints de la nation portugaise à Bordeaux" (Ad Gironde, G 2462). On the monument of Jacob Emmanuel, who died on March 17, 1792, his position as "chief of our community" of Saint-Esprit is noted (H. Léon, *op. cit.*, p. 215; Moïse Schwab, "Rapport sur les inscriptions hébraïques de la France." *Nouvelles Archives des Missions Scientifiques et Littéraires*, XII — 3 (1905), 378). In May 1792 Gabriel de Jacob Gomez was "administrateur des pauvres Juifs français du bourg Saint-Esprit-lès-Bayonne" (E. Ducéré, *Histoire topographique et anecdotique des rues de Bayonne* (Bayonne, 1887), II, 76.) The 1797 rules of the Jewish community of Peyrehorade referred not only to a society, but also to a community — *Kal*: "Règlement fait entre nous, Israélites du Kal de Peyrehorade le 22 Germinal, 5e année Rne . . ." Emile Lévy, *op. cit.*, 44–58.

XIII. THE JEWISH STATUS AND THE *DROIT D'AUBAINE**

One of the most curious aspects of the legal status of Jews in France prior to the Revolution of 1789 was the application to them of the right of *aubaine* (*droit d'aubaine*).[172] Under this right the government took possession, in whole or in part, of the estate of a deceased alien. But were the Jews of France aliens or French *régnicoles* (natives)? Various historians had presented their views. Maurice Liber wrote that the Jews "could not be compared to other Frenchmen, but they could also not be treated as real foreigners." In the opinion of Robert Anchel the Jews could not be Frenchmen, because legally only Christians were Frenchmen. The Jews had an intermediate status. Roger Clément pointed out that as *sujets du Roi* the Jews of Metz, insofar as the public rights were concerned (*dans le droit public*), did not enjoy any of the rights of the existing social Christian groups, such as the *serfs*, *aubains*, *bourgeois*, etc. They were an entity in themselves, a separate group, "the Jews of Metz" (*les Juifs de Metz*) who were protected by a series of royal ordinances which, however, were so unprecise that they always left a wide field for anti-Jewish chicanery.[173]

The government tried, but, on the whole, unsuccessfully to assert its right of *aubains* in the case of the Jews. These claims indicate that there was a tendency to regard the Jews as foreigners and to disregard the privileges to which they were entitled. The right of *aubaine* was frequently asserted in the case of Jews in the French colonies and of Sephardic Jews of

* This chapter is based mainly on the author's study "The Jewish Status in the Eighteenth-Century France and the *Droit d'Aubaine*." *HJ*, XIX (1957), 147–61.

[172] For a detailed study on this subject, see Z. Szajkowski, "The Jewish Status . . ." *HJ*, XIX (1957), 147–161.

[173] Liber, LXIII, 185; R. Anchel, "Les Juifs à Paris au XVIII[e] siècle." *BSHP*, LIX (1932), 9–23; R. Clément, *op. cit.*, p. 40.

France. These frequent but isolated attempts of the French monarchy to declare certain deceased Jews to be *aubains* and to confiscate their estates aroused all French Jews, for they rightly viewed these cases as a threat to their economic and legal status.[174] The residents of Strasbourg and other free cities and of Alsatian areas owned by foreign princes and other dignitaries were exempted from the right of *aubaine*. It would seem that the exemption applied also to Jews there. The Alsatian historians, L.-V. Goetzmann, Jules Krug-Basse, Charles Hoffmann, Rodolphe Reuss and George Livet, Roger Clément of Metz, E.-T. Bonvolat of Lorraine and many others, and the collections of local laws mention no cases involving Jews.[175] It may be possible, by long and painstaking research in the national and departmental archives, to find a few isolated cases in which the right of *aubaine* was applied to Jews of Alsace, Metz and its province, and Lorraine. But no general conclusion could be based on such hypothetical cases. There were many other legal ways beside the right of *aubaine* to take property away from the

[174] According to a contract of March 28, 1359 between Anan Lévy of Valvéas in the papal province and the seignior of Grignon, the latter was to receive one-third of a Jew's estate (Calvet, 5938). In this connection, note a conflict between David Naquet and Elies Perpignan over an estate left in 1784 to Naquet by Abraham Perpignan who had obtained naturalization letters. Elies Perpignan stated that since Naquet was a Jew of Comtat Venaissin, he was in fact an *aubain* and as such could not inherit any property in France. *Mémoire responsif, pour le sieur David Naquet, Juif, natif de Carpentras, & habitant à Bordeaux, contre le sieur Elies Perpignan, aussi Juif & habitant à Bordeaux.* [Signé: Me. de Cazelet.] (Bordeaux, 1787). 28 pp.

[175] L.-V. de Götzmann, *Traité du droit commun des fiefs* . . . (Paris, 1876); Charles Hoffmann, *op. cit.*, 4 vols.; R. Reuss, *L'Alsace au dix-septième siècle* (Paris, 1897–98). 2 vols.; Georges Livet, *L'Intendance d'Alsace sous Louis XIV, 1648–1715* (Strasbourg, 1956), pp. 780–87; R. Clément, *op. cit.*; E.-T. Bonvalot, *Histoire du droit et des institutions de la Lorraine et des Trois Evêchés* (Paris, 1895); De Boug; N. de Corberon, *Essay de recueil d'arrêts notables du Conseil Souverain d'Alsace* (Colmar, 1738). 2 vols.; J.-L. C. Emmery de Crozyenl, *Recueil des édits . . . au Parlement de Metz* (Metz, 1774–1788). 5 vols.; *Recueil des Edits . . . du règne de Léopold I^er^ . . .* (Nancy, 1783–86). 15 vols. The right of *aubaine* was applied in the case of a Jew from Hamburg who died in France on March 22, 1789. In reference thereto J.-B. Poinsignon, administrator of the King's domain, stated on Nov. 26, 1789: *les juifs sont incapables d'aucuns effets civils en France* (Hildenfinger, 272).

Jews. Nevertheless, on many occasions, though not in connection with claims to confiscate their estates, the Ashkenazic Jews stated that they were not *aubains*, but French *régnicoles*.

In March 1767 the King permitted certain foreigners to obtain *brevets* (patents), which gave them the right to engage in certain occupations and exempted them from the right of *aubaine*. However, this edict did not apply to Jews. The lawyer Pierre-Louis Lacretelle the elder (1751–1824) pleaded in 1775, before the parliament of Nancy, in favor of two Jews of Metz who requested that they be granted *brevets* as merchants of Thionville. He stated that the Jews were not foreigners, but *régnicoles*, and that the right of *aubaine* was not applicable to them.[176] On the basis of this same edict of 1767 the four brothers Hayem, Cerf, Abraham and Jacob Olry Worms, and Lyon Alexandre and Joseph Cahen of Sarrelouis obtained *brevets de maîtrise* in the city of Sarrelouis. Eight years later, however, the Christian merchants and butchers protested that the Jews could not be considered *régnicoles*, that they were still aliens and that, in any event, only two Jews were allowed to reside in the city. The Jews contested this position. In a memorandum prepared for them by the lawyer La Servalle they stated that they could not be considered aliens because they were not regarded as *aubains* in the matter of inheritance.[177]

At the beginning of the Revolution the Jewish representatives of Alsace, Metz and Lorraine stated in a memorandum submitted to the Minister of Finance and the government's real chief, Jacques Necker, that they were not foreigners, but a *nation juive régnicole* and that the right of *aubaine* was not applicable to them. The decree of April 30, 1790 (law of May 2, 1790) in

[176] Pierre-Louis Lacretelle, "Plaidoyer pour Moïse May, Godechaux et Abraham Lévy, juifs de Metz, contre l'Hôtel de Ville de Thionville et le corps des marchands de cette ville." *Plaidoyers* (Bruxelles, 1775), reprinted in 1823 and by André Spire in 1928. See also André Spire, "Pierre Louis Lacretelle." *Menorah*, II, Jan. 1923. Lacretelle's brief was reprinted in *RJL*, VI (1930), 37–44 ("Les Juifs sous l'ancien régime. Un intéressant document lorrain").

[177] Me. La Servolle, *Requête au Roi, pour les Juifs de Sarrelouis* (Paris, 1777), p. 14. On this conflict see also Me. Dimours, *Mémoire pour les maire, syndics, & communauté des habitans de Sarrelouis . . . contre les Juifs* (n. p., n. d.). 43 pp.

favor of foreigners contained the clause: "without... prejudging anything regarding the problem of the Jews, which was and remains postponed." This does not prove that the Jews were then considered foreigners. The paragraph was added at the request of the Alsatian anti-Jewish deputy, Jean-François Rewbell (Reubell), who feared that the Jews would try to turn the decree to their own advantage in their fight for emancipation. When on July 20, 1790 Reubell stated before the National Assembly that the Jews of Metz were foreigners, a voice replied: "This is not the truth." As late as March 1790, two months after the Sephardic Jews had been granted full citizenship, the Chamber of domain expressed its strong opposition to recognizing these Jews as *régnicoles*. According to Baruch Hagani, the law of May 2, 1790 bypassed the issue of the Jews' status as *régnicoles* or aliens. The right of *aubaine* was abolished altogether by a decree of August 6, 1790. Indeed, a decree of April 8, 1791 even permitted residents of foreign countries to inherit properties in France. But the problem still arose even later in connection with the Brancas tax which, as noted above, was abolished by the National Assembly on July 20, 1790, over the opposition of the Brancas family and some deputies. They stated that the Jews of Metz were only tolerated foreigners and that the Brancas tax was to be considered similar to a *droit d'aubaine*. On this occasion the Jews of Metz argued, in a petition signed by Louis Wolff, that the *droit d'aubaine* was well known in 1715, when the Brancas tax originated, but the Brancas tax was formulated only as a tolerance, protection, and residence charge. The Jews were not tolerated foreigners, but formed a well-organized body: "it is not as foreigners but as constituents of a particular body [*corporation*] that the Jews obtained confirmation of their rights with every change in sovereign." In this respect they followed the practice of other Frenchmen, their fellow-citizens, forming corps or communities who confirmed the righs of their existing *corporations*. J.-F.-L. de Visme, who on July 20, 1790 reported to the National Assembly on the Jewish request, likewise argued against the claim of the Brancas family. He stated that the right of *aubaine* was only "a casual claim" resulting from the death of a foreigner and ending with the legal confiscation of his estate. The claim was not applied perpetually to the foreigner's

descendants who, if born in France, became French natives (*régnicoles*). But in this instance the Brancas family had obtained a perpetual tax imposed upon Jews and their heirs. Moreover, the right of *aubaine* was a prerogative reserved to the King alone, and was not to be turned over to other persons.[178]

In arguing against the Jews' request for nationalization of the debts owed by their former *corporations*, the Christian creditors also claimed that during the old regime the Jews were only tolerated foreigners, *aubains* with no legal right to be organized in *corporations*.[179]

The creditors cited as proof the fact that after 1789 the local authorities ordered the Jews to continue the administration of their communal properties. In a reply prepared on behalf of Jews the lawyer Combines stated that, prior to 1789, the Jews in France had the status of a recognized body and that the order to continue the administrative functions of the Jewish community was forced upon them.[180] François-Balthazar Darracq, in a strong attack on the Jews delivered on March 7, 1799 at the Council of the Five Hundred, pressed the same arguments offered by the creditors.[181] This was part of a well-organized effort to prove that the Jews — as foreigners — could not have been organized in communities which were in the category of those dissolved by the new regime. There were rebuttals by Jews and by many non-Jews.

The Jews of Metz stated that they were not looked upon as foreigners. Foreign Jews could not settle among them; their possessions were not escheated to the Crown, because the right of *aubaine* was not applied to them. In his report presented on

[178] Liber, LXIV, 267; Halphen, 4; AI, XVII (1856), 218; Hildenfinger, *op. cit.*, p. 42; B. Hagani, *op. cit.*, p. 188; L. Wolff, pp. 6–7 and Devisme's *Rapport*, pp. 5–9 (see Bibliography, Nos. 12–13).

[179] Puyproux, p. 2 (see Bibliography, No. 30).

[180] JTS, 01530–6.

[181] Darracq, *op. cit.*, p. 4. See also Halphen, pp. 335–36 (statements by Darracq, Gay de Vernon and Riou).

". . . il est évident que n'étant pas alors Français, ils ne peuvent être compris dans les décrets qui ont déclare dettes nationales les dettes des corporations de France; ce serait donner un effet rétroactif aux lois . . ." (Léonard-Honoré Gay de Vernon (1748–1822) at the Council of the Five Hundred, Dec. 6, 1797. Halphen, p. 335.)

November 24, 1797 to the Council of the Five Hundred Riou also rejected the creditors' argument that prior to the Revolution the Jews were considered foreigners.[182]

The arguments advanced by the Jews and their friends were not generally convincing. The decision on the nationalization of the debts was influenced by the outcome of the debate on the right of *aubaine*. Thus, the fact that prior to the Revolution of 1789 the legal status of the Jews was not clearly defined opened the way for many interpretations which were prejudicial to the Jews not only during the old regime, but also during the Revolution. The debts owed by the Jewish communities were not taken over by the government, partly as a result of the propaganda that during the old regime the Jews were legally aliens and that as such they could not have been organized as *corporations*.

[182] Riou, p. 4 (see Bibliography, No. 34).

XIV. THE COMMUNAL ACTIVITIES OF THE COMMISSIONS TO LIQUIDATE THE DEBTS

We noted earlier that in order to collect taxes for the liquidation of the debts the Jews were forced to maintain the existence of their former communities. The creditors then argued that the Jews had no right to request the nationalization of their debts because they still existed as separate bodies, collected taxes, etc. The Jews of Metz replied that such taxes were no longer collected by syndics of a separate Jewish community for communal expenses, but by administrators, newly appointed by the local authorities, for the sole purpose of repaying the debts.[183]

The newly formed bodies for the liquidation of the debts were not designated as *communities*, *nations*, or *carrières*, but as *commissions* to liquidate the debts. However, the functions of these commissions were much broader than their names indicated. They not only had to levy taxes, prosecute tax delinquents, and pay the debts. These commissions also were in charge of all communal Jewish properties and activities, and conducted many religious and social activities of the dissolved *corporations*.

From March 20, 1792 to December 25, 1795 the Metz commission to liquidate the debts made 408 payments to the creditors in the sum of 163,487 livres 5 s. 3 d. in *assignats*, 12,455 livres in drafts and 4,657 livres 5 s. in cash.[184] From August 26, 1792 to

[183] *Consultation*, pp. 4–5 (see Bibliography, No. 29).

[184] Documents, Metz, No. 38, fol. 152–57.

Following are a few expenses contracted by the same commission in 1791 — year V: "pour le racommodage des fennettre de lopitalle des etranger . . .; pour avoir defait les Tabelot sur les portes des cimetières . . ., pour avoir nétoiet la boucheris et plas . . .; dans la Maison du cidevant hopital des Pauvres pour les vitres . . .; pour rétablissement de la Cour de la Boucherie . . .; pour avoir travaile dans la sinagot . . .; pour une vitre neuve des vitres du bain . . .; pour avoir racomodé le balancier . . .; pour la pompier . . ., pour main d'euvre de dans la cour de la sinagogue . . .; des pavées retablis par Nicolas Bertrand au devant et au derrière de differente maisons appartenant à la communauté des juifs . . .; pour des ouvrages faits en couverture au dessus

December 25, 1796 the same commission paid out salaries to employees of the Jewish community and compensation for other communal expenses in ninety-four payments totaling 7,236 livres 2 s. 3 d. in assignats and 853 livres in cash. Among the employees were: the three rabbis, Olry Cahen, Mayeur and Louis May; the five cantors, Seligmann Caën, Lion and Emmanuel Bing, Naheme and Salomon Zay; the *sergent* Joseph Olry Cahen; the *portier* Moyse Zay; the Christian *gardien* and *crieur* Birié, who announced the coming of Sabbath; the Christian *allumeur* Dominique, who was employed by the Jews as a lamp-lighter on Saturday. The commission took care of the synagogue and ritual slaughtering, the hospices for native and foreign Jewish paupers, the communal bath etc.[185]

Until the Jewish communities were organized into consistories by Napoleon I's decree of March 7, 1808 discipline in the Jewish communities was not the same as during the old regime.[186] The consistories took over all the religious and social functions of the Jewish communities. The commissions to liquidate the debts continued to exist for that sole purpose, although the Metz commission on many occasions was in conflict with the local, central and Paris consistories on jurisdictional questions.[187]

du citoien Rabi. Ouvrages au cimetière; entretien de la boucherie; ouvrages à la sinagogue; reparations à l'hop[it]al; entretien de la sinagogue; construction de places; hôpital des pauvres; ouvrages à la boucherie; réparation du cours d'eau devant la boucherie" (Documents, Metz, No. 38, fol. 167–68, 179–80, 209, 225–26, No. 48, fol. 323–466).

[185] *Ibid.*, fol. 208–09.

[186] AN, F–19–11014; Anchel, *op. cit.*, pp. 45–46, 48.

[187] Documents, Metz, Nos. 25–27, fol. 107–13.

XV. THE CONFLICT BETWEEN THE JEWISH COMMUNITY OF METZ AND THE PROVINCIAL COMMUNITIES

The royal Letters patent of July 9, 1718, which renewed all previous privileges granted the Jews of Metz, provided that the Jews of the *Généralité* (the province outside of the city itself) were to contribute to the sums paid by the Jews of Metz for protection. Accordingly the Jews of Metz asked the intendant, Jean-François de Creil, to force the Jews in these communities to pay part of the various taxes imposed upon the Metz Jews. On February 7, 1724 de Creil granted the request and ordered that all Jews refusing to pay the tax within eight days should be expelled. Permission to tax the provincial Jews was renewed periodically by the incumbent intendants (on December 11, 1742, January 17, 1748, December 27, 1752, August 2, 1759, February 2, 1763, January 31, 1768, November 9, 1772, February 10, 1777).[188] This provision led to an internal struggle between the Jews of Metz and those of other communities within the province.

There is no doubt that the Jews of Metz sought to burden the smaller Jewish communities with the payment of part of the taxes, for which perhaps only they themselves were liable, e. g., in the official documents establishing the Brancas tax only the Jews of Metz were mentioned. But there is another aspect of the question, which we shall now explore and which suggests that the Jewish community of Metz showed a great deal of statesmanship in insisting that the Jews of the province share its tax burden. One must not forget that Metz had been at one time a German imperial free city, and that in the 13th century the city freed itself from the rule of the Bishop so that Metz and the *Pays Messin* were entirely separated from the rest of the province (the *Terres de l'Evêché*). Despite later changes owing to France's acquisition of the province, this unity of Metz and

[188] Landmann, Ce 380; Bibliography, Nos. 4–5, 7–11.

the *Pays Messin* remained. However, the royal privileges accorded to Jews were confined to residents of the city of Metz proper. The Jews of the other communities in the province enjoyed no legal status but were merely tolerated by the royal or local authorities. The local seigneurs had no authority to sell the Jews rights of residence and, if they sometimes extended permission to Jews to live in given localities, they also could withdraw it at will.[189] Sometimes the Jews managed — by paying a bribe — to stay an imminent expulsion, or even to receive permission to dwell in another village. But money in sufficient amounts was not always available, and in many cases the Jews attempted to stay an expulsion by taking refuge in the law. The Jewish community of Metz, for this reason, cited the intendant's order requiring all Jews within the province to pay taxes as proof that they did enjoy rights of residence. They claimed that each Jew paying taxes automatically enjoyed these rights. Thus, payments by the Jews in the smaller communities became a kind of unofficial *droit de manance*.[190] This advantage did not

[189] ". . . les Juifs de la campagne n'ont qu'un titre indirect de tolérance dans les Lettres patentes du 9 Juillet 1718 et seulement en ce qu'elles les ont assujettis à contribuer à la redevance de 20,000 livres imposée sur les Juifs de Metz" ("Copie d'une lettre écrite par M. le Marquis de Paulmy [Marc-Pierre d'Argenson, Ministre de la Guerre] à M. de Caumartin, Versailles, le 15 Février 1755." AN, 29AP3).

[190] C.-L. Gabriel, *Observations détachées sur les coutumes et usages anciens et modernes du ressort du Parlement de Metz* (Metz, 1784), I, 39; R. Clément, *op. cit.*, pp. 3–4, 108; *EcSt*, pp. 35–38. Landmann, Gal. 11 ("Requête des Juifs de Metz, adressée à l'Intendant de Creil, demandant que les Juifs habitant le pays messin, qui sont compris dans le rôle de la taxe de Brancas ne soient plus menacés d'expulsion par les seigneurs, mais qu'ils soient maintenus sous l'autorité de l'intendant"); Terquem, p. 15 (see Bibliography, No. 140). The Jews of Metz itself were often forced to obey the strict letter of the law which accorded them privileges of residence. In 1704 the civil authorities of Metz complained that the number of Jews exceeded expectations. The Jewish community then appointed a special commission to designate the Jews who should leave Metz (Landmann, Ce 23). On Dec. 21, 1782 the parliament of Metz held up a sentence pronounced by the syndics of the community upon one of its members for giving refuge to a foreign Jew (Bm Metz, ms. 919, fol. 152).

In 1786 the Jewish syndics of Lorraine lodged a complaint with the authorities against foreign Jews who had taken up residence in the province. As a result of this complaint the parliament ordered, on July 4, 1786, to compile a

reconcile the Jews of the provincial communities to the burden of contributing to the taxes imposed upon the community of Metz.

In the papal province the taxpayers of smaller communities gained a corresponding advantage. When the Jews were expelled from Orange in 1732, they were accepted by three Comtadin communities to which they had paid taxes.[191]

The conflict between the community of Metz and the provincial communities may be reviewed in terms of the debts owed by Metz. The first debt, which resulted from the fight against the introduction of the Brancas tax, amounted to 70,000 livres, of which the provincial communities were assessed one third (23,333 livres 6 s. 8 d.). Together with interest for unpaid taxes these provincial communities were expected to pay an annual tax of 8,666 livres 13 s. 8 d. from 1718 until 1742. As they paid only 1,800 livres, their debt over these twenty-four years amounted to 164,785 livres 17 d. In 1742 the share of taxes for

census of all Jews, especially mentioning those who did not belong to the 180 Jewish families authorized to live in Lorraine by the Letters patent of Jan. 29, 1753 (*Extrait des registres du parlement. Du 4 juillet 1786* (Nancy, n. d.). 3 pp.). In 1789 the syndics of Lorraine requested that only Jews possessing not less than 10,000 livres should be permitted to settle in Nancy; those possessing 3,000 livres should be permitted to settle in smaller communities and those possessing only 1,200 livres in the smallest communities (Liber, LXV, 132). These facts, and many more, cited by De Boug and other sources, compelled the author to revise his earlier conclusion that among the Ashkenazim the attitude toward "foreign" Jews was friendlier than among Sephardim (Szajkowski, "Relations . . .," 178). The same should be said about the Jews of the papal province. In the beginning of July 1789 the Jewish community of Avignon refused to grant permission for the marriage of Anna (called Manon) with David Lévi, an Ashkenazic Jew known as Malbourouth. The community leaders were afraid that their permission for the marriage could be interpreted as a residence right for the "foreign" Jew. The couple was forced to cross the border and get married in France. (Ad Vaucluse. Gaudibert's notarial acts, fol. 863, July 6, 1789. This is, probably, the same case mentioned by Armand Lunel in "La solidarité juive." *Revue juive de Genève*, IV, No. 31 (1935), 35.) It should be noted that in Brussels the Jewish community leader, Hertogh Samuel, requested in 1791 that the authorities should renew a decree forcing foreign Jews to be registered by him. He claimed that foreign Jews were responsible for many thefts (Izak Prins, "Une curiosité historique." *Revue juive de Belgique*, No. 2 (1945), 22–25).

[191] Columbia, X893C–C 22, vol. 2.

the provincial communities was increased to 11,235 livres 6 s. 8 d. annually. On this new basis the provincial communities over a period of seventeen years from 1742 to 1758 owed 91,765 livres 6 s. 8 d. in unpaid taxes and during the period 1758–1789 an additional 97,659 livres 10 d. in unpaid taxes and another 60,000 livres for various expenses. In aggregate the provincial communities owed the sum of 437,544 livres, which was paid by the Jewish community of Metz from loans obtained from Christian creditors.[192]

Upon the outbreak of the Revolution the Jews of Phalsbourg refused to pay taxes to the community of Metz and they were soon followed by other Jewish communities. The opposition of the provincial communities was strengthened by a series of events, including the National Assembly's declaration of November 29, 1789 forbidding officials to accept gifts,[193] and the abolition on July 20, 1790 of the Brancas tax.

On September 1, 1789 the syndics of the Jewish community of Metz asked the authorities to approve a roll of taxes to be paid in four annual installments. On December 24, 1789 the intendant, Jean de Pont, ordered the Jews of Phalsbourg to pay their taxes in accordance with a request of the Metz Jews and on July 1, 1790 rejected an appeal by the former. On November 4, 1790 the Metz community put up for sale the property of the Phalsbourg syndic, Alexandre Aron, who had refused to pay the taxes levied upon the province. A ruling that the sale of Aron's property should be postponed was made on February 25, 1791 by the district of Sarrebourg.[194] Nathan [-Louis] Cahen of Louvigny, collector of taxes for the communities of Louvigny, Chaptel and Poinerieulx stated in a pamphlet published in 1792 that the only desire of "the former potentates and viceroys of the synagogue" of Metz was to drive the Jews of the smaller communities into misery. The provincial Jews were not members of the Metz community, but only its slaves. Metz always lured the richest Jews of the small communities to its midst and thus itself paid as little in taxes as possible. The provincial Jews did

[192] AN, D–III–174, dr. Metz; JTS, 01565.
[193] M. Aron, *Liquidation*, p. 11 (see Bibliography, No. 141).
[194] *Ibid.* pp. 8–12.

not participate in the election of syndics and were not consulted on the assessment of taxes to be paid. In their decision on the finances the Jewish syndics of Metz ignored their brethren of the province; only when taxes were paid were the latter honored with the title of citizens.[195]

The petition to force the provincial Jews to pay taxes was sent by the Jewish syndics of Metz not only to the local authorities but also to the National Assembly. They most probably did so because of the new partition of France into departments. Many communities of the former Metz province became a part of the neighboring Meurthe department of which Nancy was the departmental capital. Only through a federal decision in the form of a decree by the National Assembly could the Jews of Metz hope to avoid complicated and expensive lawsuits in courts of various departments.[196]

To the arguments formulated by Nathan Cahen in the name of the smaller communities the Jews of Metz replied with a long list of legal and moral proofs of the lawfulness of the taxes imposed upon the Jews of the province. They presented the minutes of a council held on January 6, 1772 by the syndics of the Jewish community of Metz and the tax collectors of the provincial communities which approved the taxes and the loans made by the former.[197] They showed that the tax assessment was fixed as a result of each Jew's own evaluation of his property. They also noted that the allegation of the smaller communities that they did not participate in determining the tax assessments was not new. During a conflict of 1779 between the Jewish community of Louvigny and the communities of Phalsbourg, Mittlebronn, Imling and Bourscheid, the Jews of Louvigny complained in a printed memorandum addressed to the King, that the other four communities were invited to attend a meeting of all the communities, but had refused to come.[198]

[195] *A Messieurs*, pp. 1–2, 5, 8 (see Bibliography, No. 25). In 1785 nineteen Jewish families of Louvigny paid their taxes. Ten paid 4 or 8 livres each, six — 13 or 15 livres, one — 39 livres 12 s. and one — 69 livres 12 s. Nathan Louis Cahen paid the largest tax — 132 livres (JTS, 01528). See Appendix VI.

