



Medal struck for the dedication of the synagogue
on the Glockengasse in Cologne.
The synagogue was destroyed on November 10, 1938.

JEWISH COMMUNITIES SERIES

COLOGNE

by ADOLF KOBER

Translated from the German

by SOLOMON GRAYZEL



PHILADELPHIA

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To my dear wife, Hanna, née Samoje

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INTRODUCTION

THIS book tells the story of one of the oldest Jewish communities in Europe — the oldest in Germany if one considers the age of the documents in which mention of it is made. The history of this community reflects every phase of the history of all German Jewry. For, from the days when Rome ruled along the Rhine down through the first quarter of the fifteenth century, this city was a metropolis of the first rank. Until far into the sixteenth century its political and military strength placed it in the forefront among the cities of the German Empire. This is equally true in the intellectual sphere. In the thirteenth century Cologne was the home of men like Albertus Magnus, and in the fourteenth it was the scene of Meister Eckhart's activity. As to the Jews, even after direct connection between them and the city itself was severed, early in the fifteenth century, their history continued within Jewish settlements scattered throughout the archiepiscopal province of Cologne until the very end of the eighteenth century. In 1798, when Jews again settled in the city, the Jewish community resumed a development which kept pace with the progress of this most important city of western Germany during the nineteenth and first quarter of the twentieth centuries.

Thus, the outlines of Jewish history in Cologne are perfectly clear. At all times the fate of Cologne's Jews is intimately associated with the history of the

city and the Empire. It forms an integral part of the history of German Jewry, and represents that history on a smaller scale. The publication of a book on such a community requires no further justification.

In the historical archives of the City of Cologne there exist in manuscript a large number of works by the former City Secretary and Archivist, Peter Fuchs (1782-1857). Among these is a brief history of the Jews of Cologne. With this as a basis, Ennen wrote his notes on the history of the Cologne Jews which he included in the first three volumes of his *History of Cologne* (1863 ff.). Over seventy years ago Ernst Weyden produced his *Geschichte der Juden in Koeln am Rhein von den Roemerzeiten bis auf die Gegenwart* (1867). Following him J. Schwarz published his *Skizzen zur Geschichte der Juden in Koeln*. Almost six decades have passed since the two-volume work of Carl Brisch appeared, *Geschichte der Juden in Coeln und Umgebung aus aeltester Zeit bis auf die Gegenwart* (1879-1882). Considering the time of its publication, the quality of this last-named work is inestimable. The importance of Brisch's contribution lies primarily in his collection of the material down to the nineteenth century. In the treatment of the documents and the material, however, he leaves almost everything to be desired. All the above-named works, excepting Weyden's appendix of documents, have long since become out-dated.

Literature, too, has taken a hand in the presentation of the Jewish past in Cologne. Thus the

historical novel, *Die Juden von Coelln*, by Wilhelm Jensen, deserves mention although this popular tale gives an altogether false picture of mediaeval Jewish life.

One need only glance at the publications of the *Gesellschaft fuer rheinische Geschichtskunde* and at the *Quellen zur Geschichte der Juden in Deutschland* to note how much new material has come to light within recent years. Moreover, the State Archives of Duesseldorf and Coblenz and the historical archives of the City of Cologne as well as the archives of the Cologne Jewish community contain much still unpublished material bearing on every chapter. The historical research done by the author of this volume during the past three decades, and his published books and articles, have laid the foundation for and have aimed at the production of just such a unified work as this.

In conformity with the nature of this series, sources and literature are noted at the end of the volume.

SECTION I
THE ROMAN AGE

SECTION I

THE ROMAN AGE

A THICK, heavy blanket of earth covers the Cologne of Roman days, and only small portions of it have as yet been uncovered. It seems that the settlement in the territory of the Ubii, which later became Cologne, was originally intended to be a counterpart of Lyons. The earliest divisions of the city were the *Oppidum Ubiorum*, the *Ara Ubiorum*, and, in close proximity to them, a camp for the Roman legionaries. Here was located what was apparently the chief settlement of the Ubii whom Agrippa, in 38 B.C.E., transplanted to the left bank of the Rhine. A Roman colony was established here under Emperor Claudius, whose wife, Agrippina, was born in Cologne; it was called *Colonia Claudia Ara Agrippinensium*. Seat of the Governor-General of Lower Germany and of the military staff, chief port, foremost trading center along the Rhine, and the home of the War Fleet, Cologne became "the symbol and the eye of world-conquering Rome in Lower Gaul." It remained of importance all through the long period of Roman domination. Around the middle of the third century the city saw the meteoric rise and fall of the Gallic Empire. Beginning with the second half of the fifth century the name Colonia

became more and more common, and the Hebrew retained it as קלוניא or קלוניא.

By the side of the military and the traders we must assume the existence at an early date of a considerable number of artisans and manual workers. The manufacture of earthenware and particularly of glassware flourished in Cologne. From there articles of this kind soon flowed into southern Gaul and beyond. Nissen assumes a much greater population for Roman Cologne than was to be found in the city during the Middle Ages, for he estimates the population during the Roman period at between thirty and forty thousand.

The religion of Rome was as victorious as its arms, temples to the gods of Rome being built first in the soldier-camps and in the cities. About the beginnings of Christianity in the Rhineland we know comparatively little. Fremersdorf has established the existence of a large cemetery along the Roman road between Cologne and Bonn, near the modern Church of St. Severin. The earliest graves, dating from the first century, are those closest to the road, and those of the second and third centuries adjoin them to the east. In this region he discovered skeleton remains buried in heavy, well-ornamented stone sarcophagi. With rare exceptions these bear no inscriptions. According to him these tombs go back as far as the middle of the second century, and are the resting-places of Christians. This would mean that the spot where St. Severin stands was, like those of St. Gereon and St. Ursula, connected with the Christian cult of Roman times. Professor

Neuss, however, cannot follow Fremersdorf in this view, refusing to recognize those near St. Severin as Christian graves.

This difference of opinion between the scholars is not without bearing upon the history of the Jews in Cologne. For it is more than reasonable to assume that the spread of Christianity in any Roman province was preceded and accompanied by the existence there of Jews. The presence of Christians in Cologne in the second century would, therefore, argue for the settlement of Jews in the city at that early date. Further proof to the same effect may be found in other archaeological finds of recent years. These indicate a considerable immigration of Orientals at about that period. Among these immigrants were Syrians, as is proved by an Aramaic inscription dug up in 1930. In view of all this it is not surprising that the Theodosian Code indicates the existence of a firmly established Jewish community in Cologne in the years 321 and 331.

The references themselves are of extraordinary interest. They prove that until 321 the members of the Jewish community in this city had been free from the onerous duties of the *Curia*, or City Council. But in the year 321 Emperor Constantine dispatched an order to the Council of Cologne commanding the discontinuance of the exemption. In order to mitigate this breach of custom, he ordained in 331 that two or three of those named should be released from the obligation. We must bear in mind that Constantine's decree followed his edict of 313 in which he declared Christianity the equal of all

other religions, and priests as a class free from all public duties (*munera*). We thus get the impression that the edicts of 321 and 331 merely placed the Jews on an equal footing with the Christians.

Those mentioned in the second of these edicts* as free from appointment to the *Curia* and from all personal obligations are the priests (*Hierei*), the Fathers of the Synagogue (*Archisynagogi*), and other communal officials. Of the synagogue elders one may say definitely that they were the men who occupied themselves with the arrangement of the divine worship and matters connected with such worship. Accordingly the structure of the Cologne Jewish community reflects that of the Jewish community of Rome and elsewhere in Italy and in the Roman Diaspora of that day. In this way the organization of the community affords further proof that the Jews had been present in Cologne for a long time. In any case, Constantine's edict is the first historical reference to a Jewish community in Germany.

The fact that the edicts were addressed to Cologne naturally does not argue against the existence of Jewish communities in other cities along the Rhine or the Danube. Those of Mainz, Treves, Worms, or Regensburg may be no younger than the Jewish community of Cologne. The irrefutable proof, however, which Altman brings for the existence of Jews in Treves in Roman times does not make

*Cf. P. Jean-Baptiste Frey, *Corpus Inscriptionum Judaicarum*. vol. I, Europa, Citta del Vaticano, 1936, pp. LXXXII-CI.

that settlement older than the fourth century. Moreover, Christianity did not appear strong in these parts at the time of the Edict of Milan (313), but rather became the dominant religion of Treves, the provincial Roman capital, during the second third of the fourth century. Still more, a large immigration of Orientals came to Cologne at a time when Treves as a city was still insignificant. Fremersdorf's view is that this immigration did not arrive by land, along the Lyons-Treves route, but by sea, directly to Cologne.