[196] Documents, Metz, No. 3, fol. 7.

[197] *Ibid.* fol. 8, 10.

[198] "A Messieurs Messieurs du Directoire du Département de la Moselle,"

The local authorities of the Metz district and the Moselle department ruled in favor of the Jews of Metz. In their opinion the Jews of the former province of Metz were legally a part of the Jewish community of Metz. Only as members of the Metz community did they enjoy during the old regime the privileges and tolerance granted officially to the Jews of Metz alone.[199] The smaller communities attacked this opinion and the decision based on it. They stated that this was not a conflict over public taxes, but a dispute at law upon which no administrative body, but only judges could rule.[200] But on June 23, 1795, August 21, 1799, January 2, 1801 and again in February 1801 the Jews of Metz were supported by orders from the departmental Moselle authorities that the other communities should pay their share of the taxes. In 1801 these communities appealed to the State Council (*Conseil d'Etat*), which was then composed of many liberals familiar with the situation of the Jews. However, the Council rejected the communities' petition and asked the prefect of Moselle to appoint a commission which should assess the share of each tax payer.[201]

memorandum by the Jews of Metz, [1792] (JTS, 01528). We could not find the printed memorandum of 1779.

[199] AN, F–19–1846; *Extrait*, p. 6 (see Bibliography, No. 27): "avant la révolution cette communauté [juive de Metz] achetoit pour ces membres la tolérance du gouvernement, et la protection des chefs de la province, qu'il est certain que les Juifs de la généralité ont joui comme ceux de Metz de tous les avantages de cette tolérance et de cette protection."

[200] "Ils disent que le directoire du district n'étoit pas compétant pour prononcer parcequil ne s'agissoit pas d'impositions publiques, mais seulement d'un objet litigieux et qui étoit de la compétance des juges ordinaires . . ." (Documents, Metz, No. 5, fol. 7–8).

[201] Aron, *Liquidation*, pp. 19–21 (see Bibliography, No. 141).

XVI. THE CONFLICT BETWEEN THE JEWS OF METZ AND NANCY

Before the Revolution many Jews of Nancy and other communities not within the jurisdiction of the Metz parliament paid taxes to the community of Metz. Among such taxpayers were Jews who had moved from Metz to other communities, and also some, who for various reasons, desired membership in their local communities as well as in the community of Metz.[202]

The explanation for the dual membership of Lorraine Jews is to be found in the Letters patent of January 26, 1753 and April 22, 1762 which did not, however, authorize a Jewish cemetery in Lorraine. Hence the Jews there were forced to bury their dead in the cemeteries of Metz or of other communities outside Lorraine. For example, on January 6, 1791, the Jewish leader of Lorraine, Berr-Isaac Berr, wrote to the Jewish community of Metz, that he had paid it 75 livres annually for the privilege of being buried in its cemetery.[203]

[202] For some reason the Cerfberr family desired to maintain its membership in the Metz community. In 1770 Cerfberr de Médelsheim paid taxes to the community of Metz (Landmann, Ce 390). A decree of May 13, 1805 ordered the name of Marx Cerfberr stricken from the roster of the Metz Jews. Much later his son, Max-Théodore Cerfberr, appealed against this decree, but on December 29, 1847 the civil tribunal of the Seine department approved it (*Le Droit*, Dec. 30, 1847).

[203] AN, D–III–174, F–19–1849–I. On the Jewish cemeteries of Nancy and Lunéville see Ch. Pfister, *op. cit.*, III, 326; René Wiener, *L'Ancien cimetière juif de Nancy* (Nancy, 1912). 4 pp.; Idem, "Les cimetières israélites de Nancy." *RJL*, 1927, 198–205. Compare with a much earlier responsum: "A city which has a cemetery may compel the villages which bring their dead to that cemetery to come under the jurisdiction of its court:" Louis Finkelstein, *Jewish Self-Government in the Middle Ages* (New York, 1924), p. 198. See also note 204.

Berr-Isaac Berr's father, Isaac Berr (or Behr) settled in Nancy between 1721 and 1733. His name was not mentioned among the 78 Jewish families permitted to settle in Lorraine on Apr. 12, 1721. He was first mentioned in a later list of 1733. On January 29, 1753 Berr, Simon Alcan and Michel Godechaux were appointed by Stanislas Leckzinski [Leszczyński] as the Jewish

The Jewish communities of Lorraine did not have any large collective debts of their own to pay after 1789,[204] but some Jews of Lorraine, including Berr-Isaac Berr himself, were requested by the Jewish community of Metz to pay a part of the taxes levied to liquidate the Metz debts. Berr and the other Lorraine Jews refused to pay and appealed to the National Assembly. Berr, however, was related to a Jewish family of Metz, having married Cathérine Karch, a daughter of the Jewish banker, Michel Goudechaux, the son of Lion Halter (called Goudechaux). In 1791 the Jewish community of Metz presented to the govern-

syndics for Lorraine. Isaac Berr died in 1755. E. Carmoly, "Berr[-Isaac Berr] de Turique." *Biographie des Israélites de France* (Frankfurt-sur-le-Mein, 1868), pp. 54–62. On Isaac Berr see also Me. Mirbeck, *Mémoire pour Mayer-Isaac Berr, juif, banquier à Nancy* (Nancy, n. d.), p. 4; *Mémoire à consulter pour le Sr. Jean-François Blaise, marchand à Nancy, contre les héritiers d'Isaac-Berr, Juif marchand de la même ville.* [Signés: Jacquemin, Pheyne, Grandjean] (Nancy, 1765). 11 pp.; *Mémoire à consulter pour la veuve & héritiers d'Isaac Berr . . . sur l'appel qu'ils ont interjetté d'une sentence . . . au profit du Sr. Jean-François Blaise.* [Signé: Bordelux] (Nancy, 1765). 17 pp. On Berr-Isaac Berr see also Isaïe Berr de Turique, *Discours prononcé aux funérailles de M. Berr de Turique, prononcé le 16 novembre 1828, par un petit fils* (n. p., n. d.); Z. Szajkowski, in *Davke*, No. 24, (1955), 238–48 (the last years of B.-I. Berr's life).

[204] The Jewish community of Nancy had to borrow money for the construction of the synagogue at which services were first held in 1790. J. Godechot, "Les Juifs de Nancy de 1789 à 1795." *REJ*, LXXXVII (1929), 6. "En 1787, en ma qualité de Syndic général des Juifs de la Lorraine, et particulièrement de Nancy, j'ai obtenu du Roi des lettres Patentes, pour l'acquisition d'un cimetière, et la construction d'une nouvelle Synagogue. Défunt Mr. Mayer Marx, père, également Syndic particulier des mêmes Communautés, étant animé, comme moi, de sentiments religieux et de bienfaisance, nous avons convoqués tous les Israëlites, demeurant alors à Nancy, et obtenu, par des actes authentiques, leur procuration pour faire des emprunts, au nom de la Communauté entière, comme nous le pourrions le mieux, soit en rentes viagères, constitution ou autres . . ." (Berr-Isaac Berr's letter of Apr. 13, 1820. Jerusalem, 300/5). "Extraits des livres des délibérations de la Communauté israélite de Nancy." *RJL*, IV, No. 36 (1928), 113C ("19 décembre 1830. Le Consistoire de Nancy fait connaître au Consistoire central qu'il n'a aucune dette").

In 1769 the Jews of Lorraine paid a tax of 14,300 Lorraine livres (11,371 French livres). In all probabilities, the community of Lorraine was not forced to borrow in order to pay this tax. L. Vanson, "Imposition sur les Juifs en Lorraine dans l'ancien régime." *RJL*, IX (1933), 197–207, 230–41.

ment copies of documents proving that Berr belonged to the Metz community. In 1752 his father obtained the King's Letters patent permitting him to reside in Metz; this right was confirmed in an ordinance of August 10, 1752 signed by the intendant J.-F. de Creil. (In addition to Berr five other Jews of Nancy obtained such individual Letters patent.) Berr replied that he was only a "subscriber" to the Metz community, and not a direct member.[205] At first it seemed that the position of the Nancy Jews was unassailable since they resided outside the Moselle department of which Metz was the capital. But by a decree of May 20, 1791 the National Assembly referred all conflicts over the Metz debts to the jurisdiction of the Metz administration. As a result the Jews of Nancy had to pay their share of the tax for the liquidation of the debts, although they protested the decree of May 20. Nevertheless, on August 18, 1791 the Metz district granted the Jewish community of Metz the right to enforce payment of taxes by all subsidiary communities. An ordinance of October 3, 1811, signed by Napoleon I, enjoined Berr-Isaac Berr to pay his part of the tax to liquidate the debts.[206]

[205] AN, F–19–1849; Documents, Metz No. 2, fol. 3–4. P.-L. Lacretelle was one of the lawyers who signed a brief in favor of Berr and the other Jews of Nancy against the community of Metz (AN, D–III–174). On Lacretelle's friendly attitude toward Jews during the old regime see note 176.

[206] AN, F–19–1849; Halphen, 8; Aron, p. 13 (see Bibliography, No. 141). In the year IX Berr-Isaac Berr had to pay 460 francs and in the year X, 210 francs (AN, F–19–1849–I).

XVII. THE "YOUNG JEWS" OF METZ

The debts provoked a conflict between the rich and the poor, and the old and the new generations in the community of Metz.[207] After the outbreak of the Revolution the "young Jews" (*jeunes juifs*) — those who were newly married or newly settled in Metz — refused to pay the tax to liquidate the debts because in the past they had not paid for protection. According to a brief dated February 17, 1801, prepared by three lawyers of Metz (Rondeville, Jean-Philippe Lambert and Mirion), who were asked for advice by Terquem, Samuel Hayem, Michel Abram and other "young Jews," prior to the Revolution only a limited number of Jews was tolerated. For this reason the "young Jews" who were married after 1789 and became French citizens in 1791 should not pay any debts incurred in the past to buy protection.[208] The number of such "young Jews" was large enough to create a serious crisis in the community. Two hundred and seventy-four marriages were registered among the Jews of Metz from 1792 until the end of August 1809.[209] According to a register of Floréal in the year II (April-May 1794) the debt-tax had to be paid by 590 old settled families and 45 young couples married after 1789, including 35 from Metz and 10 from other communities: in these cases the brides were Metz girls.

Implicit in this refusal to pay the tax, there was a more serious conflict between the two generations, the older generation of orthodox Jews and the young generation of partisans of a reform

[207] The Jewish community of Metz was divided even geographically, each of three social classes residing in its own district: Tsarphati [Olry Terquem], *Neuvième Lettre d'un Israélite français* . . . (Paris, 1837), p. 33.

[208] AN, F–19–1846; Documents, Metz, No. 6. Mathieu de Rondeville, a lawyer of the Metz parliament from 1768 on and a deputy to the National Assembly, or his son, Charles-François, a lawyer of the parliament from 1786 on. Lambert was a lawyer of the parliament from 1763 on (Michel; *op. cit.*; Paquet, I, 4–5, 11, 12, 18, 36, 64, 110, II, 1484). We could not establish the identity of the lawyer Mirion, who is not mentioned by Michel or others. (A lawyer named Mirgon is mentioned in a manuscript list of Metz lawyers, Ad Moselle, B.)

[209] Am Metz, 1–F–11; JTS, 01565.

of Jewish religious practices.[210] A report concluded that the "young Jews" were born debtors and thus were forced to share in the repayment of the debts. The report incidentally argued that the Jews would always remain a separate body.[211]

Olry Terquem, one of the members of the young group who later became influential among the reform Jews in France published his famous twenty-seven *Lettres Tsarphatiques* (1821–1846), directed against the orthodox Jews.[212]

According to one source an opposition movement of the "young Jews" in the community of Avignon also developed.[213]

[210] A prefectural report of March 30, 1801 commented on this conflict: "La scission commenca entre les Juifs de campagne et ceux de Metz, comme elle existait déjà entre les villages qui s'étaient coalisés pour faire la loi aux villes. Elle s'étendit ensuite entre les anciens et les jeunes juifs. Les moteurs de ces discordes étoient de certains hommes qui croient au fanatisme contre quoi-onque tenoit à une religion. Beaucoup parmi les enfans de Moyse ont resisté aux efforts de ces sectaires fanatiques eux même: mais les jeunes gens voulant faire écho, *se sont mis au pas* en frondant les anciens. De la deux opinions opposés ont formé deux partis parmi eux" ("Mon opinion développée et discutée sur la prétention des jeunes gens Juifs contre les anciens." Documents, Metz, No. 6, fol. 31–36). The deputy and Paris representative to the Moselle department, François-René-Augustin Mallarmé (1755–1836), reported on the orthodox Jew, Joseph Gougenheim, who was arrested during the Terror: "il s'était opposé à ce que les Juifs ne demanderent pas plutôt de jouir des droits de citoyens actifs; que c'est un homme dangereux et fanatique" (Paquet, 640, 759, 932, 1090, 1093). Mallarmé was not anti-Jewish. Among the local officials appointed by him were a few Jews (*Ibid.*, II, 1370). On Mallarmé see H. Poulet, *La vie de F.-R.-A. Mallarmé* . . . (Nancy, n. d.). 62 pp. According to one source Cerfberr (of Nancy), too, had a similar attitude: "Cerf Berr en 89, était dans le mécontents, machinait contre notre émancipation." [Tsarpati,] "Michel Berr." *AI*, IV (1843), 725–26.

[211] "Mon opinion . . .," see note 210.

[212] On Terquem, his fight for the reform of religious Jewish practices and his other activities see Isidore Loeb, *Biographie d'Albert Cohn* (Paris, 1878), pp. 154–57; E. Prouhet, *Notice sur la vie et les travaux d'Olry Terquem* . . . (Paris, 1862). 11 pp.; Isidore Cahen, in *AI*, XXIII (1862), 313; Hip. Lévy, in *AI*, XLVIII (1887), 222; M. de Bressolles, *Discours prononcé sur la tombe de M. Olry Terquem . . . le 8 mai 1862* (Paris, n. d.). See also note 43.

[213] "Il y avait eu . . . des réclamations de la part des Juifs forains et des jeunes Juifs" (*Observations*, p. 15, see Bibliography, No. 104).

On an "insurection" by tax payers in the seventeenth century Avignon community see Jules Bauer, "Un commencement d'insurection au quartier Juif d'Avignon au XVII^{e} siècle." *REJ*, XXXVIII (1899), 123–36.

XVIII. THE SALE OF COMMUNAL PROPERTIES IN METZ

In order to repay their debts the Jews of Metz favored the sale of all communal properties except for the synagogue, according to a petition dated December 22, 1791. In another petition dated September 1, 1794 they reviewed the course of events starting with the decree granting citizenship to the Jews, the abolition of their communities, and the decision that all properties of these communities were to become public.[214] Some communal properties of the Metz Jews were, in fact, confiscated and sold as national property.[215] But most of the communal property escaped nationalization. The Jewish cemeteries of Metz were destroyed for national military defense purposes but not as nationalized property, as happened in other places. The authorities were even willing to compensate the Jews of Metz for the loss of these cemeteries.[216]

In the year IV the civil authorities of Metz nationalized the main synagogue and put it up for sale. The Jews protested. In a petition to the departmental *Directoire* they stated that the confiscation and sale of the synagogue, which was a place of prayer, would contravene the spirit of the laws guaranteeing

[214] AN, F–19–1846, 1848.

[215] AN, D–III–174; *Résumé*, pp. 11–12 (see Bibliography, No. 31). Z. Szajkowski, "Synagogues During the French Revolution." *JSS*, XX (1958), 221. In 1704 Abraham Schwab and his wife Agathe bequeathed to the Jewish community of Metz a house and 6,000 livres in annuities for the establishment of a *yeshiva*. According to one source the capital left by Schwab was confiscated in 1793. It is improbable that this confiscation occurred. Jules Bauer, *l'Ecole rabbinique de France, 1830–1930* (Paris [1939]), pp. 32–33. Schwab's will was published in the *AI*, V (1844), p. 388.

[216] See note 158.

freedom of religion. They also argued that since all the other communal properties of their dissolved corporation and the debts it owed Christian creditors had not yet been nationalized, the civil authorities were wrong to have nationalized the synagogue. They claimed further that the synagogue should be regarded as property mortgaged to the Christian creditors of the Jews. On April 23, 1796 the *Directoire* decided not to sell the synagogue while the status of the Jewish community and the debts were uncertain. This decision was later approved by the Ministry of Finance which was in charge of the sale of nationalized properties.[217] The synagogue was given back to the community and reconditioned by the syndics who were elected at the assembly of the Metz Jews on September 3, 1796.[218]

The Christian creditors used for their own interest the fact that the communal Jewish properties of Metz were not nationalized, although on one occasion they asserted that one communal Jewish house situated on 27 *rue de l'Arsenal* was nationalized and sold to the Jew, Jacob Samuel. In fact, however, the house was not the property of the Jewish community: it belonged to a school founded by the terms of Lyon Ditz' will of 1755, but it is possible that the school was a communal Jewish institution. Puyproux the elder stated in the name of the Christian creditors that the furniture of the synagogue was not nationalized but plundered.[219] Incidentally, the Jews of Metz did not oppose nationalization of their communal properties on the ground cited by the Jews of Bordeaux and Saint-Esprit-lès-Bayonne against the nationalization of their cemeteries, namely that these properties belonged not to the communities, but to philanthropic societies.

Was the synagogue of Metz — the main synagogue — sold together with other communal properties in order to repay the community's debts? No documentary proof was found, although

[217] Ad Moselle, V 166.

[218] AN, F–19–11014; Anchel, *op. cit.*, p. 27.

[219] *Encore un mot*, pp. 1–2 (see Bibliography, No. 35). A Jew named Lion Ditze lived in Metz during the Revolution. Ditz was also a Christian name (see Paquet, I, 57, II, index, p. 36. See also note 221).

it is of course possible that one of the many synagogues was closed and the building then sold.[220]

According to an inventory of the year II (1793–1794) the Jewish community of Metz was the owner of twenty two houses or apartments, which were used as synagogues, for various other communal purposes, or rented to private families.[221] According

[220] There were five synagogues in Metz in 1793: (1) the old synagogue; (2) various houses of prayer for women, (3) the new synagogue; (4) the synagogue of Nathan Terquem; (5) the synagogue of Abraham Schwabe (Am Metz, P–3–1, an inventory of Jan. 4–5, 1794). (According to one source there were two synagogues in 1779. See note 53.)

[221] (1) The Great Synagogue and two joint synagogues for women; (2) a house in the courtyard of the synagogue, formerly inhabited by the rabbi; (3) another synagogue, together with a synagogue for women in the same courtyard (two floors above the second synagogue were used by the collectors of taxes; the cellars of the great synagogue belonged to Louis Olry and others); (4) a four story house next to the womens' great synagogue; (5) one sixth of the house of the heirs of Lyon and Alexandre Etting; (6) one half of the house of the heirs of Cerf and Alexandre Halphen; (7) one sixth of the house of Lyon Trenel; (8) one half of the house of Lazard Lambert; (9) a house situated between the properties of Nathan Terquem and Marc Terquem's heirs; (10) one half of the house of the heirs of Moyses Worms; (11) a house situated between the Jewish butchery and Anchel Lévy's house; (12) One half of Gompers Lévy's house; (13) a house serving as the Jewish hospital; (14) one quarter of Ely Cahen's house; (15) a house occupied by the cantor; (16) the house of Lion Ditze; (17) a great hall serving as the butchery, with four apartments above the hall; (18) one sixth of the house of Nathan Grodval's heirs; (19) two parts of Grodval's house; (20) a part of Lyon Picard's house; (21) one half of Jacob Treve's house; (22) a part of Jacob May's house (JTS, 01565).

In 1750, 161 of the 3,272 houses in the city of Metz were in the ghetto. Up to 1767 the number of houses in the ghetto was unchanged but the total number of houses in Metz declined to 3,157 in 1766 and 2,871 in 1767 (Am Metz, 3P3). On June 26, 1797 the "former" Jewish community of Metz paid 155 livres in land-taxes for the houses belonging to the community (Documents, Metz, No. 48). In 1793 the main synagogue of Metz served as a warehouse where the authorities deposited 19,640 pounds of copper and other valuable articles confiscated from the Jews (Documents, Metz, No. 49, fol. 465–87, No. 50, fol. 480–517).

On the 19th century synagogues of Metz see *Rapport au Conseil Municipal de Metz sur la demande d'un secours faite par le Consistoire de cette ville pour aider à la réédification de la Synagogue. 13 Février 1845* (Metz, n. d.). 23 pp.; Szajkowski, *Poverty . . .*, p. 26. On the poor housing conditions among Jews of Metz in the 19th century see O. Terquem, *Quelques réflexions à propos d'une*

to another source the Jewish community of Metz also owned 6,000 pounds of copper.[222] Still, the debts owed by the Jews of Metz exceeded the value of all their communal properties.

The departmental *Directoire*'s decision of June 23, 1795 ordered the sale of communal Jewish properties before an attempt had been made to liquidate the debts from the proceeds of a special tax. But the sale was deferred and officially authorized only on August 9, 1798.[223] On August 26 the departmental authorities of Moselle ordered the sale of the chattels of the former Jewish community of Metz and the proceeds to be paid to the creditors. At the request of the creditors' syndic, Jacques-François Adam,[224] this property was sold by the *huissier*, J.-Louis Adam,[225] on January 6, 7 and 8, 1799 at an auction which was announced by broadsides and town-criers and which took place in the office of the community, 16 *rue de l'Arsenal.* Adam was assisted at the auction by the Jews, Nathan-Lazare Cahen and C[erf] Morhange, who acted as crier. All together 138 articles were sold for the sum of 8,479.45 francs.[226] It seems that, except for the furniture, most of the items sold were religious objects. It is also possible that the most valuable communal properties were bought by

lettre (Metz, [1845]). 6 pp.; *UI*, I (1845), 124; Szajkowski, *Poverty . . .*, pp. 26–27.

[222] AN, D–III–174.

[223] AN, F–19–1846; Documents, Metz, No. 43, fol. 259–60; *Compte*, p. 5 (see Bibliography, No. 39).

[224] J.-F. Adam, syndic of the Christian creditors of Metz, died on May 7, 1801 (Am Metz, 3–P–16).

[225] Louis Adam fils was appointed on Aug. 24, 1791 by the district of Metz as the official *huissier* of the commission to liquidate the debts. *Loi*, p. 3 (see Bibliography, No. 20).

[226] Following are some of the 138 articles together with the names of buyers and prices: "Onze vases en cuivre . . ., une fontaine et son basin en étain . . ., deux grandes registres reliés en parchemin . . ., le Talmud en dix huit volumes adjugé à Jsaye Morhange à soixante un francs, seize volumes hebraïques adjugés à Lion Morhange a cinq francs dix centimes, un ornement pour la table de moyse au velour bleu ciel brodé en or et dentelle de main adjugé au C[itoyen] Samuel Cahen à Soix^{te} neuf francs cinq^{te} centimes, six bras et mapot de fer adjugé à Lion Grodeval à deux francs soixante, deux petites armoires . . ., dix veieilles chaises . . ., deux chandeliers de cuivre . . ." (Documents, Metz, No. 66, fol. 262–71, minutes of the auction).

Jews for the community. Thus the building of the refuge and the hospital for Jewish paupers was sold on June 15, 1799, to a group of rich Jews who collected enough money to pay 2,250 francs. Later they turned it over to the community.[227]

[227] "Notice sur l'origine, les ressources, le personnel et les besoins de l'Hospice israëlite de Metz," a 19th century document, ZS: "En 1793, la communauté fut suspendu, tous les services suspendus et les administrations dispersées. L'Hospice continuait néamoins à functionner d'une manière sans doute très irregulière . . . En l'an 7 de la République sur la requête des créanciers de l'ancienne communauté, un arrête de l'administration centrale du département ordonnait la vente forcée de tous les immeubles ayant appartenu à la dite communauté. Le bâtiment de l'Hospice reconnu être la propriété de la communauté fut compris dans la licitation et le 27 Prairial an 7 [June 15, 1799] une adjudication publique eut lieu devant Monsieur Purnoy, notaire à Metz. Pour conserver cet établissement à la communauté, plusieurs israélites aîsés se cotiserent et six d'entr'eux qui formaient alors l'administration achèterent avec le produit de cette collecte la dite maison au prix de 2250 francs pour être consacrée de nouveau a recevoir des infirmes et des malades pauvres."

XIX. THE LIQUIDATION OF THE METZ DEBTS

The financial activities of the commission to liquidate the debts were conducted through special agents appointed by the local authorities.[228] Through them the Christian creditors controlled many Jewish activities, e. g., the lease of houses belonging to the community, of synagogue seats. On May 7 and 15, 1796 houses belonging to the community and synagogue seats were rented publicly. The rent of sixty-eight seats for men and women in the main synagogue, and sixty-one seats for men and fifty-two for women in the smaller synagogue situated in the yard of the main synagogue produced 1,244 livres 10 s.[229] A sale of communal Jewish properties which was started on April 25, 1798 by the notary Claude Purnot, who was put in charge of the sale, ended in 1799. Among the items sold were seventeen Tablets of the Ten Commandments.[230] The auction of 138 articles (on January 6–8, 1799) produced the sum of 7,981.65 francs.[231] Sales of houses and chattels in 254 lots produced in the year VIII (September 1799 — August 1800) the sum of 43,111.99 francs. All the buyers were Jews.[232]

On February 21, 1800 the Jews were in arrears to fifty-three creditors to whom they owed 82,306.44 francs, and according to an inventory of May 30, 1802 they owed 29,571.50 francs to fifty-four creditors.[233]

[228] On Jan. 19, 1801 Pierre Boucherat was appointed treasurer of the Metz commission to liquidate the debts (Am Metz, 3P16).

[229] *Ibid.*, 3–P–4.

[230] According to Purnot's report of Apr. 25, 1799: "Vente de biens appartenant à la ci-devant association connue sous la dénomination de la ci-devant communauté des Juifs de Metz, reçus par le citoyen Purnot, notaire à Metz." 76 pp. (*Ibid.*, P–3–2). Purnot (? — 1845) was a Metz notary of Toul origin. In 1795 he became president of the departmental *Directoire* and on Oct. 20, 1795 a civil judge (Paquet, I, 32).

[231] Documents, Metz, No. 46, fol. 262–71.

[232] Documents, Metz, No. 38, fol. 190–95.

[233] *Ibid.*, No. 20, fol. 92–93.

In case of death the heirs of a creditor to whom the Jewish community paid interest were generally able to claim only the unpaid interest due at the time of death, but in many cases the capital as well. Thus, the age of the creditors was an important factor in the liquidation of the debts. The interest due to Jeanne Godfrin of Metz, for example, amounted to 320 livres a year. After her death on March 14, 1804 her heirs were paid only 153 livres 6 s. for unpaid interest covering five months and twenty-three days from the last payment until her death. The heirs of Anne Lajeunesse, who died on March 9, 1804, were paid only 149 livres of the yearly sum due of 320 livres. On a list of payments made December 21, 1800 to fifty-four creditors it was noted that fourteen of them had died and that thirteen were supposed dead. According to a 1810 list of twenty-nine creditors nine of them were between 62–70 years old, nineteen between 71–80 years old and one was 92 years old.[234]

The commission to liquidate the Metz debts reported an income of 282,747 livres 6 s. 4 d. in *assignats* (paper money), 34,816 livres 8 s. 6 d. in drafts and 6,638 livres 5 s. 2 d. in cash, and expenses of 282,547 livres 4 s. 5 d., 28,928 livres 10 s., 9,494 livres 3 s. 7 d. respectively, in a financial report presented on September 2, 1802. Upon the dissolution of the former community the commission found in the treasury only 1,330 livres in *assignats* and 267 livres 5 s. in cash. The rent of the communal houses produced an income of 10,015 livres 4 s. 9 d. in *assignats*, 20,937 livres in drafts and 3,761 livres 10 s. 5 d. in cash. Arrears for unpaid taxes produced 230,809 livres 6 s. 10 d. in *assignats* and 1,248 livres 8 s. 6 d. in drafts. The commission also received 16,236 livres 16 s. 6 d. from communal trusts. The sale of communal properties, silver, chattels, real estate and new loans produced the sum of 24,355 livres 18 s. 3 d. in *assignats*, 9,481 livres in drafts and 2,609 livres 9 s. 9 d. in cash. Another 3,150 livres in drafts were acquired by the exchange of *assignats* for drafts. The main expenses consisted of 163,487 livres 5 s. 3 d. in *assignats*, 12,455 livres 5 s. 3 d. in drafts and 4,657 livres 5 s. in cash paid to the creditors. Maintenance of the communal properties (not including 7,236 livres 2 s. 3 d. in *assignats* and

[234] *Ibid.*, Nos. 44, 47, 74.

583 livres in cash spent on the synagogue) cost 10,159 livres 5 d. in *assignats*, 16,048 livres 10 s. in drafts and 898 livres 9 s. 7 d. in cash.[235]

In 1828 the Jews of Metz were said to owe the sum of 120,000 francs in unpaid interest. On April 19, 1855 they still owed, together with interest, 100,056.54 francs. Of this amount 48,270.20 francs was paid to fifteen creditors or their heirs who won this sum in the 1850's as the outcome of various lawsuits.[236]

The expenses of the commission and court expenses incurred in creditors' lawsuits increased the taxes for the liquidation of the debts. The commission's budget amounted to 18,527 francs in 1819, of which, 3,488.90 was for payment of interest to fourteen creditors, the remainder for legal fees, etc. In 1853, 48,321 francs was collected to pay off debts, of which only 26,328 was used for a partial payment on a debt, the remainder for administrative expenses, including court expenses. The tribunal of Metz ordered payment of a debt of about 10,000 francs to the heirs of one creditor, but the expenses incurred in this lawsuit amounted to 20,000 francs.[237]

The taxes for the liquidation of the debts were collected by the regular collectors of governmental taxes, who were paid by the commission for extra work involved.[238]

Of the roll of taxes of 1843 only 18,776 of the 21,721 francs assessed was collected and only 48,200.50 francs of the 50,618.42 francs assessed of the 1853 roll. All together only 66,976.50 francs were collected between 1843 and 1855.[239]

[235] *Compte* (see Bibliography, No. 39).

[236] Documents, Metz, No. 20, fol. 92–93; *Analyse* and Report of 1843, p. 8 (see Bibliography, Nos. 50, 58).

[237] AN, F–19–848; Reports of 1843, p. 5, and 1855 (see Bibliography Nos. 58, 75).

[238] The collectors of Metz taxes were paid 3 per cent of the proceeds, according to the circular of July 30, 1843 (see Bibliography No. 60).

[239] Report of Sept. 3, 1855 (see Bibliography, No. 75).

XX. THE CONFLICT BETWEEN THE COMMUNITY OF METZ AND JEWS OF PARIS AND OTHER COMMUNITIES

No group of inhabitants of France other than the Jews was forced by the Revolution to maintain communal ties by reason of a tax. The Jews took exception in a long series of lawsuits. Cerf-Jacob Godchaux and Abraham Borlweilers of Metz, Samuel Hayem Worms of Sarrelibre and other Jews stated in a petition of August 23, 1801 that forcing them to pay the debt-tax because they were formerly members of a legally dissolved community would be "one of the gravest blunders."[240] But many Jews who were forced to pay the tax were not even former members of the dissolved community. The Alsatian Jewish leader, Auguste Ratisbonne (1771–1830), was born abroad. Still, he had to pay a yearly Metz tax of 60 francs because he married Adelaïde Cerfberr, a daughter of Marx Cerfberr, whose wife, Esther Boas, was a daughter of Simon Boas of Metz origin.[241] In the 1840's ten Jewish families of Bordeaux were required to pay the Metz tax, among them David Marx (1807–1864), an Ashkenazic Jew who became chief-rabbi of Bordeaux;[242] four Sephardic families of Bordeaux (Salzédo, Lopes-Dubec, Furtado and Nunes); and five Ashkenazic Jews of Bordeaux. Salzédo was related to a family of Nancy which, in turn, was related to a family of Metz. His appeal against the tax was rejected on April 12, 1845 by the State Council, the country's highest judicial body.[243]

In 1821 a Jew of Nancy challenged the legality of the Metz tax before the tribunal of Nancy. But on June 27, 1822 the prefect of Moselle raised the question of a conflict of jurisdiction in this matter. A royal ordinance of February 19, 1823 upheld the prefect who ordered the sale of the Jew's furniture in order

[240] AN, F–19–1846.

[241] Documents, Metz, No. 40, fol. 253–54. On Ratisbonne see "Biographie — Auguste Ratisbonne." *La Rég.*, I (1836), 93–96. See also note 303.

[242] On Rabbi Marx see Elie-Aristide Astruc, *Oraison funèbre du vénérable David Marx, grand rabbin de Bordeaux, Extrait des AI* (Paris, 1864). 14 pp.

[243] Documents, Metz, No. 114, fol. 672–73.

to cover his unpaid tax.[244] A Metz newspaper, which displayed the motto *Liberte! 1789–1830*, noted in 1845 that it would have been advisable for the government to pay off the old debts owed by the Jewish communities. But, since the revolutionary authorities of 1789 had decided otherwise, this decision must stand.[245] In fact, all appeals to judicial and other authorities against the liquidation of the debts through special taxes were lost.

In 1816 a royal ordinance required all descendants of the Jews of the former papal province to pay the special tax for the liquidation of the debts. Only the direct heirs of the former members of the former Jewish communities — *i. e.* all those who received an *inheritance* — were liable for communal debts, in the view of the well known republican lawyer and Jewish leader Adolphe Crémieux (1796–1886), which was stated in a letter to the Alsatian Jewish deputy Max-Théodore Cerfberr (1792–1872), dated September 15, 1843. Since not only the heirs, but all descendants of these Jews were forced to pay the debts, to Crémieux this seemed an "incredible abuse."[246] This point was made again on April 30, 1851 by the Metz commission to liquidate the debts which recalled that in accordance with the Government's decision of December 26, 1801, not only the heirs, but all descendants had to pay the debts.[247] On the other hand Forbin des Issarts, a deputy of the Vaucluse department, pointed out in 1821 that the decisions of the legislative and judicial authorities on the debts were taken on the basis of the pre-revolutionary usages of the Jewish communities which recognized

[244] *Mémoire* (see Bibliography, No. 65). On December 9, 1844 before the civil tribunal of Sarreguemines, Moyse Cahen, Mayer Oppenheimer, Isaac Banheim, David Hirsch and Rose Lazard (the widow of Marx Kremer), all of Frauenberg, challenged the legality of the tax for 1842 for the liquidation of the Metz debts. *Ibid.*

[245] *Courrier de la Moselle*, June 30, 1845.

[246] Documents, Alsace, No. 3, fol. 5–6. Crémieux became a member of the central consistory in 1831 and its president in 1843. Cerfberr became a member of the central consistory in 1836 and its president in 1848. See Léon Kahn, *Les Juifs de Paris depuis le VI^e siècle* (Paris, 1889), pp. 195–96. On Crémieux's activities in the consistory see S. Posener, *Adolphe Crémieux* (Paris, 1933), I, 150–97. On Cerfberr see Isidore Cahen, in *AI*, XXXV, 207; Robert, II, 7. He was the son of Théodore Cerfberr (1766–1832) and Julie (Jeanette) Mayer Max of Nancy. He married Eliza Ratisbonne (1813–1853), daughter of Auguste Ratisbonne.

[247] Documents, Metz, No. 25, fol. 107–108.

the responsibility not only of the heirs, but of all descendants.[248] This could not be denied.[249]

Only emigration abroad delivered a Jew and his descendants from the financial ties to the dissolved Jewish community of his ancestors. Even conversion to Catholicism did not free a Jew from paying his part of the debts. Thus, on the tax rosters of Metz for the years 1842 and 1853 were listed the names of the nun Cecile Terquem, the countess de Breteuil, the countess Girardin (daughter of the countess Lefèvre de la Chavière), countess de Grouchy, Varinot of Toul, the widow Paquin Dudin, D'Angély and others.[250] (The Carpentras commission for the liquidation of the debts had decided on June 11, 1816 that converted Jews should pay the tax.[251])

Many Jews of Paris were forced to pay the tax for the liquidation of the debts of the Metz Jews because they were related to Jews of Metz origin, e. g., the Jewish leader Adolphe Crémieux himself, because his wife Amélia Silny was of Metz origin.[252] In the 1840's Adolphe Crémieux, Edmond Halphen, Cahen, the notary Emile Fould and Alphonse Cerfberr, all of them well known Jewish leaders of Paris, distributed a printed statement for which they solicited the signature of those opposed to payment of the tax for the liquidation of the Metz debts and willing to support the fight for its annulment. They also appealed for funds amounting to one third of the tax in order to cover the

[248] "Il y a été procédé selon les anciens usages établis par les juifs eux-mêmes dans leur intérêt" (Forbin des Issarts, p. 6, see Bibliography, No. 107).

[249] "une des bases du pacte social qui a présidé à la formation de nos communautés religieuses, est l'engagement pour la postérité" (Minutes of the Carpentras commission, Feb. 16, 1817. Columbia, X893C–C22, vol. 2).

[250] See Bibliography, Nos. 57, 72; Henri Contamine, *Metz et la Moselle de 1814 à 1870* (Nancy, 1932), II, 359.

[251] "un membre a demandé si on y comprenait les descendans ou représentans, de quelque religion qu'ils soient, d'individus qui ont fait partie de l'ancienne communauté, soit que ces représentans aient eux-mêmes ou leurs aïeux changé de religion. La commission considérant que la question n'offrait pas même une difficulté raisonable, qu'il suffisait de consulter le texte de l'ordonnance Royale et qu'enfin un changement de religion ne peut jamais affranchir des obligations civiles, a decidé unanimement l'affirmative" (Columbia, X893C–C22, vol. 1, fol. 4–6).

[252] They were married in 1824. *UI*, XXXV (1879–80), 363; S. Posener, *op. cit.*, I, 66–67.

expenses of the fight.[253] In a letter addressed on October 31, 1843 to the commission to liquidate the debts of Metz, they predicted that no administration or court of law in 1843 would approve the execution of the law of 1791 on the debts. They also stated that the law of the revolutionary period anticipated the sale of the communal Jewish properties in order to repay the debts, although this was never done. Should the commission continue to consider them as debtors and force them to pay the tax, in turn they threatened to invoke the law and force the sale of these communal properties.[254] To this the commission replied in a letter dated November 22, 1843, that the synagogue of Metz and the religious articles had been sold, but it was still necessary to levy another tax of 37,784.75 francs. Only the cemetery and the home for aged people, which did not then belong to the community, had not been sold.[255] In March 1845 a Paris Jew named Dreyfuss obtained a writ against the tax-collector who had ordered the sale of his property for not paying the Metz tax. This was a pre-arranged test case. On July 9, 1845 the tribunal of the Seine department annuled the sale and imposed a fine on the tax-collector to cover expenses incurred. But the prefect of the Seine department appealed and Dreyfuss lost his case.[256] On December 29, 1847 the arguments of Crémieux and his friends were rejected by the civil tribunal of the Seine department. At the same time the tribunal denied the claim made by the Jewish leader, Olry Worms de Romilly, that he was not liable for the tax because his father had been naturalized by Louis XVI's Letters patent of July 1787.[257]

[253] Documents, Metz, No. 109, fol. 663. In 1832 Alphonse Cerfberr became a member of the central consistory. L. Kahn, *op. cit.*, p. 95.

[254] Documents, Metz, No. 22, fol. 98–99; Report of Jan. 3, 1844, see Bibliography, No. 63.

[255] Documents, Metz, No. 23, fol. 100; Report of Jan. 3, 1844, see Bibliography, No. 63.

[256] Documents, Metz, No. 111, fol. 666; Circular of 1846, see Bibliography, No. 67.

[257] *Le Droit*, Dec. 30, 1847. The banker Worms de Romilly became a member of the central consistory in 1825 and its president in 1826 (L. Kahn, *op. cit.*, p. 195). In 1849 after the death of Worms de Romilly, the editor of *Les Archives Israélites* disparaged him because he had left very little money for Jewish charity. R. [S. Cahen], in *AI*, X (1849), 422–23. On his father's naturalization in 1787 see AN, C–82–817–2.

XXI. THE LIQUIDATION OF THE DEBTS OF THE FORMER PAPAL PROVINCE

The Jews of the former papal province were ordered to repay the debts by a decree of Napoleon I, dated October 7, 1807. The prefect of Vaucluse was instructed to appoint two commissions of five members each for the liquidation of the debts of Avignon and of L'Isle-sur-Sorgue. These commissions were appointed on April 9, 1808. An order by Napoleon could hardly be opposed and the Jews had to obey.[258] Still, this was one of the rare instances when the Jews refused to carry out blindly orders reflecting the First Empire's policy toward Jews. Each appointee to the commission for the liquidation of the Avignon debts withdrew. Another commission was then appointed on May 16, 1809. It reported the debt as 240,402.74 francs (113,872.75 francs for capital borrowed, 124,919.99 francs for interest and 1,500 francs for expenses of the commission). It was decided that this sum would be repaid in ten yearly installments of 24,040.27 francs each. In 1817 the prefect appointed the Christian Valayer to supervise the liquidation of the Avignon debts.[259]

The debt of the Carpentras community was set at a larger sum. On July 26, 1808 the prefect appointed a commission of the

[258] "On ne savait alors que commander une serville obéisance. On voulait une liquidation parce que on a ordonnait une liquidation" (a petition addressed in 1817 by the Jews of Avignon to the prefect of Vaucluse. Documents, Comtat, No. 1, fol. 2).

On July 6, 1820 the liberal deputy, Benjamin Constant, discussed the founding of the Jewish consistories during the First Empire in the following words: "L'organisation des communautés israélites a été faite dans un temps où l'on organisait à peu près a coup de sabre" (Halphen, p. 340).

[259] Calvet, 2104; Bordeaux pamphlet of 1818 (see Bibliography, No. 103); Documents, Comtat, No. 20, fol. 63–68. Valayer was probably Placide-Bruno Vallayer, in 1811–1814 priest of the Paris parish St.-Germain-l'Auxerrois and later bishop of Verdun. He was a friend of the famous abbot Jean-Siffrein Maury, who fought against the emancipation of the Jews. Barjavel, II, 467.

three Christian jurists of Avignon, Pinatelli, Campan and Mallosse, to report on the liquidation of the Carpentras debts.[260] They were active from April 24, 1809 to April 28, 1810 and according to their report, the former Jewish community of Carpentras owed 301,166.68 francs (182,710.16 for the face of the loan and 118,456.52 in unpaid interest accumulated since 1790). But because of the political crisis and the change of regime almost nothing was done to liquidate the Carpentras debts. It was not until April 2, 1816 that a royal ordinance again directed the liquidation of these debts. The prefect of Vaucluse called an assembly of the Carpentras Jews, presided over by the subprefect, at which a commission of nine members, including two Jews of Carpentras origin who had settled in Aix and Nîmes, was appointed to supervise the liquidation of the debts.[261]

During the four years from 1816 through 1819 Jews of Carpentras origin had to pay 170,752.32 francs in taxes for the liquidation of the debts. As in the meantime creditors who had previously neglected to request payment presented their demands, on May 2, 1816 the prefect appointed a new commission composed of the Christians Sagnier, Jules Texte and Giraudy. On March 23, 1819 the commission fixed at 94,199.24 francs the debts owed this new group of creditors, and on October 28, 1819 the prefect approved the commission's report. The Jews protested strongly and addressed a petition to the Chamber of Deputies. On July 6, 1820 the Chamber refused to order the liquidation of these debts through the regular administrative channels and expressed a wish to see the matter settled in the courts of law. An ordinance of August 31, 1820 confirmed the position of the Chamber of Deputies. Finally a settlement was made the terms of which provided that in order to avoid long and expensive lawsuits the Jews of Carpentras would pay only one half of the unpaid debts to the creditors on the original list

[260] Antoine-Privat Campan was chief secretary of the Vaucluse department. Paulin Mallosse was a priest and author of many studies on local archeology (Barjavel, I, 535, II, 139–40). We could not find any information about Pinatelli.

[261] *Avis* of Apr. 29, 1817; Memorandum of 1821; Circular of Feb. 1822; Valabrègue, pp. 8–12 (see Bibliography, Nos. 101, 106, 108, 146); Columbia, X893C–C22 (Ordinance of Apr. 2, 1816 and minutes of the meeting).

and only the face of the loan but not the interest to the newly registered creditors. This involved a sum of 116,078.90 francs. All together the Jews of Carpentras paid 286,831.22 francs from 1816 until September 1825.[262]

In 1816 the Jews of Carpentras origin were taxed at the rate of 6.87½ francs per 1,000 francs of wealth; in 1817 — 6.50 francs; in 1818 — 6 francs; in 1819 — 5.50 francs; in 1822 — 2%. In evaluating each Jew's wealth the commission counted his holdings of real-estate, furniture, metals, merchandise, debts owed to him, jewelry, dishes, income from interest exceeding over 500 francs, and the wife's dowry, even if she was not of Carpentras origin. Only linen and uncertain debts owed to Jews were not included.[263]

The decree of October 7, 1807 on the liquidation of the Avignon debts also provided for the debts of L'Isle-sur-Sorgue. These debts amounted to the sum of 129,515.88 francs in 1818 payable to fifteen creditors or to their heirs. Of this sum only 65,137.17 francs represented sums borrowed and 64,378.71 accrued interest until the end of 1817. In accordance with the ordinance of December 24, 1817 the community had to repay one tenth of the sum in 1818, plus current interest, in total a sum of 20,857.25 francs. Including expenses incurred by the commission, the sum was 23,875.44 francs.[264]

The Jews of the former papal province protested increasingly against the order requiring them to repay the debts. In a petition addressed in 1817 to the prefect they called the policy of the revolutionary regime toward the debts owed by them *un des caprices de la révolution*, and in 1819 again asked the government to take over their debts. In the same year, the former Avignon revolutionary leader, Agricol Moureau, stated in his anti-Jewish pamphlet that the communal properties of the Avignon Jews were confiscated during the Revolution and that the Government made a mistake in its policy of forcing the

[262] *Ibid.*

[263] *Ibid.*

[264] Three debts were owed to the charity office of L'Isle (2,121.65 francs), two debts to the *Régie des domaines* (11,537.62 francs), and to the *Trésor public* (34,103.70 francs). Documents, Comtat, No. 18, fol. 59.

Jews to repay their debts themselves.[265] The Jews' protests were rebuked by the deputy, Joseph-Charles-Louis-Henri marquis de Forbin des Issarts (1755–1851), a man with strong anti-revolutionary and anti-Jewish sentiments.[266] In the end the Jews of the former papal province, like those of Metz, lost their fight.

[265] Memorandum of 1821 (see Bibliography, No. 106); Agricol Moureau, *De l'incompatibilité entre le judaïsme et l'exercice des droits de cité* . . . (Paris, 1819), pp. 83–85 ("Le gouvernement commit une *erreur de fait* relativement aux Juifs d'Avignon . . . le gouvernement d'alors aurait dû savoir que la nation s'était antérieurement emparée des biens *meubles* et *immeubles* de cette communauté [d'Avignon], et qu'elle en avait disposé"). On Moureau see Z. Szajkowski, "The Comtadin Jews and the Annexation of the Papal Province by France, 1789–1791." *JQR*, XLVI (1955), 184.

[266] Issarts (see Bibliography, No. 107). During the Revolution Issarts emigrated to Spain and served in the Spanish army's campaigns against France. He came back to France in 1815 and was elected in 1815 as a deputy from the Vaucluse department. A. Robert, III, 25.

On the liquidation of the debts in the former papal province, see also Ad Vaucluse, 7–Q–72–73; Am Avignon, 2894, 2896, 2899, 3304, 3306, 3309, 3399, 3498–99; Columbia, X893C–C22, vols. 1–10.

XXII. THE ALSATIAN DEBTS

The debts owed by the Alsatian Jewish communities were somewhat different in character from the debts owed by others. Even so, their origin can be traced to anti-Jewish restrictions and the poor financial condition of the Alsatian communities before 1789. In those difficult times the economic status of Jews was calamitous: they had to borrow in order to defend their meager privileges and also to maintain *yeshivoth*, rabbis and charitable societies.

The budget of the council of Alsatian Jewish communities (known as the *Nation Juive*) amounted to 32,617 livres 10 s. 9 d. over the period November 1781 — September 1787. Aside from the amount devoted to the upkeep of the *yeshivoth*, the largest sum, 16,868 livres, was allocated to travel expenses, the preparation of memoranda and fees for consultations, most probably in connection with the affair of counterfeited receipts, when Christian debtors presented to their Jewish creditors false receipts for debts which had supposititiously already been paid off. This incident almost brought financial ruin to the Alsatian Jews and provoked the Letters patent of July 10, 1784.[267] In 1775 the council borrowed 24,000 livres and on January 6, 1778 authorized its leader Cerfberr of Médelsheim to look for a Parisian creditor who would grant it a loan of 40–50,000 livres to be converted into annuities. In 1784 the council borrowed 100,000 livres and in 1787 — 7,652 livres. From November 1789 until April 1791 the council's treasurer, Aron Mayer, paid to eight creditors — all of them Christians — 20,645 livres 15 s. 3 d., mostly interest on the debts.[268]

[267] Szajkowski, *EcSt*, pp. 123–40 ("The Case of the Counterfeit Receipts in Alsace, 1779–1789").

[268] Tecomp (who granted a loan of 20,000 livres), Chubel (10,000 livres), Zollicoffer (10,000 livres), Chapui (6,000 livres), Dartin (30,000 livres), Fried (12,000 livres), Striebeck (18,000 livres), De Salomon (6,000 livres): "Compte général des Sieurs Arrom Mayer demeurant à Moutzig & Lehman Netter de

During the Revolution the Alsatian Jews maintained their communal ties in order to repay the debts. For a time even the council of Jewish communities continued in existence. On December 30, 1789 the office of the Intermediary Commission of Strasbourg granted a request by Aron Mayer, general syndic of the Jews in the territory of the episcopate of Strasbourg, to assemble the syndics of the Jewish communities in the bishopric. A fine of one hundred livres was to be imposed on those syndics who would not attend the meeting which was arranged in Mutzig on April 20, 1790. The following Jewish syndics were present: Simon Herz of Saverne, Abraham Gabriel Bloch and Mayer Szmul of Soultz, David Scholem of Soultzmatt, David Emanuel of Markolsheim, Abraham Lévy of Dambach, Michel David of Epfig (who represented also Jacques Lévy of Markolsheim), Samuel Wittersheim and Samuel Loeb of Strasbourg. The syndics decided to levy a tax of 6,900 livres for the budget covering the period April 18, 1788 — October 28, 1789. Samuel Wittersheim was appointed the council's chief syndic and Samuel Mayer treasurer.[269] But according to a statement of July 1,

Rosheim en qualité des Preposés généraux des Juifs de la Province cy devant Alsace de l'année 1781 à celui de 1791 . . ." Document dated May 25, 1792 (Documents, Alsace, No. 9, fol. 35–38); M. Ginsburger (see Bibliography, No. 147). The Council's income came mostly from estates left for the Council's institutions: "reçu pour amente des héritiers de Moyse Bloch de Win[t]zenheim — 7,000 . . . Des héritiers de Marx Plotzheim — 8,400 . . . Des héritiers Mayer de Plotzheim — 720 . . . Des héritiers de Benef de Romansweiler — 360 . . . Des héritiers des frères Drayfusse de Moutzig — 2,700 . . . des héritiers de Jacob d'Ingweiller — 1152 . . . pour imposition d'Arron Wolf de Zillerheim [?] et son père par accommodement — 1,800 . . . des héritiers d'Alexandre Bloch de Wintz[en]heim — 1,320 . . ." In total 9,971 livres were spent on the *Yeshivoth* ("donné au Sr. Lazard Arron pour entretien des Collèges"). Documents, Alsace, No. 9, fol. 35–38.

On the value of the Alsatian livre see A. Hanauer, *Etudes économiques sur l'Alsace ancienne et moderne* (Paris-Strasbourg, 1876), I: "Les monnaies"; Roger Dufraisse, "Problèmes monétaires du XVIII[e] siècle, particulièrement en Basse-Alsace." *RA*, XCV–II (1956), 194–219. There were two sorts of livres in Alsace: the livre of Strasbourg (from 1726 on) and the livre *tournois* (or French, called also Alsatian), worth 1/4 of the Strasbourg livre.

[269] Among the proposed expenses were: 2,250 livres for administrative expenses of the council; 216 livres 11 s. 3 d. for expenses to convene the next two meetings of the council; an annuity of 700 livres 16 s. 6 d. to be paid to the council's former leader, Aron Meyer; 300 livres "Klaper-Geld"; 300 livres

1805 signed by the treasurer, no taxes were collected and no payments were made during those years.[270]

The creditors (and later their heirs) began to demand the repayment of the principal and interest of the debts owed them by the council of Alsatian Jewish communities. The matter was taken to courts and brought to the attention of the legislators. On August 23, 1791 and April 30, 1792 the *Directoires* of both Rhine departments appointed François-Antoine Rémy, a former bailiff of Reichshoffen, and François-Hypolite Collombel comissioners in charge of the liquidation of the debts owed by the Jewish communities.[271] On July 1, 1793, after having received their report, the *Directoire* of Lower Rhine fixed the total debt of the Jewish communities of Alsace at 84,960 livres 19 s. 6 d. The immediately payable debt was only 40,568 livres, but since payment was out of the question, the additional sum was added to cover interest until a future date when the debt would be fully discharged. In order to afford the Jews an opportunity to repay the debts, they were authorized to levy a tax of 95,000 livres on all Jews who had lived in both Alsatian departments at the end of 1790. The tax was to be prorated on the basis of the amount of government taxes each Jew paid in 1791. On July 1, 1793 the *Directoire* of Lower Rhine appointed Samuel Séligmann Wittersheim of Haguenau, Isaac Samuel of Westhoffen, Daniel Lévy of Strasbourg and Raphael Lévy of Ingwiller members of a special commission to liquidate the debts and the Christian François-Mathieu Hombourg of the commercial court of Strasbourg the commission's treasurer.[272]

to the rabbi of Mutzig; 100 livres to the rabbi of the episcopate [?], etc. (According to the minutes of the meeting. Documents, Alsace, No. 14, fol. 52–57, No. 67, fol. 224–25).