If Jews were residents of Cologne in the third century, it follows that they, like Jews elsewhere in the Empire, had been Roman citizens since the days of Emperor Caracalla in 212.

It is no longer possible to decide exactly where the Jews lived in the Cologne of that day, whether in the same neighborhood which they inhabited during the Middle Ages, or somewhere else. Though unable to prove it, Schumacher supposes that they inhabited the same spot as in later centuries. He finds it highly probable that their settlement lay along the road leading to the bridge, a situation which is found also in other towns, such as Mainz and Worms.

Obviously the Jews of Roman days possessed a cemetery of their own. There is no proof, however, that it lay near St. Gereon, and that tombstones with Hebrew inscriptions were found there dating from the Roman period. Such suppositions are based on fables. It is much more likely that the earliest Jewish cemetery of Cologne was situated to

the south of the city, along the Roman road leading to Bonn. The conclusions of O. Krauss with regard to this are to be found in manuscript in the historical archives of the City of Cologne. Krauss supports the assertion about Jewish graves to the south of the city with evidence on the nature of the graves found in that neighborhood during the excavations of 1922. The graves are supposed to have been imitations of the rock-tombs of Palestine. Fremersdorf denies the possibility of definite conclusions on the subject.

SECTION II

THE MIDDLE AGES

CHAPTER 1
UNDER THE FRANKISH, SAXON,
AND SALIC KINGS

ROMAN rule along the Rhine came to an end about the middle of the fifth century, and Cologne fell completely into the power of the Franks. The city became the royal seat of the Ripuarian Franks. Its ancient importance was recognized and continued in that it remained also the seat of a bishop, and, from the time of Charlemagne on, the seat of an archbishop. But during the Frankish period the agricultural interests of the dominant people gave Cologne the air of a farming settlement rather than a city. Nevertheless, even during the time of its greatest decay, while the character of the city changed, it never completely lost its standing as a trading center. There was always a certain amount of commercial activity.

Koebener suggests that in the Frankish period the city was not organized around its commerce, but was merely superficially affected by such activity as merchants came and went. Keussen and Schumacher offer a different suggestion, namely that trade was left in the hands of the Jews even when, generally speaking, economic life under the Franks witnessed a reversion to the primitive. Proof of the presence

of Jews in Cologne under the Franks is found in the Jewish cemetery at the Bonn Gate through a variety of potsherds of bowls and pitchers there dug up.

Under Henry I Cologne was once more joined to the German Empire. A generation later the powerful personality of Otto the Great having brought order out of the chaos which had resulted from the periodic invasions of the Normans toward the end of the ninth century, Otto's brother, Archbishop Bruno of Cologne, united in himself the religious and the secular rule over the Archbishopric of Cologne and joined to it the overlordship of the Duchy of Lorraine. The magnificent romanesque churches erected about the turn of the millenium gave Cologne the status of a German Rome. Its rank among German cities was further strengthened by the frequent presence of the Imperial Court.

The next documentary reference to the Jews after 331 occurs during the time of Archbishop Heribert (999-1021), that wise friend of Otto III. Winheim and Gelenius, basing themselves on the Annual Chronicles of Cologne during the fourteenth and fifteenth centuries, report that in 1426 the synagogue was turned into a church. They then remark that this synagogue had been in existence four hundred and fourteen years. That would place its origin in the time of Heribert. As long as the opposite cannot be proved, one may not doubt the statement of the historically valuable Annual Chronicles. Why, indeed, shall we not assume the existence of a synagogue in the city around the year 1000, since we

take for granted, as we must, the existence there of a Jewish community at that time?

All this would be quite in conformity with what we know about the period of Archbishop Anno II. This archbishop, named Anno the Great (1056-1075), surpassed all his ecclesiastical and secular contemporaries in ability and in importance for the Empire. He not only added to the power of the Archiepiscopal See of Cologne, but also led in every department of culture, and distinguished himself by his interest in the economic and artistic life of his people. It is no accident that the high reputation of the Cologne merchant dates from his time. It may also be more than an accident that the Jewish Quarter close to the *Rathaus* is mentioned for the first time during his episcopate, and that a report has come down about the Jews joining in lament over the archbishop's death. Furthermore, we can get a picture of the Jewish community of this period antedating the Crusades from the Hebrew descriptions of the persecutions during the Crusading Era.

The number of Jews in the community during the last quarter of the eleventh century could not have been less than six hundred. The markets of Cologne had attracted a great many Jewish visitors, and from such visits a permanent settlement had come into being. There is no occasion for surprise, therefore, when Italian Jews are mentioned in the stories about the crusaders in Cologne. A reference to proselytes speaks well for the attracting powers of Judaism. That the Jewish community of the city must

have been important is proved further by the statement in these Hebrew reports that out of Cologne there went forth to "our brethren scattered over the earth support for their life and correct words of judgment." It means that this community was the center of Jewish life for all the communities of the vicinity.

And then the storm broke in all its fury, the year being 1096.

CHAPTER 2

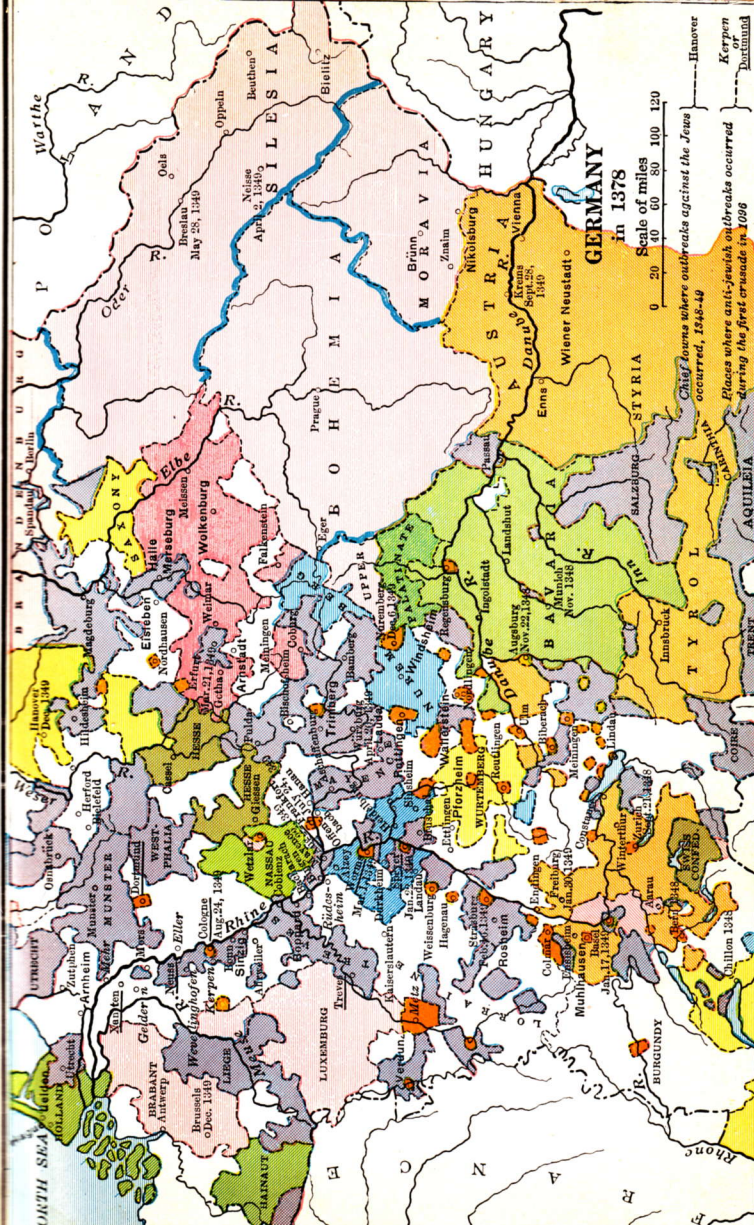
THE CRUSADES

ON THE eve of the feast of *Shabu'oth*, which in the year 1096 fell on May 29, news reached Cologne about the calamities which had befallen the Jews in Speyer, Worms, and Mainz. The Jews of Cologne hurried to their Christian acquaintances where they remained in hiding for the two days of the feast. The events which followed are described in a number of Jewish sources. One source is Solomon ben Simeon.¹ Another is the poet Kalonymos ben Jehudah whose elegy, beginning with the words "Would that my head were water," recounts the events in Cologne. The first of these sources claims that only one man and two women were killed by the crusaders on the first day of *Shabu'oth*. But the synagogue was destroyed and the scrolls of the Torah were torn up and burned, while Jewish homes were broken into and plundered. Apparently not much had been achieved by the "gift" of five hundred marks of fine silver to Godfrey of Bouillon, leader of the Crusade. On the third of June 1096 Archbishop Hermann III placed the Jews in secure hiding in seven small places of his diocese. Of these places only Neuss, Weverlinghoven, and Geldern can be identified. If one may trust the account given by the historian Albertus Aquensis, the departure of the Cologne community was carried out by ship along the Rhine.