[270] Documents, Alsace, No. 15, fol. 58 ("par suite de la Révolution . . . j'ai été mis dans l'impossibilité d'en faire aucune recouvrement des fonds par les contribuables habitant les Terres de l'Evêché, et par conséquence aucun payment n'a été fait par mes mains")."

[271] *Ibid.*, No. 12, fol. 47, No. 13, fol. 49.

[272] The commission paid 3,000 francs for services rendered by twenty-two employees and for other office expenses, incurred by the Alsatian tax offices in drawing up the list of Jewish tax payers during the year X (Sept. 23, 1801 — Sept. 22, 1802). *Ibid.*, No. 23, fol. 70. Another S. Wittersheim was one of the richest Jews of Metz: "l'un des plus riches et des plus honnêtes négocians de

For nine years no tax was imposed, probably owing to the troubled revolutionary period. Finally, on November 10, 1803 Napoleon I confirmed the *Directoire's* decision of 1793 relating to the Jews' debts. Instead of 1791, however, the year X (1801-1802) was substituted as the base for the special tax to be paid by the Jews for the liquidation of the debts.[273]

In 1793, shortly before his death, Cerfberr of Médelsheim (1730–1793)[274] became the principal creditor of the Alsatian Jewish communities. According to some historians the Cerfberr family paid fines imposed during the Terror upon the Jews. The family thus became a creditor for debts known as the "Cerfberr debts" or "Herz-Gelder."[275] However, there was no collective

la ville de Metz." *Service funèbre, célébré à la synagogue de Thionville, le 15 Mars 1820, en l'honneur de feu Mr. Mayer Lévy* . . . (Metz, [1820]), p. 13.

[273] Bibliography, No. 114.

[274] Cerfberr, or Cerf Berr was the eldest son of Berr de Médelsheim (1670–1762). He left four sons: (1) Mardoché Nathanaël (1758–1817), known mostly as Marx [or Max] Berr, known also as Cerfberr; (2) Lipmann (alias Hippolyte) Cerfberr (1760–1827); (3) Baruch Cerfberr (1762–1824); (4) Théodore Cerfberr (1766–1832). According to the Alsatian census of 1784 (see note 1); three vols. of Lévylier's *Notes* . . .; M. Ginsburger, *Une fondation de Cerf Berr* (Paris, 1923), p. 4.

[275] "Nous supposons que ces fameux *Herz-Gelder* proviennent d'une contribution frappée sur les Juifs de la Basse-Alsace pendant la Terreur et acquittée par la famille Cerfberer ou Hertz-Baer de Bischheim, à charge de s'en faire rembourser par les communautés" (J. Hermann, in *UI*, XXXIX (1884), 255–57); "Séligman Alexandre, arrêté du 30 mai 1794 jusqu'après le 9 Thermidor eut à payer des sommes considérables, tant pour son propre compte que pour celui des communautés du pays" (Anchel, *op. cit.*, p. 24). On the arrest of Alexandre during the Terror see his pamphlet *Dénonciation à mes concitoyens* . . . (Strasbourg, an III). 38 pp. and R. Reuss' study *Séligmann Alexandre, ou les Tribulations d'un Israélite strasbourgeois pendant la Terreur* (Strasbourg, 1880). 44 pp. Another incorrect statement was made by the historian, Raphael Mahler, who claimed that the Jews of Alsace borrowed money from Cerfberr in order to pay a large sum to the city of Strasbourg, since the King's abolition at that time of the per capita toll paid by Jews, reduced the city's revenues (*op. cit.*, I, 179). On the abolition of the body toll see *Lettres-patentes du Roi, sur arrêt portant fixation de l'indemnité accordée à la ville de Strasbourg pour raison de la suppression des droits qu'elle percevoit sur les Juifs sous la dénomination de péage corporel . . . le 25 Janvier 1786* (Metz, [1786]). 4 pp.; Z. Szajkowski, "The Jewish Problem in Alsace . . .," 219–22.

fine imposed upon Jews. The source of the Cerfberr debt was much more prosaic.

In 1793 Cerfberr paid 130,000 livres in *assignats* to the principal creditors of the Council of Jewish communities. Was this an honest act?

Many people tried to safeguard the real value of their possessions by making quick investments and paying off debts with *assignats*.[276] Those who held *assignats*, which were shrinking in purchasing power, tried to get rid of them by exchange for any conceivable asset of fixed value. One of the results of the increase in the currency which the revolutionary government printed freely was the race of debtors to repay in *assignats* debts which they had incurred in hard money. In the first years of the Revolution many peasants enjoyed increased incomes, part of which they used to repay their debts with paper money.[277] A Colmar chronicler complained in 1790 that some swindlers (*Betrüger*) repay their debts in *assignats*. A German traveller noted in the same year that in Strasbourg it was impossible to obtain credit even on the best mortgaged securities because creditors feared repayment in *assignats*. A counter-revolutionary parody written in the form of a prayer ironically thanked its author for making *assignats* out of old rags. The repayment of debts with paper-money was also mentioned in an anti-Republican pamphlet of 1792 and in a parody directed against Cerfberr.[278] Offi-

[276] According to a diary written by the religious teacher Jessel Lehman of Ribeauvillé, *assignats* were called כחבים by Jews (in the Alsatian Museum of Strasbourg, 1795, p. 29a). Among the Jewish creditors who were repaid with *assignats* was Rabbi Mardochée Crémieu of Aix-en-Provence (previously of Carpentras): P. Millaud, "Notice biographique du rabbin Mardochée Crémieu d'Aix." *AI*, III, (1842), 12. In 1790 rabbi Crémieu bought the rights of a Christian creditor and thus became a creditor of the Jewish community of Carpentras. In 1816 he accepted token repayment of the debt owed him. *Ibid.*, 14.

[277] Marcel Marion, *Histoire financière de la France depuis 1715* (Paris, 1921), III; Ph. Sagnac, "Les Juifs et Napoléon." *RHMC*, II–III (1901–02), 6; L. Poujol, *Quelques observations concernant les Juifs* . . . (Paris, 1806), p. 39; Véron-Reville, *Histoire de la Révolution française dans le Haut-Rhin* (Paris-Colmar, 1865), p. 21.

[278] J. Liblin, "Chronique du serrurier Dominique Schmutz de Colmar." *RA*, XXIV (1874), 394; *Briefe eines Reisenden über das Elsass* . . . (Frankfurt, 1790), see F.-C. Heitz, *La Contre-Révolution en Alsace de 1789 à 1793* (Stras-

cials tried to protect the creditor. In September 1790 the Upper Rhine *Directoire* complained in a memorandum to the National Assembly that creditors were ruined by accepting *assignats* from their debtors and urged that the value of *assignats* should be fixed according to their local Alsatian purchasing power. In a memorandum of December 14, 1791 the general council of Moselle referred to "evil minded debtors." A judge of Bitche (Moselle) wrote in the year IV (1795–1796) of his difficulties because creditors refused to accept paper money from their debtors. On July 9, 1795 the justice of the peace of Sélestat (Lower Rhine) complained of ungrateful debtors who grew rich with their creditors' help and then tried to repay them in *assignats*. The debtors of the city-hospital of Saint-Dié (Vosges) tried to pay off what they owed with paper money. On the other hand, the debtor Laurent Philippe of Rémiremont (Vosges), who borrowed *assignats* during the Revolution, was requested as late as 1810 to pay his debt in "good" money. On September 9, 1793 Rumpler of the Strasbourg *Bureau de paix* wrote to the Legislative Committee that he had entrusted all his assets valued in "good money" to a banker who wanted to repay him in *assignats*. In a petition of January 30, 1796 Xavier Tuleur of Orbey (Upper-Rhine) requested the Ministry of Justice to force his debtors to repay their debts not with *assignats* but with money of the same value which they had borrowed.[279] Even the Catholic Church took this position: morally a debtor could not repay his debt with *assignats*. At confessions priests warned the faithful to repay debts in good money.[280] In the Meurthe department as in other parts of France people tried to use paper money to pay revolutionary taxes. At the beginning of the Revolution Rouen

bourg, 1865), pp. 13–14; *Patriotische Litaney* . . . (n. p., 1792). 4 pp., cf. Heitz, *op. cit.*, pp. 251–55; *Je vous dirai vos vérités* (n. p., n. d.), p. 61; *Hirtz-Bähr an die drey Köninglein* [Strassburg, 1791.] 10 pp. ("gute Schulden mit schlechten Papier zu bezahlen").

[279] J. Joachim, "Le département du Haut-Rhin et l'inflation monétaire en 1790." *RA*, LXXII (1925), 389–90; *Mémoire sur le rétablissement du crédit public et particulier* (Metz, 1791), p. 5; AN, BB–16–496, 627, 635, 913–14, D–III–210, 213.

[280] *Documents pour servir à l'histoire religieuse en Alsace pendant la Révolution* (Mulhouse, 1859), p. 90; G. Hubrecht, *Les assignats dans le Haut-Rhin* (Strasbourg, 1932), p. 185.

(Seine-inférieure) suffered from a great number of bankruptcies, but their number fell sharply in 1791–1792, probably because debts were repaid with paper money. As a result the law of July 13, 1795 provided that before a debt had reached maturity a creditor could not be forced to accept repayment in *assignats.*[281]

Of course, Jewish debtors, too, tried to repay creditors with paper money. Such a case was related by the Alsatian anti-Jewish pamphleteer, François-Louis Rumpler (1730–1806), in a pamphlet against Isaac Lehman who presented *assignats* to a Basel creditor. A story was told about an Alsatian Jew named Bernheimer (or Bernhüter), who was imprisoned for trying to pay for a gold box with *assignats* after having shown gold coins in his possession.[282] Many sources refer to Jewish creditors' protests against repayment in *assignats.*[283] A register of debtors in the Colmar district, who in the years III and IV (September 22, 1794 — September 21, 1796) deposited *assignats* for repayment of debts owed by them, lists 237 names of creditors, including Jews who had made seventy-five loans.[284] It is impossible even to give an approximate number of Jewish creditors who were repaid with *assignats.* But their number was certainly large enough to enable us to conclude that the decree of September 28, 1791, which ordered the Jews of Alsace to present a list of the debts owed to them, was not put into effect because the debtors repaid their debts in *assignats.* Such was the conclusion of the lawyer Louis Poujol (1771–1848), whose anti-Jewish pamphlet of 1806 greatly influenced the character of

[281] A. Troux, *La vie politique dans le département de la Meurthe d'août 1792 à octobre 1795* (Nancy, 1936), II, 180–81; Pierre Dardel, "Crises et faillites à Rouen et dans la Haute-Normandie de 1740 à l'an V." *Revue d'Histoire économique et sociale.* XXVII (1948), 62; Hubrecht, *op. cit.*, p. 185; Poujol, *op. cit.*, p. 39.

[282] Louis Rumpler, *Lisez, ça ne coute rien* [Strasbourg, an IV.] 4 pp.; Idem, *Quelques pièces fugitives . . .* [Strasbourg, 1793,] p. 7; [Treit,] *Plaidoyer d'un défenseur officieux, déclaré inadmissible pour oser défendre un créancier bâlois . . .* [Strasbourg, an IV,] p. 12.

[283] *Réponses des sieurs Poinsignon au mémoires imprimés sous les noms du juifs Abraham-Isaac Brisac, et de Me. Guibal* (Nancy, n. d.), p. 27; AN, BB–16–496 (Leib Cahin against Pierre Rauch).

[284] AdHR, L 863.

Napoleon I's anti-Jewish decrees, and of another anti-Jewish lawyer and pamphleteer, Xavier Chauffour.[285]

Did Cerfberr try to use the inflation caused by the increase in the supply of paper-money in order to ease the financial problems of the Jewish communities? This is doubtful. Cerfberr paid their debts without consulting other Jewish leaders. By this investment he most probably sought to protect his 130,000 livres in *assignats*, which were later valued at 49,432 livres in specie. In fact, in 1793 the Alsatian Jewish leaders contested the debt owed to Cerfberr.[286]

Cerfberr's heirs sued for payment of the debt. On July 18, 1804 the civil court of Strasbourg ordered the commission for the liquidation of the debts to pay Cerfberr's heirs 49,432 livres in capital, plus interest (which totaled 23,348 livres for the period from 1793 to February 13, 1806). A decree of July 12, 1806 set the total debts at 182,645 francs.

The commission for the liquidation of the debts was dissolved by a decree of September 5, 1810 and its duties were turned over to the Jewish consistories of both Alsatian departments, created by the decree of March 17, 1808.

The debts owed by the Alsatian Jews were of three kinds: (1) Debts owed to the heirs of pre-1789 creditors who had won lawsuits. (2) Money owed to employees who had not received their salaries. (3) Debts incurred since 1791 by the Jews of both Rhine departments, but not by those who had since left Alsace.

The first category included debts owed to the heirs of the creditors Cerfberr (72,580 livres), Abraham Moch (5,550 livres), and Abraham Cahen (5,550 livres) — a total of 83,680 livres, interest included. On July 1, 1806 only 28,348 livres in interest had been paid. On September 29, 1817 the debt to the heirs of these three creditors amounted to 108,895 livres: 95,145 livres

[285] Poujol, *op. cit.*, p. 39; Chauffour cadet, *Réflexions sur l'application du décret impérial, du 17 Mars 1808, concernant les créances des juifs* (Colmar, [1808]), p. 3; Idem, *Observations sur le serment More Judaïco . . .* (Colmar, [1844]), p. 25.

[286] According to the text of the sentence of July 18, 1804 and a petition addressed on July 10, 1865 by the Lower Rhine consistory to the prefect (Documents, Alsace, No. 57, fol. 184–85, No. 63, fol. 218, No. 68, fol. 226–35).

to the heirs of Cerfberr, of which 45,912 was interest; 6,875 respectively to the heirs of Abraham Cahen and Abraham Moch, of which 3,875 in each sum was interest. Of this huge debt, only 17,061 livres had been paid by the end of 1817.

The second category included debts owed to the rabbis Mathis Weyl of Rosheim, Michel Séligman, and heirs of Joseph Marx, who claimed 12,325 in unpaid salaries. In addition a debt of another 84,960 livres was owed to one hundred and one small creditors, mostly for unpaid salaries to rabbis, teachers, secretaries, lawyers, etc.

The third category included debts owed to the heirs of Aaron Meyer of Mutzig and Lehman Netter of Rosheim who had lent money for the purpose of supporting the *yeshivoth*.[287]

On January 30, 1811 both Alsatian departmental consistories made an agreement, according to which the Upper-Rhine was to supply two fifths of the funds necessary to pay the debts. This arrangement was subsequently changed, because the decree of September 5, 1810 provided that the consistorial tax of 1812 was to serve as a basis for levying the debt-tax. Prior to that date the government taxes of 1791 were used as the base for levying the debt-tax. But on February 8, 1803 F.-M. Hombourg and Samuel Séligmann Witersheim wrote to the prefect that since 1791 the economic status of the Jews had changed; Jews who were rich became poor and vice versa. Therefore, the 1791 rate for real estate taxes was inequitable as the base for the tax to discharge the Jewish debts. On January 4, 1806 the commission to liquidate the debts complained that the collection of the tax based on the rate of the regular government taxes was unjust because sometimes Jews with little property paid more than rich Jews. On December 14, 1806 the Lower Rhine Jews

[287] Abraham Moch was the first Jewish member of the general council of Lower Rhine. Mortgage archives and various other documents prove that Moch was one of the principal Jewish creditors of Jewish and Christian debtors in Alsace. Z. Szajkowski, *Agricultural Credit and Napoleon's Anti-Jewish Decrees* (New York, 1953), p. 95. Abraham Cahen of Saverne was a deputy to the Jewish Assembly called by Napoleon I in 1806. See D. Tama *Organisation civile et religieuse des Israélites de France* . . . (Paris, 1908), p. 115. A yeshiva existed in Mutzig, see M. Ginsburger, "Mutzig." *SS*, IV, No. 5 (1933), 10.

wrote to the Ministry of the Interior that those Jews who had no real estate property and who did not even pay license taxes because they did not have any ostensible business (stores) were not required to pay any taxes at all — even if they had a considerable amount of cash and held many promissory notes. In 1807 the Jews of Quatzenheim stated that rich Jews were assessed moderately, but the poor were forced to pay huge sums.[288] Similar complaints were made on February 26, 1807 by the Jews of Wissembourg and on March 2, 1807 by the Jews of Westhoffen.[289] All these petitions were identical and written by the same person. It seems then that the poorer Jews in the Lower Rhine were organized in opposition against paying the largest part of the taxes for the liquidation of the debts.

In the Upper Rhine similar petitions were sent in 1808 by large groups of Jews of Colmar, Bergheim, Horbourg, Wintzenheim, Herrlisheim, Voeglinshoffen, Hattstatt and many other communities in connection with the tax to cover the expenses incurred by the deputies to the Sanhedrin called by Napoleon I.[290] On June 2, 1808 the Jews of Colmar submitted a list of twenty-eight families residing there, of whom fifteen were designated as "poor," twelve as possessing "mediocre fortunes" and only one a "comfortable fortune." Fifty-two out of eighty-four Jewish families of Bergheim were designated as "poor" and eleven as possessing properties valued at 15,000 francs or more. Six out of thirty families of Horbourg were described as possessing from 5,000 to 20,000 francs each; all the others did not own enough even to feed their families. In Wintzenheim the Jews were classi-

[288] ". . . ceux qui ont le plus de fortune se trouvent taxés à des sommes modiques, tandis que le moins fortunée qui par son petit commerce, ou son industrie gagne à peine le plus nécessaire à son existence précaire y est impôsé à des sommes considérables . . ." (Original copy of a petition addressed in March 1807 to the Ministry of Finances. Documents, Alsace, No. 10, fol. 39–42).

[289] Documents, Alsace, No. 11, fol. 43–46, Nos. 28–29, fol. 76–83 (". . . de la somme totale d'environ 2592 frs. 90 c., celle de 827 frs. 70 c. a été mise à la seule charge de la veuve d'Emmanuel Dreyfus, et qu'on y a encore ajouté 41 frs. 40 c. pour frais de bureau. Cette veuve est chargée de dix enfants vivants. Sa fortune, il est vrai, est en bien de fonds." From the Wissemburg petition, *ibid.*)

[290] On the Sanhedrin-tax see Anchel, *op. cit.*, pp. 142–56.

fied in seven groups according to their wealth. Only one family was included in the first class — the richest of the community, four in the second class, sixteen in the third class, twelve in the fourth class, fourteen in the fifth class, seven in the sixth class, and fifty-six in the seventh class — all of them poor families unable to pay any taxes. Thirty out of forty-three families of Hattstatt were designated as "poor."[291]

The taxes that the Jews had to pay for the liquidation of the debts were larger than the consistorial and government taxes combined. Four hundred and twenty-eight Jewish heads of family who had lived in Alsace in 1791 paid 10,781.64 francs in government taxes in the year X (1801–1802). But in 1808 they had to pay more than double — 25,889.55 francs — for the liquidation of the debts. In the same year X, 261 Jewish families who originally came from the pre-1789 territory controlled by the city of Strasbourg paid 5,073.09 francs in general taxes and in addition 4,065.05 francs for the liquidation of the debts. According to a document of February 13, 1806 Jews of Alsatian origin still residing in the Upper Rhine department paid 20,878.81 francs, in the Lower Rhine department 37,306.75 francs, and in the Seine department 14,430.80 francs — a total of 72,616.36 francs in land, chattels and in license-taxes.[292] The regular consistorial budgets of both Rhine departments for the year 1812 amounted to 20,834,84 francs. For the year 1814 both consistories were ordered to collect an additional tax of 54,402.67 francs for the liquidation of the debts.[293]

In accordance with the decree of September 5, 1810, repeated by a prefectural order of Lower Rhine dated October 7, 1814 and approved on December 7, 1814 by the government, the debt was fixed — together with interest — at 217,610.67 francs. To repay it a special tax in four yearly instalments was to be effective from 1814 to 1817. The share of the Lower Rhine was 117.261.04 francs and of the Upper Rhine 100,349.63 francs. (The regular consistorial taxes were taken as the base for the new special tax.

[291] Documents, Alsace, Nos. 31–41, fol. 86–110.

[292] AN–F–19–1849; Documents, Alsace, No. 38, fol. 105–106; Z. Szajkowski, *Poverty and Social Welfare Among French Jews 1800–1880* (New York, 1954), pp. 11–12.

[293] Documents, Alsace No. 79, fol. 272–73.

In 1812 the regular consistorial tax was 9.607.84 francs for the Upper Rhine and 11,227 francs for the Lower Rhine.)[294] By the end of 1819, only 110,764 francs had been collected of which the Lower Rhine contributed 42,271 francs.

The decrees of May 30, 1806 and March 17, 1808, directed against the Jewish creditors of Christian debtors, were an obstacle in liquidating the debts owed by the former Jewish communities. Many Jews stated that by reason of these decrees they were unable to receive payment of the debts owed them by Christian debtors, and hence were unable to pay heavy taxes.[295] The prefect of Upper Rhine convoked an assembly on October 8, 1806 of twenty-eight Jewish leaders of sixteen local consistories in order to impose a tax to cover the expenses of sending deputies to the Jewish Assembly of Paris. Nine out of the twenty eight leaders refused to pay the tax because the decree of May 30, 1808 declared a moratorium on debts for which Christians were liable to them.[296] The invasion of 1814 and economic crises in 1814 and 1815 also made it impossible to repay the debts.

In 1817 the debt still owed to the heirs of Cerfberr amounted to 90,002 livres 5 s. 3 d. Of this sum only 49,232 livres represented principal, the rest unpaid interest.[297] According to a document of 1819 the total sum owed to all creditors was 193,855 livres, of which only 68,622 livres had been repaid by the end of 1819.[298]

[294] *Ibid.*, No. 2, fol. 3–4.

The division of former provinces into departments often brought out significant demographic and economic differences among Jewish communities. Thus, the number of small Jewish communities was greater in the Lower Rhine than in the Upper Rhine. The Jews of the Upper Rhine were considered wealthier than those of the Lower Rhine. Likewise, in the Sephardic center of Southwestern France the Jews of Landes (most of whom lived in Saint-Esprit) were considered wealthier than those of Gironde (most of whom lived in Bordeaux). Only three of the Alsatian communities where Jews were listed for the first time in 1806–1808 were located in the Upper Rhine; all the others were in the Lower Rhine. S. Posener, "The Immediate Economic and Social Effects of the Emancipation of Jews in France." *JSS*, I (1939), 283, and Alsatian Jewish censuses of 1784 and 1806–1810. See also Szajkowski, "The Demographic Aspects . . ."

[295] *Ibid.*, No. 6, fol. 9. Letter from Hombourg, treasurer of the liquidation commission, to the prefect of Lower Rhine, June 12, 1809.

[296] Ad HR, V 87.

[297] Documents, Alsace, No. 16, fol. 258.

[298] *Ibid.*, No. 1, fol. 1–2.

In time, only the debt owed to the heirs of Cerfberr remained outstanding. A ruling of the court of Strasbourg issued on August 30, 1823 set the amount of this debt as of July 1, 1823 at 57,351.34 francs plus interest. On January 27, 1825 the consistory stated that the debt could be paid only through a special tax of 96,168.58 francs. However, new difficulties arose. On March 28 and July 25, 1825 the Minister of the Interior pointed out that the *Conseil d'Etat* considered such a special tax illegal. The heirs of Cerfberr, however, disputed this decision and continued to demand payment of the debt. The consistory expressed no opposition to this action, claiming that it could not protect the interests of the former Jewish communities of Alsace, and that the defense of a decision of the *Conseil d'Etat* was not among its duties. On January 3, 1827 the King issued a decree which nullified the decisions of March 28 and July 25, 1825 and turned the whole matter over to the prefect of Lower Rhine again, with instructions to act in accordance with the decree of September 5, 1810. The prefect then ordered the Jews to collect a special tax for repayment of the debt.

Forbin des Issarts, the deputy of the Vaucluse department who spoke out in favor of the Christian creditors of his department, stated that the government had rejected a demand by the Alsatian Jews for the nationalization of the debts owed by them.[299] But, if we are not mistaken, there was never any demand for the government to take over the debts of the Alsatian Jewish communities. Perhaps, this was due to the desire on the part of the Alsatian Jews to let nothing interfere with their struggle for emancipation and with their opposition to the decree of September 28, 1791 which stopped the regular repayment of the debts owed by peasants to them.[300] Or, perhaps it was because the creditor Cerfberr, to whom the largest debt was owed, and who was the principal Alsatian intermediary in the struggle for equal rights for Jews, had some reason of his own for not wanting the government to assume responsibility for the debts. The nationalization of these debts would clearly have

[299] Issarts, p. 4 (see Bibliography, No. 107).

[300] Z. Szajkowski, "The Law of September 28, 1791 on Jewish Creditors in France." *Zion*, XVII (1952), 84–100 (in Hebrew).

been a blow to the economic interests of the Cerfberr family. Much later the Alsatian Jewish consistories advocated not the nationalization of the debts but the rejection of their creditors' claims, on the ground that the Jewish *Nation* which had borrowed the money ceased to exist during the Revolution. This thesis was sustained in a brief submitted on November 11, 1834 by the three lawyers, E. Martin, L. Liechtenberger and L.-L. Michaux-Bellaire, and supported by the jurist J.-F. Rauter. They argued that Cerfberr's heirs could not ask for repayment of the debt because the loan was arranged through the Jewish *Nation* which had been legal before the Revolution, but had been dissolved thereafter, and hence no organization was legally responsible for its debts. Furthermore, the Jewish consistories in Alsace were associations founded in 1808 that dealt only with religious matters. According to the decrees of March 17, 1808 and 1810, the Alsatian consistories had taken over the work of the special commission for the liquidation of the debts, but the functions of the two departmental Alsatian consistories were specifically defined by the decree of March 17, 1808 and these did not include any of the functions of the *Nation Juive* as it existed before 1789. Therefore the consistories were not legally responsible for the affairs of the *Nation*. Neither could new taxes based on the decree of 1810 be levied, because this decree had a specific time limit. A similar position was taken by the attorney Paul Fabre in 1851, when he submitted a brief on the Cerfberr debt.[301]

[301] *Consultation*, pp. 18–19 (see Bibliography, No. 124); "Note Consultative. Pour le Consistoire israélite de la circonscription de Strasbourg. Créance Cerf Berr sur l'ancienne communauté juive d'Alsace. Paris, 15 août 1857." Signed: Paul Fabre, avocat au Conseil d'Etat et à la Cour de Cassation (ZS).