A hard fate pursued these refugees even to their hiding-places. In Neuss a large number of Christians gathered from the vicinity for the celebration of St. John's Day. On June 25 or 26 some of this crowd, eager for booty, joined the crusaders in attacking the Jews. They killed the pious Rabbi Samuel ben Asher and his two sons. The bodies were dragged through the mud, and, for further shame and derision, the bodies of the sons were hung on the doorposts of the parental house. Also a certain Gedaliah with his wife and children, who had been residents of Bonn, found their death at Neuss. In all, about two hundred persons fell victim to the crusaders at this time. Among them were not only the refugees from Cologne, but also the town's native Jewish inhabitants.

On the same day misfortune befell the Jews in Weverlinghoven to the south of Neuss. The Jews preferred to kill one another, or to drown in the waters around the town, rather than fall into the hands of the crusaders. Mention is made of a Samuel ben Gedaliah who had but recently been married. He invited death at the hands of Menahem, the sexton of the Cologne synagogue. Samuel's friend, Jehiel ben Samuel, let his own father kill him, and then the father was killed by the sexton. The latter finally fell upon his own sword. A few Jews feigned baptism.

If the identification of אילנרע, or אילנא, with Eller of the Duesseldorf district be correct (though Brann prefers to identify it with Ellen of the Dueren district on the left bank of the Rhine), then that town, according to the reports of Solomon ben Simeon and



of Eliezer ben Nathan, was the scene of a similar massacre on June 27. Here three hundred prominent members of the Cologne community lost their lives. Among them was so prominent a person as Mar Judah ben Abraham. Also mentioned by name are Gershom Joseph, the latter's brother, Judah ben Samuel, and a man named Peter. The last-named threw himself from a high tower after everyone else was dead. According to the report of Solomon ben Simeon, only one woman remained alive, while according to Eliezer ben Nathan, only two young people and two children escaped the general slaughter.

On the same day, June 27, 1096, the crusaders arrived before the gates of Xanten. The Jews were ushering in the Sabbath by offering the customary benediction over a cup of wine, although they knew full well that the crusaders were at that very moment capturing the tower in which they had sought safety. The slaughter was unsparing. The "Rabbi from France" preferred death at his own hands, while the rest raised their voices high in a final call of "Shema' Yisrael . . ." Only those few remained alive who, on the following morning, were found wounded among the heap of dead. As in most other places, so in Xanten, attempts had been made to persuade the Jews to become converts to Christianity. Various communities, in their Memorial Books of the Martyrs, as well as later chronicles, listed the events at Xanten as among the severest persecutions of the crusading era.

On June 29 or 30, 1096 a large number of crusaders gathered in front of Meer, perhaps better called Burg

Meer, north of Neuss. The Captain of the Castle held them off for a day, possibly in the hope of convincing the Jews to accept Christianity. When neither suasion nor cunning succeeded, he had them brought singly under his guard so that they might not commit suicide, and on the next day handed them over to the crusaders who killed some and forcibly baptized the others. One man, by the name of Shemariah, bribed the archbishop's treasurer who thereupon carried him, his wife, and his three sons to Dortmund(?). Unable to escape baptism even there, Shemariah killed his family and then himself.

In Kerpen, or possibly Kempen north of Krefeld, the Jews were overwhelmed by their persecutors toward the end of June. According to Solomon ben Simeon's report, the harm they suffered fell short of death. The chief of the place embittered them particularly by his use for some building project of tombstones robbed from the Jewish cemetery of Cologne. In the course of this construction, however, the noble found his death. During the same month the Jews of Geldern also suffered at the crusaders' hands.²

The Second Crusade left the Jews of Cologne quite unharmed. This may be attributed to the fact that during the autumn of 1146 the highly respected Abbot Bernard of Clairvaux directed a letter to the archbishop, clergy, and people of Cologne in which, while urging them to enroll for the Crusade, he warned them against oppressing and persecuting the Jews, as well as against starting for the Holy Land ahead of the time agreed upon. Moreover, Arch-

bishop Arnold gave the Jews the fortress Wolkenburg in Koenigswinter as a refuge. In return the Jews entrusted to the archbishop, that is to say they assigned or deposited with him, all their property and possessions in the City of Cologne. Among those who sought refuge in the fortress was Ephraim ben Jacob, then thirteen years old, who subsequently wrote the record of these events. Evidently no Jewish blood was shed during this Crusade. Hence the plaintive poem *מר בכיין* (Bitterly they weep . . .) by Joel ben Isaac ha-Levi, which is recited among the hymns of the Ninth of Ab, can refer only to the events of 1096. The very haziness which characterizes this poem is to be explained by the fact that its author was not an eye-witness of the events therein described.

When the persecutions incidental to the First Crusade were over, Emperor Henry IV permitted the forcibly baptized to return to Judaism. Undoubtedly a number took advantage of this permission. Just as surely others remained Christians, or had themselves rebaptized after the Crusade was over. That is the only possible explanation for the existence in Cologne, since the second half of the twelfth century, of converted Jews who occupied important posts in Church and government. We note, for example, an Egebreth, around 1147 Magister in the Parish of St. Laurence, a Joseph son of Nathan who after his baptism was called Peter (1140-1160), a Judah son of David and of Zipporah of the Levitic clan, a descendant of a highly respected and wealthy family, who was baptized in 1128 and came to be known

as Hermann the Premonstratensian, and Everardus, sometime during the thirteenth century Priest of St. Andrew's with regard to whom we read *ex Judaeo factus Christianus*. We must assume that the patrician family *Jude* of Cologne, whose first recorded ancestor was the archiepiscopal tax-collector Werner, and who belonged to the richest and most powerful in the city during the twelfth century, was also of Jewish origin. It is not at all likely that in the case of this family the word *Jude* was added at first as a term of derision (though that sort of thing did occasionally happen in Cologne), and later was adopted as a family name.

CHAPTER 3

THE COMMUNITY FROM 1150 to 1349

DESPITE the destructive effects of the crusades, the development of the Jewish community in Cologne continued in an ascending curve from the middle of the twelfth century on. This is clear from the places of origin of the Cologne Jews as noted in the property register of about 1135. There we find the following places mentioned as the original homes of immigrants to Cologne: Aachen (Aix), Ahrweiler, Andernach, Bergheim, Dortmund, Duisberg, Dueren, Ekelenz, Frankfort, Frankenhausen, Geldenake, Iserlohn, Coblenz, Monheim, Nideggen, Neuss, Mainz, Siegburg, Werden, Wuerzburg, and also Holland (Arnheim) and England. Even though no documentary privileges by which this might be proved exist for the period, this influx must have been due to the protection accorded by the archbishop and city.

To be sure, Jewish life was not absolutely serene. There was no lack of conversionist effort from the Christian side, or of derisive reflections on the Jewish faith. Plenty of evidence for such an attitude may be found in the handbook for disputations with Jews, prepared by Abbot Rupert of Deutz (died 1130), or in the stories of Caesar of Heisternach, the father of Rhenish folk tales (1180-1240), or in the chronicle of Richard of Sens. But for the Jews of other

Rhineland cities the twelfth century was even less peaceful than for the Jews of Cologne. In August 1179 the Jewish inhabitants of Boppard were accused of the murder of a Christian woman whose body was found on the banks of the Rhine. Along with several Jewish travelers from Cologne, the Jews of Boppard who refused baptism were thereupon maltreated and thrown into the river. Moreover, Emperor Frederick I laid a fine of five hundred silver marks upon the neighboring Jewish communities, and the archbishop a separate fine of forty-two hundred marks upon the Jews of his diocese. In like manner the action of an insane Jew in Neuss, in 1187, served as an excuse for punishing not alone the Jews of that town but those of the entire bishopric. In 1213, when Pope Innocent III called upon the Christians of the Province of Cologne to join a crusade, he commanded the secular power to prohibit the Jews from collecting interest from their Christian debtors, and to exclude them from relations with Christians until money so collected was returned. Nevertheless, the community continued to develop even to the middle of the thirteenth century. For Archbishop Conrad von Hochstaden, he who laid the foundations for the Cologne cathedral, still considered it useful and proper, in 1252, to offer the Jews his protection.

None of the celebrated members of the Dominican Order who lived in Cologne during this period made any effort to influence the life of the city's Jewish community, although their private interests brought them in touch with Jewish thought. This was true of Albertus Magnus (1183-1280) whose extraordinary

learning embraced the entire body of knowledge of that day. He made use of Jewish learning also, especially the work of Maimonides. It was equally true of Thomas Aquinas (1225-1274), in whom scholasticism reached its highest development, and upon whom Maimonides exercised an even greater influence. His famous opponent, the Franciscan Duns Scotus (1266-1308), the founder of a new school, also shows the influence of Maimonides in certain important points. Finally, there was Meister Eckhart (1266-1327), in whose writings, still in large measure unpublished, references are frequent to Maimonides' philosophical exposition of the biblical text.

During the thirteenth century we hear of only two martyrs in the City of Cologne itself: Uri ha-Levi in 1216, and Isaac ben Simon in 1266. The events, however, which concerned the Jews within and without the ecclesiastical province as a whole, could not possibly have left the Jews of Cologne unaffected. Beginning in the sixties of the thirteenth century, and particularly in the eighties, persecutions of the Jews in the Rhineland followed one another in rapid succession: in 1260 in Coblenz; in 1266 in Sinzig; in 1286 in Oberwesel, Bacharach, Bonn and Boppard; in 1287 in Siegburg, Kochem, Kirchberg, Muenstermaifeld, Trarbach, Sinzig, Roedlingen, Lechenich, Kirn, and Braubach; in 1288 in Kempen; in 1289 in Bernkastel. In 1287 the Jews of Andernach were expelled and their homes destroyed.

Above all the Jews of Cologne were deeply moved by the imprisonment, in 1286, of Rabbi Meir of Rothenburg, the spiritual head of all German Jewry,

who also had relatives in Cologne. A Jewish delegation consisting of twelve representatives of the Rhine communities was sent to negotiate his release. The head of the delegation was Hayyim ben Yehiel *Hefetz Zahab* of Cologne, while Asher ben Yehiel, also of Cologne, was probably a member. Rudolph of Hapsburg made the unheard of demand upon the Rhineland communities for the payment of about a million marks in modern money as ransom for their religious leader. Asher pledged himself to raise this sum. But all efforts to release him were defeated by the unselfishness of Rabbi Meir himself who feared that by letting himself be redeemed he would be showing that the arrest of Jewish leaders was a profitable business for emperors and nobles.

The persecution of the Jews by Rindfleisch in 1298 did not affect the Rhineland directly. Two brothers, who hailed from Cologne and were studying under the Rabbi of Nuremberg, were martyred in the latter city. But the persecutions which began in 1336 did affect the Rhine communities, for example the modern government district of Coblenz. None of these events left Cologne unaffected. Besides, the Jews of Cologne were drawn into the general political situation. They were a factor in the quarrels between the archbishop and the city during the thirteenth century, as is evident from several legal decisions between the two sides. Also, during the struggle between Archbishop Henry II and his allies on the one side, and King John of Bohemia and his supporters on the other, some Jews of the diocese suffered captivity. In the year's truce of 1325 one clause demanded the freeing

and indemnification of all Christians and Jews held in captivity.

The very privileges and assurances frequently granted by the city or the archbishops during the first half of the fourteenth century are terrifying evidence of the threatening status of the Cologne Jews. The earliest expressions are to be found in the city's law-books of 1321. In 1327 obnoxious or evil things (*quade dunc*) are spoken of, which, when found in synagogues or wells, may lead to an attack upon the Jews. On the stalls of the cathedral choir, which dates from about 1340, there are numerous evidences of disdain for Judaism. Not only does one find there the usual symbol of the Jewish sow, but still another representation which, according to Witte, points to this period. Two Jews, recognized by their pointed hats, are represented in the act of emptying a huge bucket from which a sow and its young are tumbling out. One of the Jews holds a child in his hand, which he draws to the middle. The meaning of the picture is obvious. It points to the hatred which had grown enormously during the second quarter of the fourteenth century.

The quarrels within the Jewish community added to the evils of the situation. The law-suit of Meyer of Siegburg in the year 1334, to which reference will be made later, serves as a weather-vane to indicate the catastrophe which was to befall the Jews of the city and diocese in 1349.

CHAPTER 4

UNDER GERMAN KINGS AND EMPERORS

THE GERMAN King, Defender of the Weak, was also the hereditary protector of the Jews. The sad events of 1096 motivated King Henry IV specifically to take the Jews under his wing in the Territorial Peace of 1103. Thereby he created a new form of Jewry protection. His own regulation of their status remained in force for more than a century. Following it, and closely allied to it, was the institution of *servi camerae* whereby the Jews were declared Serfs of the Royal Chamber. This legal formula, fully developed under Emperor Frederick II, regulated the peculiar relationship between the Jews and the ruling powers down to practically modern times.

In Cologne, however, imperial power was limited by the authority of the archbishops. This situation can be traced back to the fact that in the tenth century Emperor Otto I had invested his brother, Archbishop Bruno, with ducal authority over his diocese. No doubt the Jews were involved in this transfer of power, but to what extent is not quite clear. On the one hand, Archbishop Philip in 1188 had to clear himself before Emperor Frederick I from a charge of having harmed the latter by imposing a money fine upon the Jews. On the other hand, the *notitia de precariis civitatum et villarum* of 1241, which was a list of services due

the Emperor from various cities and towns, and which also included the taxes paid by Jewish communities, does not mention the Jews of Cologne. The same uncertainty about the ultimate power over the Jews is evident in the political sphere as well. Since the middle of the thirteenth century the archbishops of Cologne repeatedly stated in their public documents that they held the Jews of their duchy and their diocese as a fief from the Empire. At the same time the Jews on several occasions asked for and received protection from the emperors. In 1275 Rudolph of Hapsburg published the papal Bull against the ritual-murder accusation first issued by Innocent IV and re-issued by Gregory X, an act which would seem to indicate that he was the supreme civil authority.

During the fourteenth century the situation becomes clarified, and the archbishop is seen exercising greater authority than the emperor over the Jews of Cologne. The Golden Penny, a tax imposed by King Louis the Bavarian in 1342, did not, at first, apply to the Jews of Cologne. Nor did the miserable role played by Charles IV in the Jewish catastrophes, beginning with the year 1349, affect the city and diocese of Cologne in that year. It is significant, moreover, that in the year 1360, that is at a time when there were no longer any Jews in the City of Cologne, those of the diocese turned to Archbishop William with the request that he, the archbishop, ratify certain imperial decrees which set forth their rights. Thereupon he re-issued, under his own signature, a decree interesting both for showing the continuity of

Jewish privileges and the periodic need for re-affirming them. For Archbishop William now re-published the decree of Bishop Eberhard of Worms (March 11, 1260) in which was inserted Frederick II's Golden Bull of July 1236. This in turn contained: 1) a summary of Frederick I's ratification (April 1157) of a Privilege granted the Jews of Worms by Henry IV in 1090, wherein are given the broad outlines of the imperial rights over the Jews and the extension of these rights to all the Jews of the Empire; 2) a judgment rendered by an Imperial Court on the basis of the report of a commission of experts which had investigated and found groundless the accusation of ritual-murder.