Edouard Martin was a well known Alsatian jurist and republican leader who defended the cause of revolutionaries. For his opposition to the regime of the Second Empire he was sentenced himself. Louis Liechtenberger was an Alsatian jurist and republican of the same school. During the Revolution of 1848 he became commissioner for the Lower-Rhine and was elected a deputy. In 1851 Louis-Léon Michaux-Bellaire became professor of law at Strasbourg University. Jacques-Frédéric Rauter was president of the Strasbourg bar association, professor of law from 1825 on and dean of the faculty from 1837 on (Sitzman, II, 169–70, 252, 296, 506).

Among other lawyers, who defended requests by Jews against paying taxes

In the 1850's the heirs of Cerfberr presented new requests for repayment. The position of the Jewish consistory was stated in a petition of December 23, 1855, addressed to the prefect: (1) Laws on financial matters are not abstract and do not apply to unlimited periods, but cover specific financial matters for a limited time. The decree of December 27, 1806 authorized a tax to liquidate the debt which was fixed precisely at 182,645 francs. The tax was paid and the decree then became void. No new taxes could be levied on the legal basis of this decree. (2) Nineteen Alsatian Jewish communities were taken away from France by the Treaties of 1814 and 1815. Since the Jews of these communities were now foreign nationals, they could not be expected to pay taxes in France, unless the French Ministry of Foreign Affairs could obtain from the nations of their residence promises to require them to do so. To force the remaining Jewish communities in France to pay the share of the tax of these nineteen communities would be contrary to the tradition of French jurisprudence in such matters. (3) Since the Alsatian Jewish *Nation* was dissolved during the Revolution, there was no collective Jewish responsibility for the debts.[302]

All this became even more complicated as a result of conflicts among Cerfberr's heirs themselves. Some heirs were converted to Catholicism,[303] others sold their claims to the debts. Most of the notes originally held by Cerfberr and his heirs were bought up by Louis and Achille Ratisbonne, two brothers who were

for the liquidation of the debts, were the famous republican leader Odilon Barrot and Jean-Baptiste Darrieux in a case of Avignon taxes (1821), De La Grange in a case of Metz taxes (1823), Lassis in a case of Alsatian taxes (1827), Bonjean, Dumont and Frignet in cases of Metz taxes (1845 and 1850). Halphen, pp. 356–80.

[302] Documents, Alsace, No. 50, fol. 140–71.

[303] Among the converted members of the Cerfberr family were: Louis-Marie-Théodore Ratisbonne (1802–1844) and Marie-Alphonse Ratisbonne (1812–1884), sons of the Jewish leader August Ratisbonne, himself a son-in-law of Cerfberr. Both became active anti-Jewish Catholic leaders. On August and Louis Ratisbonne see *Rég.*, I (1836), 93 and Benoït-Lévy, in *AI*, XVI (1855), 258. For a bibliography of pamphlets on the converted Ratisbonne brothers see Louis Wilhelm, *Bibliothèque Nationale et Universitaire de Strasbourg. Catalogue de la Section Alsacienne et Lorraine* (Strasbourg, 1912–23), II, 264.

leaders of the departmental consistory of Lower Rhine.[304] After Louis Ratisbonne died, his heirs, through the Strasburg attorney Meyer, demanded that they be paid the Cerfberr debt, which amounted to 222,168.58 francs (96,168 principal and the remainder, interest which had accumulated since January 6, 1824). The consistory accused the creditors of speculation (*spéculations des créanciers*) and proved that L. Ratisbonne had bought up notes for 56,468 francs in the name of one of his employees, and actually paid only 36,923 francs for them. The attorney Meyer could not deny the accusations and it raised a storm of protests. In 1859 Achille Ratisbonne gave up his claim to a share of the debt after setting certain conditions. According to one document, he relinquished his claim only to that money which the Jews of Lower Rhine would have had to pay him, but not to the money which the descendants of Lower Rhine who now lived in other departments would have to pay. He explained that the money he would get from these people, would be distributed as charity to Alsatian Jews.

In 1857 the consistory of Upper-Rhine called a conference of all communities. On March 26, 1858 the prefect of Upper Rhine permitted the consistory to initiate legal action against the Ratisbonne heirs. This action was to be based on three grounds: (1) That part of the debt which was due in 1814 from the Jews of the communities taken away from France in 1815 should be deducted. (2) In accordance with the Napoleonic code, interest need only be paid for five years. (3) The consistories were in a position to demand the nullification of the whole debt. The prefect of the Lower Rhine, however, did not permit the consistory in his department to take such action and in 1865 the council of the prefecture ruled that the Jews must pay 51,774.46 francs to the Ratisbonne heirs, interest not included. One year later the consistories agreed to accept these terms. Cerfberr's heirs, however, demanded a high rate of interest which would have doubled the amount. In a circular dated July 25, 1866 the consistory referred to the debt as amounting to 90,000 francs. *L'Univers Israélite* wrote that Cerfberr's heirs purposely did not accept payment of the whole debt, so that huge sums in interest

[304] On the Ratisbonne brothers see notes 241, 303.

could accumulate. The Alsatian debts were actually never paid. At the end of 1869, and the beginning of 1870, the Ministry of the Interior and the prefecture of Lower Rhine were still considering the organization of a new commission to liquidate the debts. On November 20, 1869 the prefect of Lower Rhine complained that the Jewish consistory of Upper Rhine refused to cooperate, and although the consistory of Lower Rhine was well-disposed, nothing was achieved because of the collective responsibility of all the Alsatian Jews. On February 10, 1870 the heirs of Louis Ratisbonne wrote to the Minister of the Interior about the collection of the debts owed to them. In 1871–72, after the annexation of Alsace by Germany, many Jews left the province. It became so difficult to collect community taxes from Jews whose ancestors had lived in Alsace at the beginning of the Revolution, that the whole matter of the debts was forgotten.[305]

[305] Documents, Alsace, No. 78, fol. 270 (a letter written on July 30, 1867 by the Upper Rhine consistory); Bibliography, Nos. 125–36. For the chapter on the Alsatian debts the author used also a collection in the Ad Lower Rhine, series V.

On the liquidation of the debts see also: J.-B.-A.-A.-Ch. Sirey, *Recueil général des lois et arrêts* . . . (Paris, 1812–1843), I–XLIII (1800–1843); Desiré, Armand et Edouard Dalloz, *Jurisprudence générale* . . . (Paris, 1825), and later publications; Félix Lebon et Germain Roche, *Recueil général des arrêts du Conseil d'Etat . . . depuis l'an 8 jusqu'à 1839* . . . (Paris, 1839–46). 7 vols.

XXIII. THE MIGRATION OF JEWS AND ITS EFFECT ON THE LIQUIDATION OF THE DEBTS OF THE COMMUNITIES THEY LEFT

The Jewish communities invariably took action against Jews who tried to emigrate without paying their share of the collective debts. To cope with attempts to evade fiscal responsibilities, in 1558 the Carpentras community forbade Jews to spend more than fifteen days out of town without special permission. As late as 1779 the Avignon community prohibited emigration, except to Palestine,[306] and tried to compel its former residents who had settled in Bordeaux to pay their share of the community's debt.[307] On April 18, 1789 the Jewish community of Avignon imposed a tax of ½ per cent on the wealth of Manuel Astruc and Jonathan de Sozia, two Avignonese Jews of Bordeaux, which was estimated to be 50,000 and 12,000 livres respectively.[308]

[306] Baron, *op. cit.*, II, 15.

[307] Bibliography, Nos. 82–83. The Sephardic *Nation* of Bordeaux could not compel the Avignonese Jews of Bordeaux to pay the debts. On this occasion the *Nation* expressed its traditional hatred of "foreign Jews." In the *Nation*'s minutes of Dec. 31, 1724 it was noted: "Il a estte represantté que le deputté de la communautté des Jeuif davignon qui est a Bordeaux a la poursuitte d'un proces contre sertains particuliers establis dans cette ville natif du did avignon soistet estre soutenus par le Corps des portugais establis en cette ville, en conformitte des ansiens privilleges quil a pleu au Roy de confirmer dans la poursuitte du dit proces et les faire entrer dans les arrangements que la ditte communautte des Juifs davignon a pris pour obliger ces pretendeus debiteurs a leur payer, et comme il est sertain que les avinones nont jamais estte dans le Corps des portugais nous avos rejette l'idée qui a estte proposée, et nous prions les sindugs prepossez pour avoir soin des nos pauvres de faire savoir a ceux des portugais qui ne se sont paz trouves dans la presente assemblée qu'il est de nostre devoir, et de nostre interest de ne prandre aucune part dans les differents des ditz avignonez, et moins encore dans leurs pretendues arrangements, que nous regardons comme une chose estrangere et dans laquelle nous ne devevons entrer de paz unne facon . . ." (No. 33, fol. 12). On the conflicts between the Sephardim and the Avignonese Jews of Bordeaux see Z. Szajkowski, "Relations . . ."

[308] Ad Vaucluse, E, Gaudibert's notarial acts, 1789, fol. 558.

Still, many rich Jews emigrated and it became increasingly difficult for their old communities to collect enough taxes to repay collective debts. During the Revolution this situation became even more serious for the communities which were losing their population to other areas. Prior to the Revolution, when the Jews could not settle everywhere, they were restricted to a small number of communities. The Revolution authorized the Jews to move from one community to another and to settle freely in any part of the country.[309] In the first years of the Revolution a large number of Jews emigrated to other communities and the leaders of the communities they left were disturbed by the thought that the burden of the communal debt would have to be distributed among the remaining Jews only. Even earlier, when the Jewish community of Carpentras had to cover a part of the expenses of the Rome community, a city official wrote on September 5, 1788 that forty out of 226 Jewish families had already left for France.[310] Because of the persecutions against Jews prior to the Revolution and the bloody conflicts in Avignon and Comtat Venaissin in 1789–1793, a larger number of Jews, especially the rich, emigrated to France. Non-Jewish public opinion, because of fears of losing capital and commerce as a consequence of the Jewish emigration, favored an improvement of the status of Jews. On June 21, 1789 the city council of Carpentras rejected by a secret vote of twelve to eight a proposal to ask the Pope to ameliorate the Jews' status in order to discourage their emigration.[311] This sentiment in favor of keeping the Jews in Carpentras was even more openly expressed in public debates and pamphlets during the Revolution.[312]

[309] *Observations*, p. 17, see Bibliography, No. 104.

[310] Calvet, 5938, p. 464.

On the eve of the Revolution many rich Jews sold their houses. On Dec. 18, 1788 Abraham de Monteux (called Aron the elder) of Avignon announced the sale of his houses and apartments for 25,000 livres (Prévot, *op. cit.*, pp. 10–11). According to a census of May 19, 1789 forty-two Jewish families of Carpentras shared apartments with 2 persons per "house," thirty-two — with 3, thirty-one — with 4, thirty-four — with 5, twenty-one — with 6, fifteen — with 7, thirteen — with 8, five — with 9, two — with 9 or more (AIU, R 43, p. 144).

[311] Am Carpentras, BB 264, June 21, 1789.

[312] [J.-J-C-V. Raphaël, or Cottier-Julian,] *L'enfant du patriotisme* [Car-

The first important proposal for the annexation of the Papal province by France, which was made in 1789 by the deputy from Aix-en-Provence, Charles-François Bouche (1737–1795), contained a provision that no Jews should be allowed to leave the papal province before paying their part of the communal debts.[313] On March 22, 1791 a delegation of Carpentras requested that the city adopt measures to prevent rich Jews from leaving. The delegation was apprehensive that those remaining would have to bear the burden of supporting the poor and paying off the old debts. The rich Jews, however, left Carpentras in April, after selling their clothing and jewelry. On July 17, 1791 the Jews petitioned the city council for permission to arrange a meeting of Jews of Carpentras origin to be presided over by a member of the city council. The council granted the petition and requested the city councils of Montpellier, Beaucaire, Bagnol, Orange, Nîmes, Arles, Tarascon, Aix, Pont-Saint-Esprit, Carcasonne, Pézenas, Aramont and other places where Jews from Carpentras had settled to announce that such a meeting would take place in Carpentras on August 20, 1791. At the meeting it was decided that the Jewish community of Carpentras would organize itself in three sections (Carpentras, Aix and Nîmes) for the purpose of repaying its debts.[314]

pentras, 1789.] 13 pp.; F.-R.-Ch.-J. Cottier, *Dialogue.* [Carpentras, 1789.] 15 pp.; *Demandes et doléances de la ville de L'Isle* (n. p., n. d.), p. 10 (a pro-Jewish demand in connection with Jewish emigration); Ad BdR, L 1991 (statement by Barbeau on the Jewish emigration, July 11, 1793); Am Avignon, 1–II–40; "De l'état des Juifs dans le Comtat Venaissin, avant et après 1789." *AI*, I (1840), 290–91, 652.

[313] Charles-François Bouche, *De la restitution du Comté Venaissin . . .* (Paris, 1789), chap. X, pp. 39–40.

[314] *Copie de la Supplique*, see Bibliography, No. 84; Columbia, X893C–C22, vol. 2: "Voyant notre communauté se dissoudre par l'effet des lois qui les supprimaient toutes, la municipalité de Carpentras, par sa délibération du 17 juillet 1791, résolut de prendre des mesures pour que les membres puissent se libérer, avant d'être affranchis des obligations communales par l'entière dispersion du corps. En conséquence, elle fit une proclamation pour tous les juifs étrangers qui faisaient partie de la communauté, et la fit publier et afficher à Aix, Nîmes, à Montpellier, &c, &c, par le canal des autorités locales. Cette proclamation invitait les juifs résidant dans ces villes à se rendre à Carpentras, pour se concerter avec ceux qui étaient restés sur les moyens d'acquiter la dette commune. En conséquence des ces mesures, et

Abbot Maxime de Pazzis noted in his report of 1808 on the Vaucluse department, which was formed in 1791 from the former papal province of Avignon and Comtat Venaissin and the principality of Orange, that only the poorest Jews remained in the department.[315] Of about 2,000 Jews living in Vaucluse

d'après la direction donnée par l'autorité, il fut envoyé des députés de part et d'autre, et l'on conclut enfin un traité, d'après lequel la communauté se composait à l'avenir des trois sections de Carpentras, d'Aix, et de Nismes, qui avaient chacun un syndic et un trésorier, et qui devaient contribuer au paiement des pensions et arrérages dûs par la communauté, et successivement à l'extinction des capitaux, d'après une certaine proportion. Ce traité s'executa pendant quelques années, jusqu'à ce que les évènemens de la révolution eurent tout boulversé."

[315] Maxime Pazzis [Abbé Maxime de Séguin de Pazzis], *Mémoire statistique sur le département de Vaucluse* (Carpentras, 1808), pp. 186–87: "Le plus pauvres seulement sont restées dans le département de Vaucluse."

During the Revolution and in later periods, the poor Jews of the Carpentras ghetto moved to the upper floors of houses of rich Jews who had left the ghetto for other parts of France. According to a petition sent on November 7, 1797 by Escoffier the elder, commissioner of the *Directoire Exécutif* of the city council, Jewish thieves had plundered the ghetto, but the Jews refused to denounce them. Escoffier, whose petition was strongly anti-Jewish, proposed to destroy the upper three or four floors of the Jewish houses. Am Carpentras, Rév., No. 217, reg. 1, fol. 5–4. The petition was published as a pamphlet with an anti-Jewish introduction: *Le Commissaire du Directoire Exécutif près l'administration municipale du canton de Carpentras à ladite administration.* [Signé: Escoffier aîné] (n. p., n. d.). 8 pp. During the old regime the Jews of Carpentras found a means of expanding the restricted area of their ghetto by building the highest houses in town, most of them of nine and ten floors (Am Carpentras, Rév. 44, fol. 50). In 1786 the Jews were forbidden to send up supplies to upper floors by baskets attached to cords, because people were injured by accidental tumbling of the baskets (*Ibid.*, FF–19, fol. 27). Soon they were forbidden to build their houses higher than eight floors, so as not to exceed the heights of the cathedral. The ghetto became so crowded that a group of Carpentras Jews asked for permission to settle in a new ghetto in Avignon and to build their own synagogue there. On November 22, 1777 the City of Avignon rejected the demand by a vote of twenty-two to one, probably because of strong opposition by the Avignonese Jews. Am Avignon, minutes, 1776–1778, fol. 161–64 and G 23; J. Bauer, "Un projet d'établisssement d'un second ghetto à Avignon (1777)." *REJ*, LII (1906), 304–07; Chobaut, *op. cit.*, CI, 8. On Sept. 20 and Dec. 24, 1800 the city council of Carpentras wrote to Jassé Crémieu, Abraham Alphandéri, Salomon Haïn Crémieu, Joseph Mossé and Mardochée Mossé who had left Carpentras for Montpellier, Nîmes, Aix and Marseilles, that their houses in the ghetto must be

prior to the Revolution only 631 remained in 1808. The percentage of non-Jews who had left the department was smaller. From 1836 to 1881 Vaucluse registered 100,000 new settlers, but during the same period 111,200 emigrated.[316] Twenty six out of the hundred and nine Jews who settled in Marseille between 1789 and 1808 were of Comtadin origin. According to one source, 219 Jews of Carpentras origin settled outside the community prior to the 1820's. Of this number, 106 left Carpentras prior to the Revolution of 1789 and 113 after 1789. Forty settled in the Gard department (mostly in Nîmes) prior to 1789 and forty-seven later; twenty-four before and forty-four after, in the department of Bouches-du-Rhône; sixteen before and eight after in the Hérault department; three before and nine after in the Seine department, six before and one after in the Alpes-Maritimes, etc.[317] Only a few wealthy Jews remained. In 1786 one Jew of Carpentras left an estate of 600,000 livres; another Jew then owned 100,000 livres and a third one over 150,000 livres. One year later a Carpentras Jew estimated his wealth at 728,000 livres. According to a list of April 6, 1794, three of the richest twenty families of Carpentras were Jewish. But according to a list of March 14, 1812, not one Jew was among the one hundred highest tax payers of Carpentras. According to a census of 1809, the wealth of 359 Jews who had remained in Carpentras was estimated to be 991,800 francs; of 106 Jews in Avignon — 262,100 francs; of 52 Jews in Cavaillon — 56,000 francs; of 22 Jews in L'Isle-sur-Sorgue — 120,000 francs. On the other hand, the wealth of 169 Jews who had emigrated from these four communities to Aix-en-Provence was set at 1,047,000 francs.[318]

repaired or completely destroyed. The same situation prevailed in Cavaillon. On June 12, 1806 the Mayor wrote to the prefect that most Jews had left Cavaillon for the department of Bouches-du-Rhône and the houses of the ghetto were in ruins (Am Carpentras, Rév. 48, fol. 18, 42; Am Cavaillon, reg. corresp. June 12, 1806). Only after the Revolution of 1830 did Carpentras Jews start to settle in houses outside of the ghetto (Bm Carpentras, Barjavel's notes, ms. 1217, fol. 166).

[316] Z. Szajkowski, "The Growth . . .," 180–183.

[317] AN, F–19–11008; Anchel, *op. cit.*, p. 37.

[318] Census of Jews in the regional consistory of Marseilles, 1809 (Jerusalem); Chobaut, *op. cit.*, CI, 11, CII, 38.

As another example one could cite the cases of Abraham Vidal of Carpentras

In a petition of August 31, 1789 the Jewish deputies of Metz appealed to the National Assembly to prohibit the emigration of any Jew from the ghetto before he had paid his share of the tax for the liquidation of the debts.[319]

In his report to the Council of the Five Hundred H.-A.-J. Chappuis asked how the Jews who had left the ghettos of Metz and Avignon could be compelled to pay special taxes levied by their former communities.[320] The commissions to liquidate the debts were authorized to tax Jews who had left their communities. New problems connected with liquidating the debts resulted from this decision, which produced a series of conflicts. On the other hand it created new ties uniting Jews all over France through a complicated system of special taxes.

In 1809 the commission to liquidate the Avignon debts decided to levy ten yearly taxes of 24,040.27 francs. Of this sum the the Avignonese Jews who had settled in Bordeaux were assessed 16,500 francs and the Avignonese Jews of other parts of France — 7,440 francs. It would appear that the commission tried to make the Jews who had left the community pay the major part of the tax. The Avignonese Jews of Bordeaux protested strongly in a pamphlet of 1818. Following are a few cases cited in it. Jacob Waidll came from Switzerland to Bordeaux and married a girl of Avignonese origin named Perpignan living there, therefore he was asked to pay the tax. Jossué and Elie Perpignan, two brothers of Avignon, settled in Bordeaux in 1718, where Jossué married a Sephardic girl named Lopes Dias. In 1818 their descendants were requested to pay the special tax for the liquidation of the Avignonese debts.[321]

According to a register of Metz debt-taxes for the period March 23, 1795 — August 26, 1798, the sum of 37,785.75 francs was paid by 1,036 Jews of whom only 478 still lived in Metz

and Carcassonne (Colombe Crémieu) of Avignon, who settled in Ales (Gard). In 1813 and 1817 they were ordered by the sub-prefect to pay their taxes for the liquidation of the debts of Carpentras and Avignon (Am Ales, II–J2).

[319] *Adresse* . . . 31 Août 1789 . . ., pp. 17–18.

[320] Chappuis, p. 9 (see Bibliography, No. 32).

[321] Bordeaux pamphlet of 1818 (see Bibliography, No. 103). Jacob Lion of Bayonne did pay his taxes to the Carpentras commission (according to his letters of March 1 and 19, 1822, addressed to the commission. JTS, 01529).

proper, 558 in other communities of the former Metz province, or in new communities, including Paris (11), Nancy (10), Lunéville (14), and Strasbourg (9). Jews of Metz origin who were assessed resided in sixty different communities, according to a document of February 2, 1802.[322] By 1811, 730 Jewish family heads of Metz origin, who were then assessed 25,005 francs for the debts, resided in 122 towns and villages.[323] In 1816, 826 descendants of Jews of Metz, then living elsewhere in France, paid 20,906 francs. In Metz itself only 176 Jews paid 4,874 francs.[324]

One important conclusion can be drawn from these facts: the rich Jews lived in the large cities while the small communities were composed mostly of poor Jews. Of the eleven Jews who

[322] Documents, Metz, No. 51, fol. 518.

[323] A total of 385 Jews resided in forty-two places in the Moselle department; 157 in twenty-four places in Meurthe; 69 in eighteen places in Lower Rhine; 9 in six places in Upper Rhine; 25 in five places in Meuse; 2 in two places in the Ardennes; 5 in three places in Marne; 30 in Paris; 1 family each in the department of Aisne, Basses-Pyrénées, Charente-inf., Côte-d'Or, Pas-de-Calais and Rhône; 2 in the Gironde and 26 in ten places in occupied German States.

[324] AN, F–19–1948. The number of Jewish families of Metz origin includes those of the communities in the former province of Metz.

In Metz the number of Jews did not rise as a result of emancipation in the same proportion as in Strasbourg, Nancy and other large provincial centers. Only twenty-nine new Jewish families settled in Metz between 1793 and 1806. The total number of Jewish families there decreased from 550 (3,025 persons) in 1789 to 503 in 1800 and 456 (2,186 persons) in 1806. The number of marriages dropped: twenty-one in 1798–1800 against forty-four in 1787–1789; and the number of births to one hundred eighty-two in 1798–1800 against one hundred ninety-nine in 1787–1789. On the other hand the population of the Jewish communities in the district of Metz increased from 447 families in 1789 to 550 in 1800, in spite of a decrease in the number of marriages and births in the district (21 marriages and 85 births in 1789 against 25 marriages and 111 births in 1788), and the rise of mortality (62 in 1789 against 48 in 1788). We may then conclude that during the old regime many Jews lived in Metz because they were not permitted to reside elsewhere. After the emancipation more Jews settled in the smaller communities around Metz than in this departmental capital itself. V. Colchen, *Mémoire statistique du département de la Moselle* (Paris, an X), pp. 54–55; *AI*, IV (1843), 640, XXIX (1869), 196; S. Posener, "Les Juifs sous le Premier Empire." *REJ*, XCIV (1933), 161–63. See also Szajkowski, "The Demographic Aspects . . ."

in 1811 paid the highest tax — 500 francs or more — nine resided in Metz and two in Paris, but not one of them in the smaller communities.[325]

[325] JTS, 01565. Many Jews left the city of Metz, but few of those who remained settled outside the ghetto. In the year X only 89 Jews in Metz resided outside of the ghetto. M. Liber, "Napoléon I et les Juifs." *REJ*, LXXI (1922), 129. In 1806, the prefect of Moselle wrote that since 1793 only 29 Jewish families had left the ghetto and settled in other parts of the city. To the Jews the streets outside the ghetto was an alien and fabulous world, called *the town* (Abraham Cahen, "Règlements . . ." *ASEJ*, I [1881], 97). Even after 1830, the other parts of the city were called *Mâqôm*. Szajkowski, *Poverty* . . ., p. 26.

See also Z. Szajkowski, "The Decline and Fall of Provencal Jewry." *JSS*, VI (1944), 31–54.

XXIV. THE ECONOMIC RESULTS OF THE LIQUIDATION OF THE DEBTS

The historian, Robert Anchel, attributed the belated liquidation of the debts to the lack of cooperation on the part of the Jews.[326] He overlooked the fact that these debts did serious damage to the economic status of the Jewish community as a whole and of each Jew individually.

Taxes to repay the debts provide valuable information on the Jews' economic status. The first conclusion which we can draw is that only part of the Jewish population was able to pay the taxes, and that, of those who did pay, most were in the lowest tax brackets. According to one list, 590 Jews of Metz were assessed 61,573 livres in debt-taxes for the years 1792 and 1793. Only eighteen of them paid 500 livres or more each; twenty one — from 300 to 500 livres; eighty nine — from 100 to 300 livres; one hundred and sixty — from 40 to 100 livres and three hundred and two — less than 40 livres. As the tax was fixed at the yearly rate of 1/1000 of each Jew's wealth, the property of the Metz Jews then able to pay taxes was evaluated by themselves at over 60,000,000 livres. This was an enormous sum, but most of the wealth was concentrated in the hands of a small group of rich Jewish families.[327]

[326] *REJ*, CIII (1938), 115, R. Anchel's review of *Histoire des Juifs de France des origines à nos jours* (Paris, 1937), by Léon Berman (p. 273 — debts).