In 1390 Emperor Wenceslas forcibly interfered in Jewish property rights by cancelling all debts due them. This affected the Jews of the Rhineland quite as much as any others. They had to return notes of indebtedness and pledges, thus freeing their debtors from all obligation to them. Soon thereafter, in a Privilege issued on April 22, 1391, Wenceslas sought to repair the damage done to the Jews of Cologne, Mainz, Worms, Speyer, and Frankfort. From that day on debts were to be paid to the Jews, their persons and property were to be protected whether in the cities or in the country, they were to pay only such taxes as they had always been accustomed to pay, they were not to be expelled, and they were to enjoy the right of citing or being cited only before the secular courts of the city in which they lived. Proof of Jewish guilt in a lawsuit was to be based upon testimony of impartial Jews and impartial Christians

who were not enemies of the accused. No Jew was to be compelled to accept baptism, and a Jewish child under the age of nine was not to be baptized. In return, however, one *Gulden* was to be paid to the Imperial Treasury (on St. James Day, July 25) by every Jew above the age of thirteen. This tax might never be alienated, but was always to be paid to the Imperial Treasury. Finally all parts of the Empire were requested to protect the Jews in their rights. A fine of fifty marks and the severe displeasure of the Empire were to fall upon any violator of the Privilege. Five years later, when Wenceslas through his councillors tried to increase his demands upon the City of Cologne and upon the Jews, he met with the determined opposition of the city.

On January 9, 1401 Emperor Rupert granted the Jews of Mainz and Cologne a document which duplicated almost literally that of Wenceslas. Like his predecessor, Rupert assured the Jews of Cologne that he would never alienate the *Gulden*, or Golden Penny Tax. Yet, barely six months later, on the 4th of June, he transferred this tax upon the Jews of Cologne to two councillors of the Archbishop of Cologne: William Freschin, Provost of the Church of the Apostles, and Schilling von Flig, Bailiff at the Archbishop's Court. They were to retain the right of collecting this tax at the will of the Emperor; but his sister, the Archduchess Anna von Berg, to whom he transferred the tax on June 9, 1404, was to retain it for life. Again and again during the reigns of Wenceslas and of Rupert, the Jews of Cologne, as a community or as individuals, were cited before the

Imperial Court of Law. Moreover, there is proof that under Rupert the Jews of Cologne also had to pay "penitence fines" to the Imperial Treasury. It was a curious punishment for Jews who had been put under Jewish excommunication and obstinately refused to make peace with the authorities of the Jewish community. Elsewhere this tax makes its first appearance under Wenceslas.

The Emperor Sigismund ratified the privileges of the Jews of Cologne on November 21, 1414, and again on December 15, 1416. In the first of these edicts he confirmed their freedom of movement, the prohibition of forced baptism, and the regulation that no one may cite the Jews of Cologne before a court other than the secular court of Cologne. The Jews would have to answer only before their rabbi or *Judenhochmeister* whose seat was in Cologne. This last was a particularly important grant, in view of the fact that for financial considerations the Emperor was then setting up *Judenhochmeister* all over the Empire. As in Wenceslas' Privilege, the form of Jewish Oath current till then was changed, and the protection of the Jews was made incumbent upon all local authorities. In the second of the Privileges mentioned above, Sigismund ratified for the Jews of Cologne all the privileges granted them till then, including those of Archbishop Dietrich, and promised them not to raise taxes among them during the next ten years except in the event that he gain the Imperial Crown. In the following year he pledged the Golden Penny Tax to his Protonotary, John Kirchen, as

payment for a debt of a thousand Rehnish *Gulden*. He imparted this news to his Jews, the Serfs of his Chamber, in the City and Archbishopric of Cologne, in a letter dispatched in 1417 from Constance, and warned them under pain of a fine of twenty pounds in gold, to pay the Golden Penny to John Kirchen, his heirs and legal successors. Thus the Emperor enforced his supreme authority.

At about that time a great quarrel broke out between the archbishop and the city. It was caused chiefly by the fact that the archbishop had cited the Jews of Cologne before the Court at Poppelsdorf in violation of their imperial privileges. One phase of the quarrel had the Imperial Court at Constance for its scene, and will be discussed later in connection with the expulsion of the Jews from Cologne in 1424. After that date the rights of the emperor over the Jews were just as extensive. Among those called upon to pay the Coronation Tax, on November 18, 1433, are also the Archbishop of Cologne and his Jews. Furthermore, in 1435, Anshelm of Cologne, son of a well-known Jewish family of the city, was installed as Imperial Rabbi of Worms, and his activity extended to the Archbishopric of Cologne as well as to other places. It is obvious that Emperor Sigismund's Privilege of February 14, 1436, in which he ratifies the Privileges of Cologne Jewry and promises not to burden them with extraordinary taxes for the next ten years, applied to the Jews of the archbishopric, since those of the city had been expelled in 1424. For the financial claims of the

German emperors upon the Jews of the archiepiscopal diocese never ceased. Thus, as late as 1629 to 1630 Emperor Ferdinand II demanded from the Jewish communities of Electoral Cologne the payment of the Coronation Tax as well as the annual Golden Penny Tax.

CHAPTER 5

THE POPES AND THE JEWS
OF COLOGNE

IN THE charters granted the Jews by the archbishops of Cologne and by the city itself there is repeated mention of the Privileges which the Jews of Cologne received from the popes. The oldest Register of the City Archives, prepared in 1408-9, says nothing about papal documents regarding the Jews, although folio 208 notes *In der laden mit zween 11 synt Juden-brieffe*. At the same time, the historical archives of Cologne contain no fewer than three papal Bulls, all practically alike, in which Jews are taken under papal protection. They are those of Innocent IV (October 22, 1246 and June 9, 1247) and of Gregory X (September 10, 1274) commencing with the words *Sicut Judaeis*. They more or less repeat a Bull of Protection granted a century earlier by Popes Callixtus, Eugenius, and Alexander.³ In the introduction to the Bull the Pope declares that, although the Jews persist in their stubbornness in refusing to recognize the correct meaning of the prophetic words and of the mysteries of their own writings, the Pope, nevertheless, in Christian mildness and piety, prefers to follow in the footsteps of his predecessors, and grant the request of the Jews by taking them under his protection. The Bull then continues, "We, therefore, command that no Christian compel them by

force, against their will, to undergo baptism, but that anyone of them who freely joins himself to the Christians for the sake of the faith, may become a Christian without being subjected to any insult. For we do not believe that a man can have the true faith of a Christian who goes to the baptismal font not of his own free will but rather against it. Moreover, without the judgment of the legal authority of the land, no Christian shall presume to wound their persons, or kill them, or to rob them of their money, or to change the good customs which they have hitherto enjoyed wherever they live. Furthermore, in the celebration of their festivals no one shall disturb them in any way either by sticks or stones, or exact from any of them forced service other than that which they have been accustomed to perform from of old. In order to oppose the wickedness and avarice of evil men, we decree that no one shall presume to desecrate or to reduce the cemeteries of the Jews, or, with the object of extorting money, to exhume bodies buried there. If, however, anyone acquainted with the contents of this decree presumes to act in defiance of it, he shall suffer loss of honor and office, or be restrained by the penalty of excommunication unless he make proper amends for his presumption."

In the Cologne historical archives is to be found the Bull in which Pope Innocent IV, on July 5, 1247, took a stand against the ritual-murder accusation, as this Bull was renewed by Gregory X on July 7, 1274, and ratified by King Rudolph of Hapsburg in 1275. The same Bull, in a copy showing the signature of Albertus Magnus, rests in the city archives of Frank-

fort. It reads as follows: "We have received the tearful complaint of the Jews of Germany that certain princes, both ecclesiastical and lay, and other nobles and rulers of your cities and dioceses, lay evil plots against them and devise numerous pretexts unjustly to rob them and seize their property, without considering that it is from the archives of the Jews that, to a large extent, the evidence of the truth of Christianity has come forth. Despite the fact that Divine Scriptures, among other things, pronounces the law 'Thou shalt not kill' . . . they are falsely accused of sharing the heart of a murdered child on their Passover. It is believed that their law enjoins this upon them, although it is clearly contrary to their law. No matter where a dead body is found, their persecutors wickedly blame it upon them. Because of this and other imaginary crimes of which the Jews do not stand accused, which they do not confess, and of which they are not convicted, their enemies rage in their midst, contrary to the privileges granted the Jews by the Apostolic Throne. In subversion of God and justice, they are robbed of their property, oppressed by the denial of food, by imprisonment and by other tortures. They are subjected to a variety of punishments, and many of them are condemned to a shameful death. Thus, under the rule of these princes, nobles and rulers, the Jews live in worse condition than did their ancestors in Egypt under Pharaoh, and are forced to go into miserable exile from places inhabited by their ancestors from time immemorial . . . Since we do not want these Jews unjustly harassed . . . we command that you show yourselves mild and

kindly toward them. Whatever you find done against the Jews of the kind mentioned above. . . . you shall restore to the just status, and you shall not permit that in the future they suffer in these and similar ways. . . . Persecutors of the Jews must be put under ecclesiastical excommunication."

On the reverse side of the Bull as re-issued by Gregory X on July 7, 1274, there are two brief notations, one in Latin and one in Hebrew. The Latin sentence merely states that Pope Innocent IV had extended favor to the Jews. The Hebrew reads, "Lying talk must not be believed," namely that the Jews use Christian blood. The latter notation seems to indicate that the Bull was in Jewish hands and was kept by the Jewish community. But how did these Bulls come into the possession of the community? And, if they were not at first in the possession of the Jews, to whom were they originally addressed? Kehr, the greatest authority on papal Bulls, believes, without being able to prove it, that the Jewish community of Rome, whose relations with the Papacy were particularly close, since the pope was its secular overlord, used to obtain these Privileges from the Papal See and possibly even undertook to send copies of the documents wherever necessary. Other communities could hardly have done this, since the popes had no legal opportunities for establishing contact with them. The Bulls must have been distributed, therefore, either as encyclicals to all Christians, that is to the archbishops and bishops, or, as stated above, through the Roman Jews, who at the time of a Pope's coronation used to hail him as their suzerain,

and then act as intermediaries between him and other Jewish groups.⁴

There is evidence also of intervention by the popes in matters concerning the Jews of the Cologne diocese. As already mentioned, Innocent III, in 1213, urged the faithful of the diocese to join in a crusade, and promised them a remission of their debts to the Jews. On August 23, 1322, Pope John XXII ordered all the archbishops, bishops, and prelates of Germany, hence also the Archbishop of Cologne, to protect the Order of St. John against the usury of the Jews. On March 5, 1325, and again on August 1, 1326, the same Pope ordered Archbishop Henry II to apply to the Jews of his diocese as well as to those living within his dominions in general, the decrees of the Church Councils and of the Apostolic See, and to hold them accountable for damage done to the Christians. There is some reference in 1326 also to a Jewry tax which the Pope granted the archbishop permission to raise, and which was to have been collected by procurators chosen by the Cathedral Chapter. Later we shall have occasion to speak about Pope Martin V who was called upon to take a hand in the expulsion of the Jews from Cologne in 1424.

CHAPTER 6

THE ARCHBISHOPS AND JEWS OF COLOGNE

AT THE beginning of the Middle Ages the City of Cologne was subject to the German king. Around the middle of the tenth century Emperor Otto I transferred the ducal authority over Lorraine, and presumably also the rich income which had been a royal prerogative, to his brother Archbishop Bruno of Cologne. This is the best explanation of the rights of suzerainty which the archbishops of Cologne possessed over the Jews of their diocese down to the end of the eighteenth century. It shows why the archbishops exercised the royal rights of taxation and jurisdiction and accepted the obligation to protect the Jews in their territory. To be sure, these royal prerogatives of the archbishops over the diocese and the city do not remain uncontested. Indeed, they were the cause of endless contests between the archbishop and the Counts of Juelich on the one hand, and between the City of Cologne and the archbishop on the other. Occasionally the prerogatives over the Jews were mixed up also with the archbishops' political policies within the Empire.

The first trace of these prerogatives is to be found in the report that in 1075 the Jews raised loud lamentation at the demise of Archbishop Anno the Great. Presumably that was expected at the death

of an overlord. Furthermore, the existence of these prerogatives in the hands of the archbishops led to the efforts, which the archbishops made during the first and second crusades, to protect the Jews of Cologne. An example of the judicial authority possessed by the archbishop over the Jews is found in the Hebrew report on a lawsuit in the High Court of Cologne involving some non-resident Jews who, in 1171, were accused of maliciously passing counterfeit money at the Cologne market. The culprits were arrested and saved themselves from severe punishment by paying a large sum. Philip von Heinsberg, the archbishop under whom this happened, was the one who, in 1187, imposed a fine upon various Jewish communities in his diocese. This he could have done only if he possessed the prerogatives here under discussion. The Jews of Cologne proper must have been included in this fine. Nor is the case in favor of the archbishop's enjoyment of these rights at all weakened by the fact that on March 27, 1188 he had to take an oath before Emperor Frederick I to clear himself of the charge of having imposed the fine in disregard of imperial objections. For in spite of having transferred their prerogatives over the Jews, the emperors never completely gave up their sovereignty over them. In the *Notitia de Precariis*, the list of services due the emperor from cities and Jewish communities in 1241, the community of Cologne is not mentioned. That, we must therefore assume, is the latest date for the possession by the archbishop of the prerogatives and suzerainty over the Jews, if, indeed, he ever did possess them of right.

There is a report that Archbishop Dietrich I, von Heimbach (1208-1212), built the Godesberg Fortress almost completely out of the usury of a single Jew whom he imprisoned and whose money he confiscated. In the forged award to the Count of the Castle, (which was made presumably in 1169 but which really belongs to the period between 1220 to 1230,) the Count of the Fortress of Cologne, the highest archiepiscopal officer entrusted with the judicial functions of the city and its vicinity, is appointed by the Church of Cologne to act as the body-guard for the Jews of the diocese. In return for this service he was to receive from the Jewish community an annual compensation of ten Cologne marks and six pounds of pepper.

Archbishop Conrad von Hochstaden (1238-1261), he who laid the corner-stone for the Cologne Cathedral, appears as witness to the famous Privilege granted by Frederick II to the Jews of Vienna, which was modelled after the Privilege of 1236. In connection with the fight for independence from the archbishops, which the city began during Conrad's time, a compromise arrived at in 1252 includes all the inhabitants of the city who had stood guard on the city walls, whether clergy, or laity, or Jews. On April 27, 1252 Archbishop Conrad communicated to the judges, burgomasters, aldermen, and councillors of the City of Cologne the contents of an agreement he had arrived at with the Jews of the city for the next two years, and for which the city appeared as guarantor. Although the agreement itself is no longer in existence, its contents are clearly indicated

in this communication of the archbishop to the city. Both in its introduction and in its conclusion it assumes, as did the famous document of Speyer in the year 1084, that the settlement of Jews is of advantage to the city. It indicates a desire to keep the Jews in the city and to attract others. The Jews are taken under the archbishop's protection, in return for which they pay an annual tax and an additional sum of five marks at all subsequent annual elections of the Bishop of the Jews, that is the rabbi. In return the archbishop not only promises his protection but also undertakes never to oppress the Jews himself or to permit their oppression by his officials, the bailiff or the chamberlain. The limits of the archbishop's judicial authority over the Jews are also definitely marked. It was to extend to matters involving theft, counterfeiting, acts of violence which resulted in bloodshed, and adultery among the Jews themselves or between Jews and Christian women. In all other cases the Jewish courts of law were to exercise autonomy. The archbishop promises to support the Jewish court by expelling condemned Jews whom the community wanted removed from its midst. Finally, the archbishop requests the city to support and protect the Jews with all its might, so that those who are already in the city are encouraged to stay, and others to come and settle.

After a long and bloody conflict about violations of their respective legal powers, doubtful rights, and customs, the archbishop and the city agreed to an arbitration in which Albertus Magnus was to play an important part. Finally a compromise was arrived at

on June 28, 1258. Among his fifty-eight complaints was a challenge by the archbishop of the City Council's right to exercise any authority over the Jews, whom he claimed for himself as a fief of the Empire. He laid claim to all their taxes and to all judicial authority over them. The city, on the other hand, mentioned among its twenty-one counter-claims that Archbishop Conrad had forcibly ejected a number of Jews from their homes, and had imprisoned them contrary to law. The decision of the arbitrators recognizes, indeed, that the Jews belong to the Archiepiscopal Chamber, but decrees that the archbishop must fulfill his written promise to the city and to the Jews.

In the very next year Archbishop Conrad requests the judges, aldermen, council, fraternities, and citizens of Cologne to ratify in writing the agreement which he had renewed with the Jews of Cologne (which is likewise no longer extant). The city was to continue to receive from the Jews, for expenditure on its fortifications, four *solidi* for every mark which the Archbishop receives in tribute from them.

That Archbishop Conrad likewise exercised prerogatives over the Jews of his diocese outside the city is evident from the grant which he made in 1253 to Counts Walram and Otto von Nassau of five hundred marks of Cologne *denarii* from the income out of the tolls, imposts, coinage, and Jewish protection-tax in Siegen. Furthermore this arrangement provided that in case the income from the Jews and from coinage increased in value, the difference would be divided between the archbishop and the counts. His prerogatives over the Jews of the diocese were also contested

at that time, as is evident from the arbitral award made in 1255 by the provosts of St. Severin, the Holy Apostles, and of Soest.⁵ This award asserts that the Jews of the diocese of Cologne and of the archiepiscopal duchy belong to the archbishop.