[327] The eighteen Jews who paid 500 livres or more were: Hayem Wolf — 2,175 livres, 8 s.; Cerf-Goudchaux Halphen — 2,154 livres, 17 s.; Joseph D'anguy — 1,857 livres, 12 s.; Garçon-Samuel Lévy — 1,117 livres; Joseph Gougenheim — 1,070 livres, 19 s., 6 d.; Jacob-Meyer Cahen — 1,021 livres, 10 s.; Daniel Samuel and Ely Trenel — 940 livres; Nathan-Séligman Marly — 729 livres, 16 s.; Olry-Lyon Schwabe — 744 livres, 16 s.; Cerf Worms — 715 livres, 2 s., 6 d.; Lazard-Lyon Nordon — 701 livres, 12 s.; Simon-Cerf Cahen — 678 livres; Isaïe-Berr Bing — 628 livres, 16 s.; Jacob Brisac — 628 livres; V^ve^ Judat Lévy and heirs — 613 livres, 16 s.; Joseph Oulif — 568 livres, 1 s.; Lyon-Abram Berr — 508 livres; Mayer-Louis Schwabe — 506 livres (JTS, 01565). Isaïe-Berr Bing was one of the first and most active

The Metz tax of 37,784.75 francs for the period March 23, 1795 — August 26, 1798 was paid by 1,036 Jews. Of this number 524 paid less than 10 francs each, 347 from 10 to 50 francs, 88 from 50 to 100 francs, 66 from 100 to 500 francs and only 11 each paid 500 francs or more.[328] In a report of the year IX on these debts submitted by the prefect of Moselle, 90 per cent of the Jews were classified as poor.[329] For the year 1816 debt-taxes paid by 176 Jews still residing in Metz amounted to 4,874 francs. Of this number 12 paid 3 or 4 francs each, 68 paid 5–10 francs, 45 paid 11–25 francs, 37 paid 26–50 francs, 4 paid 51–100 francs and only 10 paid more than 100 francs each. In other parts of France 826 Jews of Metz origin paid the same tax.[330] A report submitted in 1839 by government tax officials on the economic status of 1,296 Jewish families who were required to pay the Metz debt-taxes described only 548 families as wealthy, 208 as fairly well to do, 170 as not well to do and 270 as without property or poor.[331]

In 1842–1843 a list of Jews of Metz was drawn up in order to impose on them a tax of 21,721 francs to liquidate the debts. Only those families who had material resources of 200 francs or more were required to pay this tax and it seems that strict control was exercised. The families on the list numbered 1,099, though the number that originated in Metz was much greater; the others were obviously too poor to pay the tax. One hundred four families were listed as having material resources of 200 francs, 251 from 250 to 400 francs, 104 — 500 francs, 144 from 600 to 900 francs, 377 from 1,000 to 3,000 francs, 91 from 3,500 to 9,000 francs. There were very few really wealthy Jews whose families originated in Metz: only twenty-one worth 10 to 25 thousand francs and seven worth more than 25,000 francs. In this connection we must emphasize that these wealthy Jews had

maskilim in France. See *Revue philosophique* (Thermidor, an VIII–4), 316–18; E. Tcherikower, "The Jewish Struggle for Right during the French Revolution." *JFrance*, II, 18–21.

[328] JTS, 01565.

[329] Ad Moselle, V 166.

[330] AN, F–19–1948.

[331] Ad Moselle, V 159; Szajkowski, *Poverty . . .*, p. 83.

all emigrated from Metz and settled in other parts of France. In Metz itself and the whole department of Moselle only 630 families were required to pay the tax. Here were concentrated the Jews of Metz origin who had little wealth; none of them was classified as having a wealth of 10,000 francs or more. The largest number of wealthy Jews from Metz lived in Paris, but Paris also had its share of poor Jews from Metz, since only 144 Parisian Jews were required to pay the tax. In 1853, a list was drawn up which included 1,662 families who originated in Metz. The wealth of all 1,662 families was estimated at 7,644,650 francs but the majority appeared to have modest holdings: 667 families — 1,000 francs and less; 751, from 1,200 to 5,000 francs; 135, from 6,000 to 10,000 francs, 96, from 11 to 50,000 francs; and 13, more than 50,000 francs. Paris alone, with 409 of the 1,662 families, had more wealthy Jews than all other parts of the country together. Thirteen families had material resources (2,205,000 francs) almost as great as 802 other families (2,419,750 francs).[332]

Seligman Birié, a poor religious teacher of Metz, paid a yearly tax of 39 livres. His mother, a widow without any resources, paid 21 livres 10 sols.[333] By way of comparison it should be noted that in 1831 the combined salaries of all the sixty-two rabbis and cantors in France amounted to 46,000 francs.[334]

A police document of 1808 on the debts of communities of Alsace estimated that there were 2,000 Jewish families in Lower Rhine. Of these, 650 were unable to pay taxes. The remaining 1,350 families were divided into four classes according to their wealth: 125 families in the first class, paying 4/10 of the tax; 270 families in the second class, paying 3/10; 405 families in the third class, paying 2/10 and 540 families in the fourth class, paying 1/10. In the village of Petit-Pierre, six Jewish families paid a total community tax of 20 francs in 1812, and for repayment of the debts 52.22 francs annually. In Hochfelden, 10 families paid 69 francs in community taxes, and 180.18 francs

[332] Ad Moselle, V 159, 166; AN, F–19–1948; Bibliography, Nos. 57, 72; Szajkowski, *Poverty* . . ., p. 10.

[333] Gerson-Lévy (see Bibliography, No. 139).

[334] Robert Anchel, *Notes sur les frais du culte juif en France de 1815 à 1831* (Paris, 1928), 60–62.

for the debts. There was a flood of petitions which asked relief from the tax for repayment of the debts. Most of them were from poor Jews, who submitted certificates from local mayors attesting that they were too poor to pay the tax. The commission for the liquidation of debts printed special forms, which, when filled out by the petitioners, certified that they were poor. Between February 22, 1816 and July 18, 1821, 298 Jews of Lower Rhine asked that their share of the tax to cover the debts be decreased or forgiven; of these requests only 98 were rejected.[335]

[335] Szajkowski, *Poverty . . .*, pp. 56–57.

XXV. THE DEBTS OF THE SEPHARDIC *NATION* OF BORDEAUX

The *Nation* of the Sephardic Jews of Bordeaux borrowed money not only for its normal budget of community activities, but also in order to buy protective Letters patent as a safeguard for the Sephardic Jews and to bribe high officials.[336] On July 11, 1758 Sara Mendes, the widow of Raphaël the elder requested repayment of a loan of 3,419 livres 19 s. 4 d. granted to the *Nation* by her late husband.[337] Jb. Pereire and his heirs were paid 400 livres in interest for a loan to the *Nation*.[338] On May 21, 1776 the *Nation* decided to seek a loan of 30,000 livres,[339] and on March 13, 1781 borrowed 12,000 livres from Abraham Pimentel, who on April 4, 1780 was elected one of its syndics. The following May 13 the *Nation* paid back 6,000 livres and the remaining 6,000 livres were converted into annuities of 525 livres to be paid to the syndic's daughter Esther Pimentel or to her heirs.[340] The annuities were insured by a mortgage on a parcel of land and a house near the Jewish cemetery (called Sablonat),

[336] On Dec. 14, 1693 the Marranos of Bordeaux, known as New Christians, presented the city 11,000 livres in bonds, with the proviso that their present would free them from paying special taxes for the hospital *St. André* (AmBx, BB, registre de la Jurade, 1693, fol. 29–30). In 1789 the *Nation* was taxed 9,406 livres 13 s. 4 d. for the city's *capitation* and militia taxes, which was paid by 160 of the richest Jews (AmBx, CC 1098). At the request of Jacob Rodrigue Pereire on Dec. 12, 1754 the Bordeaux *Nation* granted a loan of 6,690 livres to a person who could be useful to the *Nation* (Nation, fol. 45, (No. 444). In 1764, a group of fifty-two Sephardim of Bordeaux, who had opposed the financial and other activities of their *Nation*'s leaders, also protested against the various gifts: ". . . des pensions et des presens qu'ils font à qui bon leur semble" (Ad Gironde, Rauzan the elder's notarial minutes, 34, June 24, 1764).

[337] Ad Gironde, E, Rauzan's notarial minutes, July 11, 1758.

[338] Nation, No. 497, fol. 128, March 12, 1782.

[339] *Ibid.*, No. 441, fol. 114.

[340] Abraham Pimentel died on Jan. 20, 1787 (Am Bordeaux, GG 845, No. 1656).

which belonged to the *Nation*.[341] On November 2, 1781 the *Nation* borrowed 8,000 livres from its syndic Jacob Rodrigues Lima, subsequently converted into annuities of 640 livres, also guaranteed by a mortgage on the Sablonat property.[342] From 1778 to 1786 the Bordeaux *Nation* had to repay 33,000 livres for loans obtained in July 1777.[343]

As a result of the decree of January 28, 1790, which granted full citizenship to the Sephardim, the Jews of Bordeaux and Bayonne dissolved their *Nations* and most of the community's religious and social functions were taken over by philanthropic societies.[344] One of the duties of the Bordeaux *Société de Bienfaisance* was to pay annuities for debts owed by the former *Nation*. The Society paid the Pimentel annuities until November 13, 1793 and the Lima annuities until November 2 of the same year.

The Society was unable to maintain discipline within the community. In later years, when many Jews had forgotten the benevolent attitude of the Revolution towards Jewish emancipation, the Jewish leaders of the Bordeaux Society blamed the revolutionary events for the confusion in the community.[345] In a report submitted at a meeting of December 16, 1804 it was stated:

"Then came the Revolution, the religious groups were free, the Jews received the name and privileges of free citizens. This

[341] Nation, Nos. 477, 486, 492, fol. 125, 127 (Apr. 4, 1780, March 13, May 13, 1781).

[342] *Ibid.*, No. 541, fol. 138, Nov. 2, 1781.

[343] *Ibid.*, No. 450, July 9, 1777.

[344] The Society of Bordeaux was founded in 1738 and existed officially only until Apr. 13, 1809. J. Uhry, "Souvenirs israélites de Bordeaux." *AI*, LIII (1892), 262–63. A few other Jewish societies existed in Bordeaux. On October 5, 1792 Abraham d'Elie Julian bequeathed 250 livres to the *confrèrie Tipheret Bahurim* and 300 livres to the *confrèrie Gamilut Hazidim* (Am Bx, GG14, p. 86). In 1803 another society was founded: *Règlement de la Société de bienfaisance de Tob-Lacol ou Bonne envers tous, fondée en 1803* (Bordeaux, 1851). 18 pp.

[345] This happened in many communities, e. g. in Carpentras. In 1816 the Carpentras commission to liquidate the debts petitioned Louis XVI: "Dès le commencement de cette révolution que S. M. a si heureusement terminé" (Columbia, X893C–C22, vol. 1).

was an expensive benefit which was paid for by much suffering. From that moment on our taxes were abolished. This was a good thing for every one of us individually, but a misfortune for our institutions. The functions of the syndics diminished to activities of an internal character and they lost their authority. Taxes were not paid. Our institutions were disrupted and it became urgent to save everything through a free contribution for our philanthropic Society."

In 1792 J. Rodrigue, Alexandre jr., J. and J. Pereyre, and Rodrigues the elder were elected administrators of the Society. At the end of 1792 they called a general assembly of the Society, but only a few Jews were present. They demanded that the administrators perform their function and advance to the Society the funds necessary for the continuation of its normal activities. Rodrigues advanced 6,000 livres to the Society, mostly for charitable distribution to paupers. But then came the Terror:

"In vain did he [Rodrigues] try to collect taxes; few people paid their taxes. It seems that the political events occupied everybody's minds and closed their hearts. Soon came the storm of the Revolution [Terror]. All useful institutions were smashed by the events of the general struggle."[346]

The Society ceased its activities and became a debtor of 10,000 livres to Alexandre and of 600 livres in *assignats* to Pereyre. It also owed 300 livres to the druggist Cadilhon and 240 livres to a butcher for medicines and meat distributed to the poor,[347] 250 livres to the syndic Lévy, 800 to the syndic Pereyre. In 1804 the Society owed 5,180 livres in unpaid annuities to Pimentel's heirs and 4,964 livres to Lima's heirs. Pimentel's heirs accepted a settlement of 2,590 livres; Lima's heirs demanded the immediate payment of 1,964 livres and the remaining sum within four years. The Society also owed 1,500 livres to Fonseca, who went to Paris in order to fight the nationalization of the

[346] Minutes of the Society (Jerusalem); S. Szajkowski, "Notes on the History of French Jews," *Davke*, No. 24 (1955), 243–56 ("The First Assembly of the Bordeaux Jewish Community after the Revolution of 1789," in Yiddish).

[347] The name of Dominique Cadilhom, born in Mont-de-Marsan, is mentioned in the Bordeaux calendars from 1781 till 1800. He died on July 16, 1800 at the age of 75 (Am Bx, 3–E–56, No. 725).

Jewish cemetery.[348] Alexandre, Fonseca and Pereyre agreed to accept in repayment only half of the debts owed to them. But there was no income. In 1791 the Society had leased the Sablonat property to the Christian Avenel, who not only refused to pay the rent, but had, in 1803, asked the sum of 1,200 livres for guarding the house. After long preparation the Society held a meeting on June 29, 1803, at which the Sephardic and Avignonese Jews of Bordeaux were present. New by-laws were accepted with the principal aim of repaying the debts. Those able but refusing to pay a tax of 12 livres were denied burial in the Jewish cemetery. The minutes of the first meeting were signed by 155 family heads. At another meeting of December 16, 1804 it was announced that a tax of 7,296 livres had been collected. Only 9 families paid over 100 livres or more, 17 — from 65 to 100 livres, 112 — from 24 to 50 livres and 84 — from 12 to 20 livres.[349]

* *
*

The Jewish communities in the occupied territories also had to pay debts. In 1810 the Community of Turin had debts amounting to more than 100,000 francs; the Community of Montferrat (department of Marengo), more than 170,000 francs. The Communities of Parme and Plaisance also had large debts.[350]

A large number of Jewish communities had to repay smaller debts dating from before the Revolution or from a later period.

[348] According to one document Fonseca spent 3,038 livres in the fight against the nationalization of the cemetery. Of this sum 362 livres was paid to lawyers, including 240 livres to Beaufleury (Jerusalem).

[349] See note 346.

[350] Decrees of Oct. 22, 1810 (on the liquidation of the Turin debts) and of Apr. 19, 1811 (on the liquidation of the Monferrat debts), AN, F–19–1847; Bibliography, No. 137.

In Piemont a privilege renewed every ten years, known as *Casaca*, protected the tenants of the ghetto against their landlords. The privilege was not renewed in 1806 and the Italian deputies to the Sanhedrin demanded the abrogation of the collective responsibility of the Jewish communities to landlords because the communities no longer existed. AN, F–19–1847.

According to a document of the Lower Rhine consistory dated March 18, 1831, sixteen Jewish communities owed 18,359.60 francs for debts contracted in order to construct their synagogues.[351] The Jews of Paris, too, had debts.[352]

[351] Bischheim owed 500 francs, Dettviller — 1,200, Epfig — 4,200, Gerstheim — 3,000, Haguenau — 60,670, Hochfelden — 1,100, Marckolsheim — 400, Mütersholz — 995, Mutzig — 1,027.65, Saarunion — 100, Saverne — 1,000, Schirhofen — 11,300, Soultz-sous-Forêts — 13,000, Schweighausen — 2,000, Schwindratzheim — 5,000, Wittersheim — 500. In the Upper Rhine in 1831 the community of Wintzenheim still owed 5,021 francs, Guebwiller — 1,700, Herrlisheim — 50, Wittersdorf — 300, according to a report of Jan. 16, 1831 (Documents, Alsace Nos. 4–5, fol. 7–8).

[352] "une des questions les plus importantes dont le Consistoire Central et Départemental ont eu à s'occuper depuis la révolution est, sans contredit, celle qui touche la libération des dettes du Temple." Leaflet of the Central Consistory, dated Dec. 15, 1837 and signed by M. Cerfberr, 1 p. (ZS). The central consistory owed a certain sum to rabbi David Sintzheim. On Nov. 28, 1816 the consistory paid 1,800 francs to his heirs (Documents, Alsace, Nos. 88–89).

XXVI. CONCLUSIONS

The debts owed by the Jewish communities were contracted to pay oppressive sums wrested from them under the old regime because of anti-Jewish restrictions. The creditors were Christians.

The autonomous Jewish communities, then largely agencies for collecting taxes, were carefully controlled by the authorities. However, through these communities the Jews were often able to defend themselves against encroachments upon their hard-won but limited rights. In the course of the fight for Jewish emancipation during the revolutionary period the autonomous Jewish communities were violently attacked as contrary to the spirit of the new regime. The Jews were granted full citizenship on condition of giving up all autonomous privileges and accordingly the Jewish communities were dissolved.

The Jews requested that the debts be nationalized and repaid by the government. This was a justifiable demand, because all other autonomous *corporations* had been dissolved, their properties confiscated and the debts owed by them assumed by the government. The Jewish communities were no different from other dissolved corporations. The Christian creditors of the Jews, fearful that the government would refuse to repay them, fought bitterly against the Jews' demand. They relied on a long complicated series of legal arguments which the legislative authorities of the revolutionary regime could easily have dismissed. In fact, many legislative leaders strongly favored the nationalization of the debts. However, the government's reluctance to repay the debts from public funds was reinforced by unfavorable and mistaken decisions of judicial bodies, to whom the matter was referred. The legislative authorities and the government had sound legal basis for ruling by decree that the Jewish communities were in the category of *corporations*, which were dissolved prior to the emancipation. However, it acted otherwise and thus forced the Jews to continue to exist as communal groups. The Jewish commissions appointed for the

purpose of liquidating the debts continued most communal activities of the dissolved communities.

The government's refusal to nationalize the debts saved over a million livres for the Republic's treasury, but at the cost of hardship to the Jews. Of course, the commissions to liquidate the debts helped to retain communal ties among the Jews and to preserve their group existence, until the official reconstitution of Jewish communities during the First Empire. However, historians and partisans of the Revolution must view the government's action as incompatible with the aspirations of the new regime. For this error only the authorities — and not the Jews — are blameworthy. The Jews argued eloquently for the nationalization of the debts and thus for the complete abolition of their officially dissolved communities. But they lost.

The Revolution thus followed the pattern of the old regime and of many other countries: on the one hand, it dissolved autonomous Jewish communities, and, on the other, it forced them to remain in existence for taxation and other administrative purposes.

APPENDIX I

DEBTS OF THE JEWISH COMMUNITIES IN FRANCE

A Bibliography of Pamphlets and Printed Documents

I. DEBTS OF THE JEWISH COMMUNITIES OF METZ AND THE METZ PROVINCE

1. *Monseigneur, le Conseil est informé qu'il a plu au Roi d'établir depuis peu sur chaque famille juive, un droit appelé de Manance* . . . (n. p., n. d.). 1 p. fol.

On the Brancas tax.

2. *Mémoire pour la communauté des Juifs établis en la ville de Metz. Contre les prétentions de Monsieur le Duc de Brancas* (n. p., n. d.). 3 pp. fol.

3. *Sur la Requeste presentée au Roy en son Conseil par la communauté des Juifs estably à Metz* (n. p., n. d.). 2 pp. fol.

Petition against the Brancas tax.

4. *A Monsieur l'Intendant. Supplient humblement les élus de la communauté des Juifs de cette ville* ([Metz], n. d.). 1 p. 4°.

Ordinance of Feb. 7, 1724 on the taxes to be paid by the provincial Jewish communities, signed by the Intendant [Jean-François] de Creil. See also Nos. 5, 7–10.

4a. *L'an mil sept cens cinquante-quatre le* . . . [Metz, 1740.] 1 p. 4°.

Formular for taxes.

5. *Etat de la taxe fait par les syndics de la communauté des Juifs de Metz, sur les Juifs habitans dans les lieux de la Généralité d'icelle pour le recouvrement des deniers à aider à la somme de vingt mille livres que ladite communauté est obligée chaque année*

à Mrs. les Ducs de Brancas & Lauragois ou autres, par don du Roy du 4. Avril 1743 . . . (n. p., n. d.). 3 pp. fol.

See Nos. 4, 7–10.

6. *Au Roy.* [Signé: Me. de Serionne, avocat] (n. p., 1745). 3 pp. 4°.

Petition against the Brancas tax.

7. *Etat de la taxe faite par les syndics de la communauté des Juifs de la Ville de Metz, sur les Juifs habitans dans les lieux de la Généralité d'icelle, pour le recouvrement des deniers à aider à la somme de vingt mille liv.*[*res*] *que ladite communauté est obligée chaque année à Mr. le Duc de Brancas & autres; qu'il sera payé chaque quartier d'année par les collecteurs nommez* (n. p., n. d.). 2 pp. fol.

Together with an ordinance of Dec. 11, 1742 signed by the Intendant Jean-François de Creil. Was published periodically, see Nos. 4–5, 8–10.

8. *Etat de la taxe fait par les syndics de la communauté des Juifs de la Ville de Metz, sur les Juifs habitans dans les lieux de la Généralité d'icelle, pour le recouvrement des deniers à aider à la somme de vingt mille livres que ladite communauté est obligée chaque année à Mrs. les Ducs de Brancas & Lauragois ou autres, par don du Roy du 4. Avril 1743 à commencer le premier Janvier 1746* . . . (n. p., n. d.). 3 pp. fol.

Together with an ordinance signed by the Intendant Jean-François de Creil of Dec. 27, 1752. See Nos. 4–5, 7, 9–10.

9. *Etat de la taxe fait par les syndics de la communauté des Juifs de la Ville de Metz . . . lesquelles-dites taxes seront payées par les collecteurs préposés* . . . (n. p., n. d.). 3 pp. fol.

Together with an ordinance of Feb. 2, 1763 signed by the Intendant Jean-Louis de Bernage. See Nos. 4–5, 7–8, 10.

10. *Etat de répartition faite par la communauté des Juifs de la Ville de Metz, de la somme imposée aux Juifs établis dans l'étendue de la Généralité de ladite Ville, pour subvenir, conjointement avec ladite communité, à l'acquit des charges & impositions auquelles elle est attenue* . . . (n. p., n. d.). 3 pp. fol.

Dated May 20, 1772 and signed by the syndics Joseph Lambert, Samuel-Jonas Lévy, Alexandre-Salomon Cahen, Cerf Godechaux, Judith Schwab,

Louis Trenel, Lyon de Mayence, Elie C[G]ompetz, Mayer-Godechaux Cahen. Together with an ordinance of Nov. 9, 1772 signed by the Intendant Charles-Alexandre de Calonne. See Nos. 4–5, 7–9.

10a. [Petition addressed to the King by the Jewish community of Louvigny, on a conflict with the communities of Phalsbourg, Mettebouné [?], etc. 1779. According to a petition of the Metz community, 1792. JTS, 01528.]

11. [An approval of the tax of the Jewish community of Metz for the period of four years. Dec. 24, 1789. Signed by Jean de Pont [Depont.] (n. p., n. d.). 1 p. fol.
Without a title. See No. 20.

12. *Mémoire pour les Juifs de Metz, concernant une redevance de 20,000 livres qu'ils payent annuellement au Duc de Brancas, sous le titre de droit d'habitation, protection & tolérance.* [Signé: Louis Wolff, Député des Juifs de Metz & des Trois Evêchés] (n. p., [1790]). 8 pp. 4°.

13. [Jacques-François-Laurent] de Visme [Devisme], *Rapport fait au nom du Comité des Domaines, le 20 Juillet 1790, sur le droit de protection levé sur les Juifs. Par M. de Visme, Député du Vermandois. Et Décret rendu sur ce rapport. Imprimé par ordre de l'Assemblée Nationale* (Paris, n. d.). 16 pp. 8°.

14. *Lettres patentes du Roi, sur le Décret de l'Assemblée Nationale, du 20 Juillet dernier, portant suppression des droits d'habitation, de protection, de tolérance & de redevances semblables sur les Juifs. Données à Saint-Cloud le 7 Août 1790. Transcrites en Parlement, en vacations, le 17 Août dudit an* (Paris, 1790). 4 pp. 4°.
Another edition: Paris, 1790, 3 pp. 4°, without the registration.

15. ———, *Transcrites en Parlement, le 21 du même mois* (Metz, 1790). 3 pp. 4°.

16. ———, (Bordeaux, 1790). 4 pp. 4°.
Together with "Déliberation du Directoire du Département de la Gironde" of Aug. 4, 1790.

17. ———, (Nantes, 24 Août 1790). 4 pp. 4°.

18. ———, (n. p., n. d.). 3 pp. 4°.

Together with "Transcription . . . par le Directoire du Département du Puy-de-Dôme, en exécution de sa délibération du 20 Août 1790 . . .''

19. *Loi qui renvoie au Directoire du District de Metz, les contestations nées & a naître du rôle de contribution fait par les Juifs de Metz. Donnée à Paris, le 27 Mai 1791* (Paris, 1791). 2 pp. 4°.

Decree of May 20, 1791.

20. ———, [Metz, 1791.] 4 pp. fol.

Together with the Jewish petition of Aug. 17, 1791 to the *Directoire* of Moselle and the *Directoire*'s decisions of Dec. 26, 1789 and Aug. 18, 1791; the Intendant's decision of Dec. 24, 1789 [see No. 11], and the Decree of May 20, 1791.

21. ———, *Transcrite sur les registres du département de la Meurthe le 20 Octobre 1791* (Nancy, 1791). 3 pp. 4°.

22. *Décret relatif à une pétition de plusieurs juifs de Nancy, au sujet de la loi du 20 Mai 1791, concernant les rôles de la ci-devant communauté des Juifs de Metz, du 1er Mai 1792* (Metz, [1792]). 2 pp. 4°.

23. *Pétition à la Convention Nationale, pour les ci-devant Syndics et élus de la ci-devant communauté des Juifs de Metz. Objet de la pétition. Les pétitionnaires demandent que les loix qui ont déclaré dettes nationales celles des communes, communautés et autres corporations politiques soient exécutées à l'égard de la ci-devant communauté des Juifs de Metz.* [Signé: Gaudchaux, Mayer Cahen, fondé de pouvoirs] (n. p., [1792]). 20 pp. 8°.

For a summary of the petition see No. 24. The correct name of the community leader who signed the items 23–24 was Goudchaux-Mayer Cahen.

24. *Sommaire.* [Signé: Gaudechaux-Mayer] (n. p., [1792]). 3 pp. 4°.

Summary of No. 23.

25. *A Messieurs, Messieurs les administrateurs du département de la Moselle.* [Signé: Nathan Cahen, Juif de Louvigny] (Metz, 1792). 14 pp. 4°.

Petition in the name of the smaller Jewish communities against the community of Metz and its role in the problem of debts.

26. Bernard Dalsace, *Pétition sur les affaires des Juifs. 1er Avril 1794* (n. p., 1794). 8°.

27. *Extrait des registres des délibérations du département de la Moselle, Séance publique du 5 Messidor an III [23 Juin 1795] de la République française, une et indivisible.* [Signé: (Claude) Lambert, secrétaire général, (Louis-Gabriel) Dupin, chef du bureau des contributions] (Metz, [1795]). 7 pp. 4°.

On the conflict between the Jews of Metz and the provincial communities.

28. *Précis pour les créanciers des Juifs de Metz, adressé au Corps législatif, sur la demande qui lui est faite de déclarer dettes nationales celles de la ci-devant communauté des Juifs* [Signé: "Deprille, un des créanciers, et au nom de tous, comme leur Syndic et procureur-fondé"] (Paris, [1794]). 21 pp. 4°.