Engelbert II (1261 - 1274) renewed the old but constantly disregarded privileges of the Jews of the diocese. His decree was engraved on a stone formerly kept in the old cathedral treasure-chamber, and later placed in the wall to the right of the western door, where it may still be seen. This grant was made with the consent of the cathedral chapter and the priors, and upon the advice of his faithful counsellors. Some of its provisions are highly descriptive of Jewish life of that age. The bodies of Jewish dead, no matter what the cause of their death, and no matter whence they are brought for burial, were granted untaxed interment in the Jewish cemetery outside the walls of Cologne, except those who had died under Jewish excommunication, or had been executed. No officer of the archbishop, or any judge, may order executions to take place on the grounds of the Jewish cemetery, or so near to it as to hurt Jewish sensibilities. Jews were not to pay, in the territory of the archbishop, tolls or transportation taxes other than such as were paid by Christians. Cahorsins, or any other Christians, who by their money-lending might hurt the business of Jews, were forbidden to settle in Cologne. The archbishop promised to set up a stone with the Jewish privileges carved upon it as an eternal public memorial.

Engelbert II himself was in the debt of the Jews. The Provost Werner of St. Gereon, and several others, went surety to Livermann of Dueren, Joselin of Ruding, and David of Zuelpich, for a sum of four hundred marks borrowed by the archbishop in 1271, to be repaid in four years.

Under this archbishop and in that same year, 1271, the burghers of Cologne won their ten year old struggle for independence from archiepiscopal rule. In 1274 the Emperor, Rudolph of Hapsburg, ratified the direct relationship between the city and the Empire. For twelve more years this archbishop and his successor continued to hope for the restoration of their power over the city. Finally Archbishop Siegfried von Westerburg was defeated at the Battle of Worringen in 1288, and the seat of the archbishop was moved from Cologne to Bonn. A change took place then in the politics of the archbishops toward the city. In the meantime, during the prolonged struggle, the archbishops had been unable to draw upon their income from the Jews. For the burghers of the city had taken possession of the Church property, and had imposed heavy taxes upon the Jews, although the latter were theoretically serfs of the Archbishop's Chamber and therefore free from taxation by the city. This illegal tax burden is estimated to have reached five thousand marks. Despite his claims the city did not permit the archbishop to draw upon his income from the Jews, so that he suffered imprisonment and want.⁵

From a reference by Rabbi Meir of Rothenburg we know that upon the just complaint of the Jews,

Archbishop Siegfried condemned several non-Jews to death. We do not know, however, whether this refers to a situation in the city or the diocese. When, in 1287, the Jews were expelled from Andernach and their synagogues and houses destroyed, the same archbishop took their part and enabled them to find refuge in some neighboring fortified place belonging to him. An arbitral decision involving this affair was subsequently rendered in the presence of the archbishop. Its provisions are interesting. The burghers and the city of Andernach undertook to protect the Jews with all their power, so that anyone causing them harm in person and property was to be subject to punishment by the archbishop. The mayor of the town and its aldermen undertook to capture such a disturber of the peace and hand him over to the archbishop to do with as he pleased. Whoever had wounded or killed an assailant of the Jews in the course of their expulsion is to remain unpunished, so that in the future people might show greater readiness to defend the Jews. The burghers undertook to warn members of their household against molesting the Jews. In order to avoid discord in the future, the aldermen and *majores* promised to forbid the carrying of offensive banners and the singing of anti-Jewish songs. These head townsmen were expected to join the mayor in seeking out the property of which the Jews had been robbed and restoring it to the original owners. By St. Martin's Day the burghers, rich and poor, guilty or innocent, were expected to rebuild the destroyed synagogues, the Jewish homes, and other archiepiscopal property (*hereditas*).

As to the expense incurred by the archbishop in guarding the Jews in the fortress where they had taken refuge, and in connection with the subsequent negotiations with the city burghers, he promised to be content with whatever compensation the city of Andernach would grant him of its own free will. Moreover, the city undertook to set its seal upon the decree in which Archbishop Siegfried granted the privileges to the Jews, and to banish from the city and to confiscate the property of all who had joined in destroying the patrimony of St. Peter and the synagogue of the Jews. On August 11, 1287, the mayor, the knights, the aldermen, and the patricians, led the Jews back to their homes. Thus did Archbishop Siegfried intervene vigorously on behalf of the Jews of his diocese.

Nevertheless his prerogatives over the Jews of his diocese were also contested. This is clear from the fact that in 1279 Count Gottfried von Sayn effected a reconciliation between Archbishop Siegfried and the Countess Richarda von Juelich and her sons. The right of protecting the Jews was one of the points in question. Since the Count von Sayn was not sufficiently informed about the matter, he withheld decision about the Jewish phase until Christmas. Finally there is to be mentioned the cancellation by the archbishop of the debt due the Jew Schoenemann of Zuelpich from the brothers Arnold and Heinrich von Embge.

To the reign of Siegfried's successor, Wicbold (1297 - 1304), belongs King Albert's transference of the protection of the Jews in Dortmund to the Arch-

bishop of Cologne. At the time the Jews of Dortmund were being subjected to such persecution as practically compelled them to emigrate. In the diocese of Cologne Archbishop Wicbold was intervening energetically in favor of his Jews against Count William von Berg whose two subordinates, von Kalchheim and Ronheim, had violated the truce of 1302 and had taken some of the Archbishop's Jews into captivity. In view of the fact that the arbitral award of 1302 had declared for the freeing of captives, the archbishop demanded the release of these Jews.

With regard to the Jews of Cologne, in return for a payment of twelve hundred marks he announced, on December 29, 1302, that he took them under his guardianship and protection for a period of nine years. In a document, each provision of which witnesses to the special and uncertain status of Jewish life, the archbishop promised to maintain the rights and privileges which they had enjoyed till then in the matter of tolls, judgments, and the like, and to defend them against injustice, force, and oppression of any kind. For this they were to pay an annual sum of sixty marks in two installments, and remain free from any other tax or contribution. Jewish immigrants to Cologne during the period of these nine years, having come to an agreement with the archbishop about their annual tax, may enjoy the same privileges as other Jews. Such immigrants are given fifteen days to decide whether they wanted to remain in Cologne. The Jew who was in debt must give the archbishop satisfaction in accordance with the size of his debt. The archbishop promised that his

successor, too, would be bound by the same decree, which he declared to be of advantage to the Church of Cologne. Within the limits of the diocese the same taxes on real or portable property were to be collected from Jews, and from the estate of dead Jews, as are paid by Christians under the same circumstances. Jews were not to be forced to take unusual oaths, but only the one, which they were accustomed to take. In order that interment outside of Cologne might not be interfered with, the archbishop gave his word that he would protect them to the best of his ability. Jews immigrating during the nine year period were to be made participants in the raising of the twelve hundred marks already mentioned. Finally, the archbishop promised to respect the papal, imperial, and archiepiscopal privileges hitherto granted the Jews of Cologne, and to maintain the Jews in all their rights. He had this decree guaranteed by fifteen burghers of Cologne, presumably the members of the Cologne City Council for the year 1302, who joined their seals to his.

It would seem that this Privilege of 1302 was even more favorable to the Jews than that of 1252. On February 5, 1303, however, the archbishop pawned the income from the Jews, along with the beer-penny and the profit from the use of the official mills, to Constantine von Lysolfskirchen, a burgher of Cologne, until the repayment of six thousand marks loaned by him to the Cologne Church.