29. *Consultation sur cette question: Si les dettes de la ci-devant communauté des Juifs de Metz doivent être considérées comme nationales; en réponse au Précis adressé par les créanciers des Juifs au Corps législatif.* [Signé: (Claude-François) Chauveau-Lagarde, Le Roy. 23 Floréal de l'an 5 (12 Mai 1797)] (Paris, an V). 8 pp. 4°.

30. *Réponse aux Juifs de Metz de la part de leurs créanciers.* [Signé: Puyproux aîné, l'un des créanciers et au nom de tous] (n. p., n. d.). 22 pp. 8°.

31. *Résumé pour les Juifs de Metz, contre leurs créanciers.* [Signé: (C.-F.) Chauveau-Lagarde, Jean-Jacques-Régis de Cambacérès] (Paris, [an V]). 12 pp. 4°.

Reply to No. 30.

32. Chappuis [Haycinthe-Adrien-Joseph Chapuy], *Corps législatif. Conseil des Cinq-Cents. Rapport fait par Chappuis, au nom d'une commission composée des Représentants du peuple Grégoire, [J-H.] Laurençot [Laurenceot] (du Jura), [J.-B.-M.] Saladin & Chappuis. Séance du 16 Germinal [an V — 5 Avril 1797]* (Paris, an V). 10 pp. 8°.

33. [Jean-Baptiste-Michel] Saladin, *Corps législatif. Conseil des Cinq-Cents. Rapport fait par Saladin, au nom d'une commission spéciale, composée des Représentans Grégoire, Chappuy [Chappuis], [C.-E.-J.] Louvet, [J.-F. baron de] Beyts & Saladin, sur les pétitions des Juifs de Metz & d'Avignon. Séance du 7 Fructidor an V [24 Août 1797]* (Paris, an V). 15 pp. 8°.

34. [François-Marie-Joseph Riou de Kersalaun,] *Corps législatif. Conseil des Cinq Cents. Rapport fait par Riou sur les pétitions des Juifs de Metz & d'Avignon, au nom d'une commission spéciale. Séance* du 4 Frimaire an 6 [24 Novembre 1797] (Paris, Frimaire an VI). 8 pp. 8°.

35. *Encore un mot pour les créanciers des Juifs de Metz.* [Signé: Puyproux aîné, un des créanciers"] (n. p., n. d.). 4 pp. 4°.

Reply to No. 34.

36. [Broadside announcing the sale of communal Jewish property, end of 1797.]

According to minutes of Jan. 8, 1798 (Documents, Metz, No. 66): "en conformité des affiches imprimés qui ont été placardés dans toutes les carefours et lieux."

37. [Broadside announcing the sale of communal Jewish properties on Jan. 6, 1799 (17 Nivose an 7).]

Signed by Jacques-François Adam, syndic of the Christian creditors. According to minutes (Documents, Metz, No. 66): "en conformité des affiches imprimés qui ont été placardés dans tous les carefours."

38. [*Arrêté du Préfet de la Moselle.*] *Du 15 Brumaire an X* [6 Nov. 1801] (n. p., n. d.). 2 pp. 4°.

39. *Compte que rendent au Citoyen Préfet du département de la Moselle les citoyens Mayer-Goudchaux Cahen; Moyse-Hayen Bing; Cerf-Alexandre Cahen; Nathan Oulif; Joseph Gougenheim; Goudchaux-Mayer Cahen; Marchand Mayence; Moyse Gompertz; Aron-Marx Lévy; Mayer-Louis Schwabe et Louis-Isaac Cahen, anciens syndics en exercice et Commissaires élus de la ci-devant Communauté des Juifs de Metz, de la gestion qu'ils ont eue des biens de ladite Communauté, ainsi que des recettes et dépenses qu'ils ont faites à compter du jour de sa suppression, en exécution de l'arrêté des Consuls, du 5 nivôse an 10* [*26 décembre 1801*] (Metz, [an XI]). 18 pp. 4°.

P. 16: "Metz le 5 fructidor an 10 . . ." Together with: "Extrait des minutes de la Préfecture du département de la Moselle. Metz, le 17 Frimaire an XI."

40. *Arrêté relatif à la liquidation des dettes de la ci-devant communauté des Juifs de Metz. Du 5 Nivôse an X* [26 Décembre 1801] (Paris, an X). 3 pp. 4°.

41. ———, (Metz, [an X]). 3 pp. 4°.

42. ———, (n. p., n. d.). 2 pp. 8°.

43. *No. 1465. Bulletin des Lois, No. 145. Arrêté relatif à la liquidation des dettes de la ci-devant communauté des Juifs de Metz. Du 5 Nivôse an X [26 Décembre 1801]* (Paris, an X). 3 pp. 4°.

44. ———, (n. p., n. d.). 2 pp. 8°.

45. ———, (Metz, [an X]). 3 pp. 4°.

46. *Pétition aux citoyens, conseillers d'Etat, membres de la Section de l'Intérieur.* (n. p., [1801]). 15 pp. 4°.

Signed by "Mayer Lévy, l'un des pétitionnaires, fondé de pouvoir des autres pétitionnaires" and the lawyer Dumesnil [de] Merville. Petition by the Jews of the Thionville arrondissement against the community of Metz.

47. *Cotisation de* [Metz, 1810?]. 2 pp. 4°.

Circular, begins with: "Contrait décretée par le soussigné, receveur de la ci-devant communauté juive de Metz."

48. *Ancienne Communauté des Juifs de Metz. Rôles formés en vertu de l'Arrêté Consulaire du 5 Nivôse an dix [25 Dec. 1801], pour le paiement des rentes viagères dues par l'ancienne Communauté des Juifs de Metz. Ordonnance de* — [Metz, 181–]. 1 p. fol.

49. *Cotisation de l'an 1814. Le receveur de la ci-devant Communauté des Juifs de Metz, a M* — [Signé: Boucherat] (Metz, 1 Octobre 1814). 1 p. 4°.

50. *Analyse succinte de l'affaire de la communauté des Juifs de Metz, renvoyée au Conseil d'Etat. Faits* (Metz, 9 Février 1828). 3 pp. 4°.

Signed by the creditor Dubalay.

51. *Louis Philippe . . .* (Metz, 1838). 11 ff. 8°.

Verdict by the Tribunal of the 3rd Moselle arrondissement, Jan. 2, 1838. Affair of Marie Cochel, widow of Isaac Goudchaux, and Jean-Alexandre Tardif. 3 editions on stamped paper.

52. *Liquidation de l'Affaire Tardif* (Metz, n. d.). 3 pp. 4°.

53. *Commission de liquidation des dettes de l'ancienne communauté des Juifs de Metz* (Metz, 25 Juillet 1838). 2 pp. 4°.

Circular.

54. *Préfecture de la Moselle. Communauté juive de Metz. Recouvrement du rôle de répartition dressé le 19 Juillet 1842.* (Metz, 26 janvier 1846). 2 pp. 4°.

Circular by the Prefect of Moselle to the Prefects of other departments on the liquidation of the debts.

55. *Cotisation pour l'extinction des dettes de l'ancienne communauté des Juifs* [Metz, 184–]. 1 p. 4°.

Signed by Stoffels, collector of taxes.

56. *Mémoire pour M. Lion-Cerf Cahen, Cosman-Joseph Cahen, Isaac Schwabe et consorts, intervenants contre MM. Salzédo, Crémieux, Halphen et consorts.* [Signé: Dumont, Adrien] (Paris, 184–). 12 pp. 4°.

57. *Rôle de la répartition pour l'extinction des dettes de l'ancienne communauté des Juifs de Metz. Année 1842* (Metz, [1843]). 32 pp. 8°.

58. *Cotisation de l'an 1842. Le receveur de la ci-devant communauté des Juifs de Metz* (Metz, 24 Juillet 1843). 1 p. 4°.

Signed by Stoffels, collector of taxes. Not the same as No. 61.

59. *La Commission de la liquidation des dettes de l'ancienne communauté juive de Metz. 25 Juillet 1843* (Metz, 1843). 12 pp. 8°.

Report signed by Lion Goudchaux. See No. 144.

60. *Préfecture de la Moselle. Communauté juive de Metz. Recouvrement du rôle de répartition dressé le 19 juillet 1842* (Metz, 30 Juillet 1843). 2 pp. 4°.

Circular addressed to the tax-collectors. See also No. 66.

61. *Cotisation de l'an 1842. Le Receveur de la ci-devant Communauté des Juifs de Metz* (Metz, 24 Juillet 1843). 2 pp. 4°.

Circular signed by Stoffels. Not the same as No. 58.

62. [Circular against paying the tax for the liquidation of the Metz debts. Signed by Adolphe Crémieux, Halphen, Cahen, Fould and Max Cerfberr of Paris.]

According to the report of Jan. 3, 1844, see Nos. 62a, 63, 70–71.

62a. [An appeal by the same Jews of Paris for funds to fight against the taxes for the liquidation of the Metz debts.] n. p., n. d. 1 p. 4°.

Without a title. 1840's. See Nos. 62, 63, 70–71.

63. *Commission de liquidation des dettes de l'ancienne communauté juive de Metz* (Metz, 1844). 12 pp. 4°.

Report of Jan. 3, 1844.

64. *Conseil d'Etat. Extrait du registre des délibérations. Séance du 12 Avril 1845* (Metz, [1845]). 6 pp. 4°.

Affair Salzédo and the Metz debts.

65. *Mémoire présenté par M. le Préfet de la Moselle en exécution de l'Article du 1^er^ Juin 1828, à l'effet de revendiquer, pour la juridiction administrative, l'examen des réclamations portées devant le Tribunal civil de Sarreguemines, par divers israélites de Frauenberg, contre leurs cotisations au rôle dressé en 1842, pour le paiement des dettes de l'ancienne communauté juive de Metz.* [Signé: Germeau] (Metz, 30 Juin 1845). 7 pp. 4°.

66. *Préfecture de la Moselle. Communauté juive de Metz. Recouvrement du rôle de répartition dressé le 19 Juillet 1842* (Metz, 20 Janvier 1846). 2 pp. 4°.

Circular addressed to the tax-collectors. See also No. 60.

67. *Ministère de l'Intérieur.* Paris, 4 Février 1846 (n. p., n. d.). 1 p. 4°.

Circular addressed to the Prefects on the lawsuit involving Dreyfus and the Metz debts.

68. *Préfecture de la Moselle. Liquidation des dettes de l'ancienne communauté juive de Metz* (Metz, avril 1847). 2 pp. 4°.

Circular addressed to the Mayors.

69. *Prefecture de la Moselle. Division des affaires militaires. Liquidation des dettes de l'ancienne communauté juive de Metz* (Metz, avril 1847). 2 pp. 4°.

Circular.

70. *Règlement des dettes de la communauté juive de Metz. Note pour MM. Fould, Halphen, Worms de Romilly, Dreyfus, Cahen etc. . . . contre MM. Bourqueney, Seitivaux, etc.* [Signé: E. Allou, Collin, M. Moulin.] (Paris, [1848]). 23 pp. 4°.

See also Nos. 62–63, 71.

71. *Consultation pour les Srs. Mourgues, Bourqueney et Seitivaux, contre les Srs. Worms de Romilly, Halphen et Fould.* [Signé: Stéphane Cuënot.] [Paris, 1850]. 10 pp. fol.

See also Nos. 62–63, 70.

72. *Liquidation des dettes de l'ancienne communauté juive de Metz. Mise en recouvrement du rôle de 1853. Compte de l'emploi du produit du rôle de 1843. Copie du rôle de 1853* (Metz, [1854]). 76 pp. 8°.

73. *Préfecture de la Moselle. Communauté juive de Metz. Recouvrement du rôle de répartition dressé le 27 mai 1855* (Metz, 6 Septembre 1855). 3 pp. 4°.

Circular addressed to the tax collectors. Not the same as No. 76.

74. *Rôle de l'année 1855. Le receveur de la ci-devant communauté des Juifs de Metz* (Metz, 1er september 185[5]). 2 pp. fol.

Together with: "Extrait de l'arrêté de M. le Préfet du département de la Moselle, en date du 21 août 1855."

75. *La Commission nommée par M. le Préfet du département de la Moselle, en exécution de l'arrêté des Consuls du 5 Nivôse an X, pour la liquidation des dettes de l'ancienne communauté Juive de Metz* (Metz, 3 septembre 1855). 4 pp. 8°.

Report.

76. *Préfecture de la Moselle. Communauté Juive de Metz. Recouvrement du rôle de répartition dressé le 27 mai 1855 . . .* (Metz, 6 septembre 1855). 4 pp. 4°.

Circular. Not the same as No. 73.

77. *Le Receveur de la ci-devant communauté des Juifs de Metz* (Metz, 1855). 6 pp. 4°.

Circular and report.

78. *Recette central du département de la Seine* (Paris, 20 février 1856). 2 pp. 4°.

Taxes for the liquidation of the Metz debts.

79.–80. *Liste nominative des Israélites qui paraissent devoir concourir au paiement des Dettes de l'ancienne communauté des Juifs de Metz, et sur la position desquels des renseignements sont demandés par la Comission de liquidation, à M.* (n. p., n. d.). 4 pp. fol.

Formular. Another formular was printed together with 1 p. of "Instructions sur la manière de remplir cet état."

81. *Metz, le — —. Le Citoyen Boucherat, receveur de la ci-devant communauté des Juifs de Metz* (n. p., n. d.). 1 p. 4°.

Circular.

II. DEBTS OF THE JEWISH COMMUNITIES OF THE FORMER PAPAL PROVINCE OF AVIGNON AND COMTAT VENAISSIN

82. *Mémoire pour les Sieurs Marquis d'Alpuget & Consorts de la Ville d'Avignon, créanciers de la communauté des Juifs de la même ville, demandeurs contre quelques particuliers Juifs, aussi de la ville d'Avignon, réfugiéz à Bordeaux, deffendeurs* (n. p., n. d.). 7 pp. fol.

83. *Extrait des Registres de Parlement* [de Bordeaux, 1723]. fol.

Fragment in the City archives of Bordeaux, II 113. Annulment of sentences of March 19, 1717 and Dec. 20, 1723 by the papal authorities of Avignon in favor of the creditors of the Avignon Jews against L'Ange [Lange] Mossé and other Avignonese Jews of Bordeaux.

84. *Copie de la Supplique présentée par les Administrateurs de la Carrière des Juifs de la Commune de Carpentras, à MM. les Maire & Officiers Municipaux* (Carpentras, 1791). 6 pp. 4°.

On the emigration of the rich Jews from Carpentras and the debts. Dated July 17, 1791, and signed by Moyse de Milliaud aîné, Jacassuyé Alfanderic,

Ruben Crémieu. Together with "Extrait des registres de la Commune de Carpentras," July 10, 1791.

85. *Observations pour les Juifs d'Avignon, à la Convention Nationale* (n. p., an III). 19 pp. 8°.

Dated Sept. 26, 1794 and signed: "Aaron Ravel, chargé de pouvoir, Aaron Vidal, Milhaud." See No. 86.

86. *Nouvelles observations pour les Juifs d'Avignon* (n. p., an III). 15 pp. 8°.

Dated Nov. 14, 1794 and signed by "Aaron Ravel, chargé de pouvoir, Aaron Vidal, Millhaud." See No. 85.

87. *Extrait du registre des arrêtés du Comité de Législation. Séance du 19 Germinal l'an troisième* [*8 avril 1795*] (n. p., n. d.). 2 pp. 4°.

On the Avignon debts.

88. *Mémoire pour les citoyen Dominique Chambaud, de la commune d'Avignon; Jean Chaulet . . . demandeurs: contre le citoyen Jassé-Haïn Crémieu, de cette commune d'Aix, fils et héritier de Jassuda-David Crémieu, défendeur.* [Signé: Granet, homme de loi et defenseur officieux] (Aix, an VII). 34 pp. 4°.

On the Carpentras debts. See Nos. 89–90.

89. *Mémoire pour le citoyen Jassé Haïn Crémieu, naturalisé français, demeurant à Aix: contre les citoyens Dominique Chambaud . . ., et contre les membres de la ci-devant communauté des Juifs de Carpentras, en qualité au procès, appellés en garantie subsidaire.* [Signé: Chansaud, Homme de Loi] (Aix, an VII). 34 pp. 4°.

See Nos. 88, 90.

90. *Précis pour les citoyens Dominique Chambaud . . . demandeurs: contre le citoyen Jassé Haïn Crémieu, de cette commune d'Aix, fils et* héritier de Jassuda-David Crémieu, défendeur. [Signé: Granet, Homme de Loi] (Aix, an VII). 41 pp. 4°.

See Nos. 88–89.

91. *Extrait des Minutes de la Secrétairerie d'Etat. Au Quartier impérial de Posen, 12 décembre 1806* [Avignon, 1807]. Broadside.

On the debts of the communities of the former papal province.

92. *Extrait des registres de la Préfecture du département de Vaucluse. Arrêté du Préfet du département de Vaucluse* (Avignon, 26 juillet 1808). Broadside.

Appointment of a commission for the liquidation of the Carpentras debts.

93. *Arrêté de M. le Préfet de Vaucluse, en date du 4 mars 1811, qui approuve la liquidation de la dette des Juifs de l'ancienne communauté de Carpentras* . . . [Avignon, 1811.] 10 pp. 4°.

94. *Préfecture de Vaucluse. Arrêté portant nomination de la nouvelle commission de liquidation des dettes des communautés juives de Lille* [*L'Isle*] *et d'Avignon* [Avignon, 2 mai 1816.] Broadside.

95. *Département de Vaucluse. Acquittement des dettes de l'ancienne communauté des Juifs de Carpentras. Avertissement délivré pour le paiement des sommes portées aux rôles de répartition du dixième* à payer en 1816 . . . (n. p., n. d.). 1 p. 4°.

96. *Circulaire* (Carpentras, Septembre 1816). 3 pp. 4°.

96a. *La Commission formée pour la répartition de la dette de l'ancienne communauté israélite de Carpentras. Octobre 1816* (n. p., n. d.). 1 p. 4°.

97. *Avis.*

On the Carpentras debts. According to the manuscript 01529 at the JTS: "Coût d'impression des avis individuelles pour une assemblée générale . . . 17 octobre 1816."

98. *Préfecture de Vaucluse. Avis.* [Signé: Baron de St.-Chamans.] (Avignon, 9 novembre 1816). Broadside.

On the activities of the Commission for the liquidation of the debts.

99. *Avis. La Commission formée pour la répartition de la dette de l'ancienne Communauté Israélite de Carpentras, A M* — — [Carpentras, 1816.] 3 ff. 4°.

100. *Préfecture de Vaucluse. Arrêté concernant la liquidation des dettes des anciennes communautés israélites d'Avignon et de Lille* [L'Isle] (Avignon, 22 janvier 1817). Broadside.

101. *Avis. La Commission formée pour la répartition de la dette de l'ancienne communauté israélite de Carpentras.* [Signé:

Isaïe Valabrègue, Cadet Carcassonne, Cadet Naquet, Mossé Valabrègue, Isaac Alphandéry, Mordochée Monteux, Jo[h]anan Lisbonne.] (n. p., 29 avril 1817). 3 pp. 4° & broadside.

102. *Préfecture de Vaucluse. Ordonnance relative au recouvrement des dettes des anciennes communautés israélites d'Avignon et de Lisle* [*L'Isle*] *du 24 décembre 1817* [Avignon, 1818.] Broadside.

103. *Mémoire adressé à Son Excellence Monseigneur le Ministre Secrétaire d'Etat de l'Intérieur, par quelques israélites de Bordeaux* (Bordeaux, [1818]). 26 pp. 4°.

Petition by Bordeaux Jews of Avignon origin on the debts of Avignon.

103a. *Avis. Répartition de l'exercice. 1818* (Carpentras, 15 Avril 1818). 4 pp. 4°.

103b. *Avis . . . Exercice 1819* (n. p., n. d.). 3 pp. 4°.

104. *Observations de MM. les Syndics des créanciers des anciennes Carrières ou Communantés Juives, d'Avignon, de Carpentras, et de L'Isle, au département de Vaucluse, avec les pièces justificatives à l'appui de leur Pétition à la Chambre de MM les Députés, pour obtenir la révocation du rejet de l'amendement prononcé dans la séance du 6 juillet 1820.* [Signé: Roland, Vialla, Poncet, M. Paulun, Nery, J. Bertrand, Jonquieres] (n. p., n. d.). 51 pp. 4°.

The memorandum was analysed in "Les Juifs de Carpentras avant la Révolution." *Provence artistique et pittoresque*, Aug. 5, 1883.

105. *Ordonnance du Roi* (n. p., 30 Août 1820). 3 pp. 4°.

On the Carpentras debts.

106. *Impôts et budget. Communautés israélites. Mémoire à l'appui de la pétition adressée à la Chambre des Députés par les Israélites soumis au paiement des dettes des anciennes communautés juives du Comtat Venaissin . . .* [Signé: Isaac Alphandéry, cadet Naquet, M. Monteux, Johanan Lisbonne, Abraham Digne.] (Aix, 1821). 44 pp. 4°.

107. *Rapport de M.* [*Joseph-Charles-Louis-Henri*] *Marquis* [*de*] *Forbin des Issarts, député de Vaucluse, au nom de la commission des pétitions . . .* [Paris, 1821.] 8 pp. 8°.

Reprint from the *Moniteur*, Apr. 6, 1821. On the debts of the Jewish communities.

108. *Circulaire. La Commission formée pour la répartition de la dette de l'ancienne Communauté israélite de Carpentras.* [Signé: Jo[h]anan Lisbonne, vice-président; Isaac Alphandéry; Isaïe Valabrègue; Cadet Naquet; Mossé Valabrègue; Mardochée Monteux; Abraham Digne] (n. p., février 1822). 3 pp. 4°.

109. *Créances sur les anciennes communautés juives des villes d'Avignon et de L'Isle. Relevé des principales pièces établissant les droits des créanciers . . . Fin décembre 1827* [Avignon, 1827.] 38 pp. 8°.

On the debts of the communities in the former papal province see also Nos. 32–34.

III. THE DEBTS OF THE ALSATIAN JEWISH COMMUNITIES

110. Wittersheim, Seligman, *Messieurs les Commissaires des départements du Haut- et du Bas-Rhin pour la liquidation des dettes des Juifs domiciliés de la province ci-devant Alsace.* [Signé: Seligman Wittersheim] (n. p., 1792). 2 pp. 4°.

111. *Auszug aus der Berathschlagung der Nieder-Rheinschen Departments -Direktoriums vom 1. Jul. 1793, im 2ten Jahr der Frankischen Republik* . . . (n. p., n. d.). 4 pp. 4°.

"Zur General-Liquidation der Schulden."

112. [A Circular of 1793, addressed to the Mayors.]

According to a document of Oct. 17, 1793, (Documents, Alsace): "Payé au Sr. Heitz imprimeur pour impression des Etats [see No. 113] et circulaires en langue allemande adressées aux maires des communes du Haut et du Bas Rhin aux fins de remplir le montant des impositions foncière et mobiliaire à laquelle chaque Juif couché sur ces états et cotisé." See No. 113.

113. *Namens-Verzeichniss derjenigen Juden, welche in der letztern, durch die Juden vorsteher den ehemaligen Provinz Elsass, errichteten Roll der Anlage, in der Gemeinde — häuslich eigesessen waren, und in dem Gemeinen-Austheiler der Grund- und Mobiliar-Steuer gedachter Gemeinde pro 1791 angelegt worden sind folgt* [Strassburg, 1793.] 4 pp. fol.

See No. 112.

114. *Arrêté qui détermine la mode de répartition des sommes destinées à la liquidation des dettes passives des Juifs d'Alsace. Boulogne, le 18 brumaire an XII [10 novembre 1803]* ([Strasbourg?,] an XII). 3 pp. 4°.

115. *Préfecture du Bas-Rhin. Décret du 27 octobre 1806, extrait des Minutes de la Secrétairerie d'Etat. Au Palais de Berlin, le 27 octobre 1806* (Strasbourg, [1806]). Broadside.

116. *Liquidation générale des dettes de la ci-devant Nation juive d'Alsace. Indigence et non valeur. Avis de la commission de liquidation sur les pétitions suivantes* (n. p., [ca. 1806]). 2 pp. fol.

117. *Liquidation Gén.le des dettes de la ci-dev. Nation juive d'Alsace. Les commissaire et caissier de la liquidation des dettes de la ci-devant Nation juive d'Alsace, à M — —* (n. p., [ca. 1806]). 1 p. 4°.

118. *Préfecture du département de la Seine. Ville de Paris. Premier arrondissement. Extrait du rôle de répartition pour la liquidation de la dette de la Nation juive, de la ci-devant Province d'Alsace, rendu exécutoire par M. le Conseiller d'Etat Préfet du Bas-Rhin, le 24 Février 1807* (n. p., n. d.). 1 p. 4°.

Similar documents were published at various periods and by more Paris arrondissements.

119. *Liquidation générale des dettes de la ci-devant Nation Juive d'Alsace. Avis de la Commission de liquidation, sur la réclamation . . .* (n. p., [1807?]). 1 p. fol.

120. *Décret impérial qui prescrit de nouvelles mesures pour faire acquitter la dette des Juifs de la ci-devant province d'Alsace. Au Palais de Saint-Cloud, le 5 septembre 1810* [Strasbourg, 1810.] 4 pp. 4°.

121. *Reçu de . . . Strasbourg, le — — 180 — —* (n. p., n. d.). 1 p. 32°.

Receipt for debt-taxes.

122. *L'an mil huit cent . . . en vertu d'une contrainte décernée par Mr. Benjamin-Moïse Bloch, receveur principal du consistoire des Israélites de la circonscription de Wintzenheim . . .* (n. p., [1814]). 1 p. 4°.

On the debt-tax.

123. *Consistoire israélite du département du Bas-Rhin. Dettes des Israélites d'Alsace. Etat des sommes dues aux créanciers ci-après denommés par la ci-devant communauté israélite d'Alsace, indiquant en même temps celles qui ont été remboursées jusqu'au – –* (n. p., n. d.) 4 pp. fol.

124. *Consultation pour les Israélites habitant le département du Bas-Rhin contre les porteurs des créances de l'ancienne nation juive d'Alsace.* [Signé: Martin, L. Liechtenberger, Michaux-Bellaire, Rauter.] (Strasbourg, 1835). 20 pp. 4°.

125. *Consistoire israélite, circonscription de Colmar. Analyse.* Dette Cerf-Beer [Cerfberr] (Colmar, 23 Juillet 1857). 2 pp. 4°.

126. *Commission Cerf-Beer* [Cerfberr] (Strasbourg, 23 janvier 1859). 2 pp. 4°.

127. *Préfecture du Bas-Rhin. 1re division. Liquidation des dettes de l'ancienne communauté juive d'Alsace* (Strasbourg, 4 Août 1860). 1 p. 4°.

Circular addressed to the Mayors and signed by Reboul [L.-J. Reboul-Deneyrol], Secretary of the Prefecture.

128. *Département du Bas-Rhin. Liquidation des dettes de l'ancienne communauté juive d'Alsace. Etablissement d'une nouvelle matrice de rôle des redevables. Feuille de renseignements* (Strasbourg, [ca. 1860]). 3 pp. 4°.

129. *Département du Bas-Rhin. Liquidation des dettes de l'ancienne communauté juive d'Alsace. Etablissement d'une nouvelle matrice de rôle des redevables. Renseignements confidentiels* Strasbourg, [ca. 1860]). 4 pp. fol.

130. *Préfecture du Bas-Rhin. Culte israélite. Liquidation de la dette de l'ancienne communauté juive d'Alsace. Demande de renseignement* (Strasbourg, [ca. 1860]). 1 p. fol.

Circular addressed to the Prefects.

131. *Préfecture du Bas-Rhin. 1re division. Liquidation des dettes de l'ancienne communauté juive d'Alsace. Etat nominatif des redevables inscrits au rôle de recouvrement rendu exécutoire le 31 décembre 1814* (Strasbourg, [ca. 1860]). 4 pp. fol.

132. *Liquidation des dettes de l'ancienne communauté juive d'Alsace. Feuilles de renseignements. Commune d — — Nombre d'articles* (Strasbourg, 1860). fol.

Folder used for files of documents on tax payers.

133. *Consistoire israélite. Circonscription de Strasbourg, Extrait du registre des déliberations. Séance du Juillet 1866* (n. p., n. d.). 2 pp. 4°.

On the Cerfberr debt.

134. *Consistoire israélite. Circonscription de Strasbourg. Commission Cerf Beer* [Cerfberr] (Strasbourg, 25 Juillet 1866). 2 pp. 4°.

135. *Préfecture du Bas-Rhin. 1re division. Liquidation des dettes de l'ancienne communauté juive d'Alsace. A. M. le percepteur de la circonscription* (Strasbourg, le 31 Juillet 1867). 1 p. 4°.

136. *Préfecture du Bas-Rhin. Culte israélite. Liquidation de la dette de l'ancienne communauté juive d'Alsace. Demande de renseignement* (Strasbourg, 186[8]). 1 p. fol.

Not the same as No. 130.

IV. DEBTS OF OTHER JEWISH COMMUNITIES

137. *Décret impérial sur la mode de liquidation des dettes de la ci-devant communauté des Juifs du Montferrat. De notre Camp impérial d'Osterode, le 25 Mars 1807* (n. p., n. d.). 4 pp. 4°.

138. *Paris, le 15 Décembre 1837. Monsieur et cher Coreligionnaire . . .* [Signé: M[ax] Cerfberr.] [Paris, 1837.] 1 p. 4°.

Circulair on the liquidation of the debts of the Paris Synagogues.

V. LATER STUDIES ON THE DEBTS OF THE JEWISH COMMUNITIES

139. *G. L. Y.* [*Gerson-Lévy*], *Extinction de la dette de l'ancienne communauté de Metz* [Paris, 1843.] 8 pp. 8°.

Reprinted from *AI*, IV (1843), 636–43.

140. O[lry] Terquem, *Souvenirs historiques, concussions, dettes. Les ducs de Brancas et les Juifs de Metz* [Paris, 1844]. 30 pp. 8°.
Reprinted from *AI*, V (1844), 547–74.

141. Maurice Aron, *La liquidation des dettes de l'ancienne communaute juive de Metz* (Versailles, 1883). 29 pp. 8°.
Reprinted from *ASEJ*, II (1883), 109–35.

142. C. Wolf, "Les Juifs de Metz et la famille Brancas." *UI*, LIII — 2 (1898), 307, 405, 485, 535.

143. Dr. Nathan Netter, *Die Schuldennot der Metzer Gemeinde. 1789–1854. (Beitrag zur Geschichte der jüdischen Gemeinde Metz)* (Berlin, 1917). 139 pp. 8°.
Reprinted from *MGWJ*, LVII (1913), 591–619, LVIII (1914), 63–80.

144. Goudchaux Lion, "La Commission de liquidation des dettes de l'ancienne communauté juive de Metz." *RJL*, 1932, 8–13.
Report of July 25, 1843. See No. 59.

145. P. H[aguenauer], "Dette de l'ancienne communaute juive de Metz." *RJL*, 1934–35.
Documents of 1834–35.

146. Adrien Valabrègue, *Mémoire adressé à Monsieur le Ministre des Cultes par le Consistoire israélite de Marseille. En réponse à la délibération du Conseil municipal de Carpentras (août 1896), qui conteste l'existence légale de la Communauté Israélite de cette ville* (Lyon, 1896). 15 pp. 8°.
Mostly on the Carpentras debts.

147. M. Ginsburger, "Un emprunt de la Nation juive d'Alsace." *REJ*, LXXXI (1925), 83–86.

See also: [François-Balthazar] Darracq, *Opinion de Darracq dans l'affaire des Juifs de Bordeaux. Séance du 18 Floréal an 7* (Paris, an 7); Achille-Edmond Halphen, *Recueil des lois . . . concernant les israélites depuis la Révolution de 1789 . . .* (Paris, 1851), pp. 8, 11, 13, 16, 35, 218, 226, 233, 328; Robert Anchel, *Napoléon et les Juifs* (Paris, 1928), pp. 519–30; René Pacquet, *Bibliographie analytique de l'histoire de Metz pendant la Révolution 1789–1800* (Paris, 1926), I, 206–08, II, 1415–16; Nathan Netter, *Vingt siècles d'une communauté juive. Metz et son grand passé* (Paris, 1938), pp. 67–82, 179, 207–28; Z. Szajkowski, *The Economic Status of the Jews in Alsace, Metz and Lorraine, 1648–1789* (New York, 1954), pp. 62–67, 149–51; Idem, *Poverty and Social Welfare among French Jews* (New York, 1954), pp. 11–17, 83–84.

APPENDIX II

THE STATUTES OF THE JEWISH COMMUNITY OF METZ, 1742–1786

As an example of the statutes of a Jewish community we bring the contents of the statutes of the Jewish community of Metz, published in 1786. They present a real *code civil* of an autonomous body. The author is preparing for publication a bibliography of statutes of the Jewish communities in the eighteenth century France.

Recueil des loix, coutumes et usages observés par les Juifs de Metz, en ce qui concerne leurs contrats de mariage, tutelles, curatelles, majorités, successions, testamens, &c. rédigé & translaté en françois, en exécution des Lettres-patentes du 20 août 1742, registrées au Parlement de Metz, le 30 du même mois, &c. Auquel on a joint l'Extrait qui a été fait par feu Monsieur Lançon . . . (Metz, 1786). vj, 276 pp. 8°. Together with: *Coutumes et usages observés par les Juifs de Metz. Extrait du Cahier présenté le 2 mars 1743 au Parlement de Metz, en exécution des Lettres-patentes du 20 août précédent, lues en l'assemblée de Mrs. les Commissaires, le 20 février 1744. Ce extrait a été fait par feu Mr.* [Nicolas-François] *Lançon . . .* (n. p., 1786). 104 pp. 8°.

Part I contains: Préface (pp. j–vj); Lettres patentes du Roi . . . 20 août 1742 (pp. 1–13); Titre premier. Des juges & jugemens (pp. 16–24); Titre II. De la preuve testimoniale (pp. 25–37); Titre III. De la preuve littérale résultante des actes & contrats . . . (pp. 38–46); Titre IV. Des successions (pp. 47–62); Titre V. Des tutelles (pp. 63–75); Titre VI. Des mariages (pp. 75–85); Titre VII. Des testamens (pp. 86–103); Titre VIII. Des actions . . . (pp. 104–117); Titre IX. Des quittances & dépôts . . . (pp. 117–121); Titre X. Des demandes formées sans titres . . . & des sermons . . . (pp. 121–140); Titre XI. . . . Actes privés . . . (pp. 141–142); Titre XII. Des personnes qui peuvent, ou ne pouvant valablement contracter (pp. 143–146); Titre XIII. Des remises & quittances (pp. 147–148); Titre XIV. Des donations entre vifs . . . (pp. 148–163); Titre XV. Des ventes, achats . . . (pp. 163–175);

Titre XVI. De la nullité des ventes . . . (pp. 175–181); Titre XVII. *Ibid.* (pp. 181–185); Titre XVIII. De l'effet des protestations contre les ventes (pp. 186–189); Titre XIX. De la préférence promise . . . (pp. 190–192); Titre XX. Des conditions . . . (pp. 192–199); Titre XXI. Des causes qui peuvent . . . valider ou annuller (pp. 200–205); Titre XXII. Des dépôts (pp. 205–211); Titre XXIII. Des gages & nantissemens (pp. 211–217); Titre XXIV. Des cessions (pp. 218–222); Titre XXV. Des causes qui peuvent retarder l'exécution des débiteurs (pp. 222–225); Titre XXVI. Des exécutions (pp. 225–229); Titre XXVII. Des hypothèques . . . (pp. 229–234); Titre XXVIII. Des demandes en exécutions formées contre un débiteur absent (pp. 234–239); Titre XXIX. Des demandes formées par les héritiers d'un créancier décéde (pp. 240–241); Titre XXX. Des obligations qui ont en garde ce qui appartient à des autres (pp. 241–253); Titre XXXI. Des locations des maisons (pp. 253–258); Titre XXXII. Des cautions (pp. 258–266); Titre XXXIII. De ceux qui font les affaires des autres . . . (pp. 266–271); Table (pp. 273–276).

Part II contains: Titre premier. Des contestation: de Juif à Juif (pp. 1–2); Titre II. Des tutelles & de l'âge de majorité (pp. 3–8); Titre III. Des actes & des contrats (pp. 8–15); Titre IV. Des ventes & achats (pp. 15–20); Titre V. Des mariages, de la dot . . . (pp. 21–30); Titre VI. Des donations & testamens (pp. 31–38); Titre VII. Des successions (pp. 38–47); Titre VIII. Des substitutions (pp. 47–48); Titre IX. Des locations des maisons, servitudes & du paiement des ouvriers & domestiques (pp. 49–50); Titre X. Des exécutions sur les biens des débiteurs (pp. 51–56); Table (p. 57); Arrêts et règlemens, concernans les Juifs de la Synagogue de Metz. Du 23 janvier 1759 (pp. 58–67); Lettres patentes, qui confirment les privilèges ci-devant accordés aux Juifs établis dans la Ville de Metz [du 3 février 1777] (pp. 68–78); Extrait des registres de Parlement [du 17 mai 1777] (pp. 78–82); Arrêt de la Cour de parlement, portant règlement pour l'exécution des jugements rendus par le rabbin . . . Du 21 décembre 1782 (pp. 82–101); Approbation (pp. 102–104).

"Arrêts . . . Du 23 janvier 1759" (part II, pp. 58–67) contains analyses of the following acts of the Metz Parliament: June 28, 1693, on the right of converted Jews in questions of inheritance; June 31, 1758, on the conflict between Marie-Anne d'Alsace and the Jewish community of Metz; Jan. 30, 1759, on the rabbis' jurisdiction (affair Rosette d'Alsace); Jan. 23, 1759, affair Salomon Reicher and the rabbis' jurisdiction.

On this *Recueil* see also: *Lettres patentes du Roy, portant que par les chefs de la communauté des Juifs de Metz, il sera fait un Recueil en langue françoise des coutumes & usages qu'ils observent en ce qui concerne, &c. Données à Versailles le 20. août 1742. Registrés en Parlement [de Metz] le 30. dudit mois* (Metz, 1742). 8 pp. 4°; *Mémoire pour les Rabbins, Elus et les Syndics des Juifs de la ville de Metz.* [Signé: Me. de Sérionne] (Metz, [1745]). 8 pp. 4°; *Au Roi.* [Signé: Me. de Sérionne] (n. p., 1745). 3 pp. fol. An abbreviated edition of the statutes was published in 1853: *Lois des Juifs. Usages observés par les Juifs de Metz* (Colmar, 1853).

APPENDIX III

EXCERPTS FROM REPORTS ON GIFTS PRESENTED BY THE JEWISH COMMUNITY OF METZ TO HIGH OFFICIALS IN PARIS

On February 22, 1786 Moïse Weill, the Paris agent of the Jewish community of Metz, wrote in a letter addressed to the community:

"A Monsieur le Maréchal de Broglie j'ai remis, aussitôt après reception de votre ordre, ses 1000 livres contre quittance. Il a accepté cette somme très gracieusement." Two days later he wrote: "Le retard des 3 oies, lesquelles je n'ai reçu que le mercredi dernier, est la cause que je tardais d'aller chez Monsieur le Maréchal de Brol [Breuil]. J'ai fait celà le jeudi dernier et je lui ai remises deux oies dont il était très content. Il m'a reçu très gentilment et il vous a loué auprès de M. Allom, son secrétaire auquel j'ai également donné ses 96 livres contre sa quittance. Celui-ci me dit que la Communauté offre 1000 livres à Monsieur le Maréchal pour Novel-An. Lorsque je lui disait de n'en pas avoir obtenu votre ordre, il pensait que les syndics attendront l'arrivée de Monsieur le Maréchal à Metz, où il fera en été un voyage, pour les lui présenter personnellement. Si j'avais votre ordre, je les avais payés. Vous ne devez pas [vous] gêner dans des occasions pareilles, car je suis à même d'avancer des petites choses pareilles . . . P. S. Je veux vous aussi informer que j'ai fait, le jeudi dernier, une visite auprès de Monsieur de Caraman en nom de la Communauté. Je connais ce Monsieur depuis très longtemps et il m'a très poliment reçu. Il vous a loué et il m'a demandé si j'avais quelque ordre de vous. Je lui ai répondu que n'en ai rien. Vous savez sans doute de quoi qu'il s'agit."

On March 29, 1789 Weill wrote to Metz: "En réponse à vos deux chères lettres du 24 et 25 Adar écoulé et aussi à [l'envoi] des 9 oies, lequelles sont arrivées dans un très bon état! Je les ai remises aux Messieurs auxquels elles étaient destinées et l'ont accepté avec plaisir, car je les ai rémises personnellement. Monsieur le Ministre de la Guerre m'a dit les mots suivants: 'Je vous prie de temoigner ma reconnaissance à ces Messieurs' Les autres Ministres m'ont remercié de la même façon, très poliment, surtout Monsieur Devildel. Il me manque encore 2 oies pour M. Necker, Ministre des Finances."

Following is the text of a receipt for 1,000 livres: "Je reconnois avoir reçu de la Communauté des Juifs de Metz par les mains du Sr. Viel [Weill], son agent, la somme de mille Livres, pour l'année mil sept cent quatre vingt huit,

comme d'usage, dont quittance. A Paris ce dix février mil sept cent quatre vingt neuf. [Signé:] Lemaal duc de Broglie."[353]

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[353] Documents, Metz, No. 120, fol. 695–702. Copies made by Salomon Landmann. However, Christian communities, too, were forced to present gifts to high officials. In 1781 de Servat, agent of the city of Bordeaux in Versailles, wrote to the *Jurats* of Bordeaux: "J'ai eu l'honneur de vous dire que M. Joly de Fleury était décidé à recevoir les présents que les villes sont dans l'usage de faire [aux ministres] et que j'avais été prévenu qu'une bourse de vos jetons le flatteroit infiniment" (Am Bordeaux, B, lettres received by the *Jurats*, Dec. 29, 1781, fol. 3).

APPENDIX IV

EXCERPTS FROM A BRIEF ON THE ALSATIAN DEBTS (1835)

". . . C'est contre *les représentans de la ci-devant nation juive d'Alsace*, que les héritiers Cerf Berr et leurs ayant droits ont dirigé leur pourvoi au Conseil d'état, et l'ordonnance qui y a statué et dont on provoque l'exécution relate elle-même qu'il s'agit de sommes dues *aux créanciers de l'ancienne communauté des juifs d'Alsace.*

Il ne peut donc y avoir aucun doute sur ce point. C'est le corps moral de l'ancienne communauté des juifs d'Alsace qui était le véritable débiteur. Mais ce corps moral n'existe plus depuis que la révolution de 1789 a confondu tous les Français quels que soient leur religion et leur culte, et depuis que la loi du 27 septembre 1791 a levé et aboli tous les privilèges et toutes les exceptions qui concernaient les juifs.

. . . Dans la règle le créancier d'une communauté, comme celui d'un individu, a pour gage de sa créance tous les biens du débiteur, de sorte qu'il semble que les droits du créancier doivent en première ligne s'exercer sur les biens de la communauté débritice, et que ce n'est que lorsque la communauté n'a plus aucun bien vaillant que les individus qui la composent peuvent être imposés pour le paiement des créanciers.

Mais cette loi de l'impôt n'est elle-même régulièrement admise qu'à l'égard des individus qui continuent à faire partie de la communauté débritice, et qui, partageant les avantages qu'elle peut leur procurer, doivent naturellement en partager aussi les charges; et c'était de tous tems une question controversée que de savoir si cet impôt pouvait également atteindre ceux des anciens communistes [membres des communautés] qui avaient quitté la communauté.

Ce n'est pas absolument là la position des individus qui faisaient partie de l'ancienne communauté juive d'Alsace, mais il y a pour chaque communiste en particulier beaucoup d'analogie entre sa sortie individuelle et l'extinction ou la dissolution de la communauté en général; et les conséquences pour chaque communiste personnellement doivent presqu'être les mêmes, quant à l'obligation de participer au paiement des dettes légitimement contractées par la communauté.

Rigoureusement le corps moral est une personne distincte et séparée; et ce qui est dû par la communauté n'est pas dû par les individus qui la composent: *Si quid universitati debetur, singulis non debetur: nec quod debet universitas singuli debent.* L. 7. § 1. ff. *Quod cuj. univers. nom.*

. . . Leur demande est en effet présentée comme s'ils ignoraient complétement l'extinction ou la dissolution de l'ancienne communaute juive d'Alsace, ou comme s'ils se trouvaient vis-à-vis d'une nouvelle communauté chargée de toutes les dettes et obligations de l'ancienne. Or, l'une et l'autre de ces deux opinions sont erronnées, puisque nous avons fait voir et, que l'ancienne com-

munauté a nécessairement été atteinte par l'effet de la loi du 27 septembre 1791, et qu'elle n'a été remplacée, ni pu être remplacée par aucune communauté nouvelle qui aurait succédé à toutes ses charges actives et passives.

Il existe dans doute encore aujourd'hui et dans une foule de villes ou villages de l'Alsace des communautés Israélites; mais celles-ci sont comme elles l'ont toujours été de simples associations pour l'entretien et l'exercice de leur culte. Ce sont de véritables paroisses, des communautés spéciales restreintes aux localités où elles se sont constituées; il existe aussi dans chaque département un Consistoire départemental, créé par le décret du 17 mars 1808, et ce sont ces deux Consistoires des Haut- et Bas-Rhin, que le décret de 1810 a substitués d'office à la Commission qui avait été nommée pour la liquidation de la dette juive.

Mais le but et les fonctions de ces Consistoires départementaux sont définis par le décret qui les a institués; ils se restreignent également à l'entretien et à l'exercice du culte, sauf la mission spéciale qui leur avait encore été attribuée à l'époque du décret, d'encourager les Israélites à l'exercice des professions utiles, et de donner chaque année à l'Autorité connaissance du nombre des conscrits Israélites de la circonscription.

. . . EN RÉSUMÉ, les prétentions des héritiers Cerf Berr et consors étaient une dette du corps moral de l'ancienne communauté juive d'Alsace.

Ce corps moral a cessé d'exister par l'effet de la révolution de 1789, et particulièrement en vertu de la loi du 27 septembre 1791; et puisqu'il n'a été remplacé par aucune communauté nouvelle qui ait succédé à ses charges, la dette restée étrangére aux autres Israélites, qui sont venus plus tard habiter les départemens des Haut- et Bas-Rhin, a dû se diviser entre les seuls membres de l'ancienne communauté ou leurs héritiers.

Cette division entre les communistes, consacrée par l'arrêté du Directoire du département de 1793, et par l'arrêté du gouvernement de l'an XII, s'est définitivement opéré par le décret de 1810, et par le rôle de répartition dressé en exécution de ce décret; et comme il n'y avait pas de solidarité entre les anciens communistes, chacun d'eux n'était personnellement tenu que pour le montant de sa cote aux rôles de 1814.

Ainsi ceux qui ont acquitté cette cote sont définitivement libérés, et les créanciers sont sans recours contre eux à raison des non-valeurs de quelque cause qu'elles puissent provenir.

C'est par erreur que les créanciers agissent comme si l'ancienne communauté, débitrice originaire, subsistait encore.

On ne pourrait d'ailleurs jamais faire une nouvelle répartition en vertu du décret de 1810, car ce serait lever un second impôt en vertu d'une loi dont l'autorité, essentiellement limitée à la répartition faite en 1814, se trouve épuisée.

Toute nouvelle répartition serait illégale, et chque Israélite touché d'une contrainte ou d'un avertissement pourrait, par son opposition, porter la question de légalité devant les juges civils, et prendre à partie les fonctionnaires qui auraient ordonné ou tenté le recouvrement."[354]

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[354] *Consultation*, pp. 7–8, 11–12, 18–19 (see Bibliography, No. 124).

APPENDIX V

THE JEWISH COMMUNITIES OF THE METZ PROVINCE

The author previously made an attempt to list the smaller communities in the Metz province. However, this list was incorrect because of difficulties in translating the Hebrew names of the communities shown in financial records of the Brancas-tax (*EcSt*, p. 38). Following is a corrected but incomplete list: Achâtel, Alincourt, Augny, Avricourt, Barst, Basse Yutz, Baudrecourt, Bionville, Bliesbrücken, Bourscheid, Budange, Buding, Budling, Chambrey, Chaté, [Achâtel?], Chicourt, Delme, Dieuze, Donlay, Ennery, Erstroff, Etting [or Etzling], Forbach, Frémestroff, Haute-Yutz, Hellering, Hellimer, Hombourg, Imeldange, Imling, Kédange, Koenisgsmacher, Lagrange, Lamersdroff, Les Etangs, Lixheim, Longeville [-les-Metz], Louvigny, Luttange, Marly, Manome [Manom], Metting, Metzervisse, Méy, Mittelbronn, Monner, Moulin[s-lès-Metz], Montenach, Morhange, Neunkirchen, Niedervisse, Phalsbourg, Pont pierre, Rédange, Rurange, Saint-Jean (a few communities with this name), Sierck, Solgne, Thionville, Tragny, Uckange, Vallières, Vantoux, Vic-sur-Seille, Viviers.

APPENDIX VI

EXCERPTS FROM NATHAN CAHEN'S PETITION AGAINST THE JEWISH COMMUNITY OF METZ

(1792)

"Nathan Cahen, juif, habitant de Louvigny, à lui joint les Juifs habitans les lieux de Marly, Augny, Ventoulx, Sansonnet, Haute-Iust, Basse-Iust, Sarrelouis, Herstroff, Niedervisse, Kédange, Metzervisse, Buding, Delme, Chambrey, Dolnay, Mézières près Vic, et autres villages compris dans les rôles d'aucuns des différens villages et lieux ci-dessus;

Après avoir pris communication de la requête présentée sous le nom des anciens syndics et élus de la ci-devant communauté des Juifs de Metz, notifiée le 31 mai 1792 . . .

Ont l'honneur de répondre, que le systême des adversaires conduit à des conséquences si révoltantes, qu'il n'est pas à craindre qu'aucun corps administratif, aucun tribunal, ni l'assemblée législative se port jamais à l'accueillir.

Il est, ce systême, de commencer par ruiner tous les juifs de la campagne, par réduire femmes et enfans à la mendicité, les chefs de familles à la désertion et tout ce qui y tient indistinctement aux tristes et violens effets du désespoir.

. . . Jamais, non jamais, les juifs de la campagne n'ont eu l'honneur d'être membres de la communauté des juifs de Metz; ils n'en étoient que les esclaves.

. . . les juifs de la campagne ont constamment, annuellement, sans distinction, sans interruption, exactement payé le montant de tous ces rôles, formés par les potentats de la synagogue [de Metz].

. . . A la différence des juifs de Metz, qui, après avoir attiré parmi eux, et dans la ville, ce qu'il y avait de juifs aisés dans les campagnes, ne payoient presque rien en raison de leur ascendant notoire, et savoient s'alléger sur les juifs du dehors.

. . . Il est de fait que jamais les juifs du dehors n'ont été membres de la communauté des juifs de Metz; que jamais ils n'ont concouru, ni été appellés aux élections de ses officiers; que jamais ils n'ont assisté, ni été appellés à aucune espece de comptabilité, à aucune espece de répartition, à aucune espece de délibération; que toujours ils sont demeurés esclaves du gouvernement, de l'administration et de l'autorité coactive.

Aujourd'hui, qu'on les honore du titre d'hommes, de celui de citoyens; qu'on les tire de la servitude, rien de mieux quant au moral, et rien en cela qui ne soit commun à tous les sujets françois.

L'on n'en a pas la moindre obligation aux juifs de Metz, et cela ne peut leur servir de titre, pour achever de ruiner les juifs de la campagne."[355]

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[355] *A Messieurs* . . . (see Bibliography, No. 25). It seems that the petition was written, or edited, by the lawyer Louis Petry (*Ibid.*, p. 14). In another document Petry is also mentioned as the "fondé de pouvoir" of the Metz community (Paquet, II, 1089).

APPENDIX VII

A 19th CENTURY OPINION ON THE JEWISH SYNDICS

In 1835 the Consistory of Paris appointed a commission to report on the reform of the communal Jewish life. On January 18, 1836 S. Mayer-Dalmbert made the following statement, which indicates the traditional attitude of the Jews to the syndics of the Jewish communities prior to the emancipation:

". . . je dois vous faire une première observation, qui porte sur la dénomination qu'on vous propose de donner aux personnes chargées de l'éxécution de vos bienfaisants projects, *on veut les appeler syndics.*

Certes, Messieurs, pour ceux qui feraient la part de l'époque, ce titre n'aurait rien de repoussant. C'est dira-t-on une centralisation de toutes les administrations existantes et il fallait trouver un nouveau nom: mais il est des hommes qui se souviennent encore d'un temps qui depuis longtemps n'existe plus, ils croiront voir reussisciter les institutions et l'administration des anciens syndics, ils croiront nous voir rétrograder.

Avant notre émancipation il y a 42 ans, lorsque nous n'étions qu'une secte tolérée, on nous faisait administrer par des syndics qui dans certaines circonstances seulement et à leur volonté, consultaient l'assemblée des anciens. N'est il pas à craindre qu'en voyant revivre ce titre, bien des esprits en soient choqués, ils s'imagineront que l'on veut faire revivre par lui d'anciens droits et des vieilles coutumes . . . pourquoi alors ne les appelerions nous pas subdélégués[?]

Ce titre est fort honorable et n'aura pas le tort immense de rappeler un état de choses que nous devons nous efforcer d'oublier . . ."[356]

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[356] The commission was composed of S. Alkan, E. Brandon, B. Cohen, Chief-Rabbi Marchand Ennery, E. Halphen, J. Lan, S. Mayer-Dalmbert, Ph. Simon, and Baruch Weil (ZS). Mayer-Dalmbert became in 1815 a member of the central consistory (L. Kahn, *op. cit.*, p. 195).

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