Wicbold's successor, Archbishop Henry II, von Virneburg (1304-1332), played an important role in the imperial politics of the day. The historian Platz-

hoff characterizes him as a creature of the French. His policy shows most clearly the treatment of the Jews merely as wealth producers and political pawns. He favored the election as Emperor of Henry of Luxemburg who, in return, made extensive promises to the archbishop (1308) in case of his success in the electoral campaign. Among these promises was the confirmation to the archbishop of the royal prerogatives over the Jews, and that, no matter who their territorial prince, the Jews of the City and Diocese of Cologne should be considered as an imperial fief in the hands of the archbishop. As a matter of fact, the vote of the archbishop of Cologne did gain for Henry a majority in the Electoral College. In exactly the same way the archbishop sold his vote during the election dispute between Hapsburg and Wittelsbacher in 1314. In case of his election Frederick the Handsome promised Archbishop Henry II to ratify his tolls, his ducal authority, his fiefs, his domain, as well as the privileges connected with the Jews, coinage, and jurisdiction in the same manner as former kings had granted all of these to preceding archbishops of Cologne. Duke Leopold of Austria, who was conducting the negotiations for his brother, Frederick the Handsome, soon arrived at an understanding with Archbishop Henry on the rewards which Henry was to obtain for his allies in case the Hapsburg prince won the election. Among these allies was Hartrad von Mahrenberg, Provost of Wetzlar, who was promised, as a grant from the Empire, twenty marks annually from the Jews of Frankfort.

Archbishop Henry gave practical demonstration

of his right to protect the Jews of his diocese. Around 1320 he arrested the Cologne burgher Johann Stolle for having taken captive a Jew of the archbishop and having let him die in captivity. Though Stolle was released, he received stern warning against repeating the offense.⁷ As Duke of Westphalia, Archbishop Henry II held as fief of the Empire the presidency of the secret tribunal, the Vehmic Court.⁸ He took advantage of this position to insure the security of his Jews.

We are particularly well informed about the financial dealings of Archbishop Henry and the Church of Cologne with the Jews of the diocese. On a number of occasions he pledged a portion of his income from the Jews to pay his debts or to reward his favorites.⁹ It stands to reason that he never interfered with money-lending by his Jews, and even protected them in this activity. In the arbitral award which the archbishop made between the Dean of the Church of Muenstereifel and its Chapter, he decided that the Dean must restore the books and the chalice of the Church after being reimbursed for the money he had spent in redeeming these articles from the Jews. Furthermore, on June 18, 1324 the same archbishop was among the signers of the document wherein the Abbot and Convent of Brauweiler, Benedictine Order, were to sell their property in Domsweiler with all the people in it in order to be able to free themselves from their debt to Christians and Jews. Pope John XXII's interference in the financial affairs of the archbishop has already been noted. On one occasion the pope granted permission to raise a

certain sum of money from Jewish taxation. Again, in the years 1322, 1325, and 1326, the pope issued a number of decrees against the usurious Jews in the diocese of Cologne.

When the Privilege granted the Jews of the City of Cologne by Archbishop Wicbold expired in 1311, Archbishop Henry II renewed it. So, at least, we must assume, although no record of the renewal has come down. But exactly ten years later, on April 13, 1321, Archbishop Henry II announced that, at his request and for the good of the Cologne Church, Cologne had accepted his Jews living in the city for a period of ten years beginning with February 2 just past, and had offered them protection as fellow-citizens. The archbishop promises to maintain for the Jews all the privileges which he had granted them in the meantime. Should any of his successors during this period of ten years forcibly break the Privilege, the city would be justified in coming to the defense of the Jewish rights against the archbishop and the Cologne Church.

This document seems to have been preliminary to the real one. For on the same day (April 13, 1321) Archbishop Henry promises the City of Cologne to renew the privileges granted it concerning the protection of the Jews, as well as the privileges granted to the Jews themselves concerning the extension of their protection. He promises to affix to these grants his own seal and that of the Cathedral Chapter as soon as possible. The fact is, however, that Archbishop Henry II's Privilege of 1321 for the Jews is not extant. Nor has the ratification of it by the

Chapter followed till 1324, since in 1321 archbishop and Chapter were involved in conflict.

On June 23, 1326 Archbishop Henry, in his role of judge appointed by the Apostolic See, announced to his clergy, to the city and the diocese that he recalls the order issued by himself and his delegate, the Dean of Bonn, against Jewish bakers, brewers, butchers, and dealers in poultry. Upon becoming reconciled with the Council and the burghers of Cologne, he entered into an agreement with regard to the city and the Citadel of Bruehl wherein, on July 27, 1329, he offers the City of Cologne and his creditors, as guarantee of his good faith, all his income and rights in the city, among them the coinage and the Jews.

On December 28, 1330, in good time before the expiration of the term set in the Privilege of 1321, the archbishop let it be known that, at his request and for the good of the Church, the burghers of Cologne had taken the Jews under their protection for a further period of ten years. He also promises the Jews faithfully to maintain the promises made and sealed by himself and the Cathedral Chapter. Among other matters this announcement mentions the fact that the Jews had paid him eight thousand marks toward the redemption of the Castle of Aspel and the cities Rees, Xanten, and Kempen. This letter of protection of 1330 assures the Jews of Cologne particular protection and safe-conduct in Cologne and in all the domains of the archbishop. It renews, more or less in conformity with the Decree of 1302, all their privileges in the matter of taxes,

liberties, lawsuits, and so on for a further period of ten years, from February 2, 1331 to February 2, 1341. The Privilege imposes on the Jews an annual payment of seventy marks in Cologne *denarii*, to be paid in two installments, at Easter and on the first of October. Most of the provisions of this Privilege are repetitions of the one of 1302.¹⁰ Some of its details, however, are of particular interest. A Jew condemned for a crime under Jewish law shall pay the penalty himself, and no innocent Jew shall be made to suffer for this crime. Jews who come to Cologne to marry need not pay the annual tax. Jewish men or women shall not be hailed before or excommunicated by the ecclesiastical court. Claims made upon Jews shall be made before the Jewish court of law whose decision in such cases shall be final. Jews against whom other Jews complain, before the archiepiscopal judge or officials, of insubordination and violation of Jewish or archiepiscopal law, shall be expelled from the city provided the complaint is supported by a majority of the Jewish community. Every Jew of Cologne shall receive an individual letter of protection from the archbishop or his officials, and need pay nothing more than the stated annual tax, while every new settler must come to an agreement with regard to this tax with the archbishop or his officials. The Jewish Court shall render judgment only on matters that concern the Jewish religion and Jewish law, and in such matters no one may stand in its way.

In the days of this archbishop there was established in Cologne a sort of *Domus Conversorum* like

the one established in England in the thirteenth century. In 1309 the Lombard Stristram de Troja, who was one of the archbishop's officials, and two burghers of Cologne, Adolf and Wedekind von Revele, donated several houses and other buildings called Grunewald, located in the Parish of St. Kuni- bert, as a residence and a cemetery for converted Jews and for the poor and the sick generally. In the same year the archbishop permitted the location on this property of an Oratory, a hospital, and a cemetery. He added the statement that among Christian deeds of charity none is more pleasing to God than the support of Jewish converts, so that they might not revert, under the compulsion of poverty, to their previous error. Equally praiseworthy, according to him, was the second object, that of offering donations so as to make it unnecessary for poor and sick girls to visit general hospitals where they have to be together with men, thus shocking their feminine modesty.¹¹

The successor to Henry II was Archbishop Walram (1332 - 1349). He issued a pronouncement that the City of Cologne had done him a great favor by acceding to his request to take the Jews of Cologne under its protection. In consideration of the grateful and loyal service which the Jews of Cologne had rendered him and his Church, he adds seven to the five years which the Jewry Privilege of his predecessor still had to run. Thus Walram's Privilege, issued on February 2, 1336, was in force for twelve years. He promises to maintain it intact, and empowers the city to protect the Jews against any violation of the

decree by himself or his successor. At the same time it is clear that the canons of the Cathedral Chapter had not been so ready to countersign this extension of the Jewry Privilege. We find the Archbishop solemnly promising his Cathedral Chapter never again to give them so short a time for consideration of and consent to an archiepiscopal privilege, and not to extend any further the term of the Privilege granted by Henry II and now prolonged by himself. The Cathedral Chapter seems to have objected particularly to the exclusive jurisdiction over certain matters granted the Jewish community and court. Walram excuses himself by his dire need of money to redeem the pledged cities and castles of the Church, lest he lose them entirely. He promises never again to include the objectionable clause in the Privilege. Nevertheless, he could not keep this promise, and did renew the clause in 1341.

The ease with which the financial attitude toward the Jews degenerated into blind, sordid greed is seen in the affair of Meyer von Siegburg. Both the City of Cologne and Archbishop Walram owed him money. On April 5, 1334 Archbishop Walram concluded a treaty of lifelong friendship with the city, and at once proceeded to accomplish the condemnation of Meyer and his son, and to appropriate their movable and real property. At the archbishop's request, Meyer was haled before the Jury Court of Bonn and, on May 9, 1334, was condemned, presumably for helping a counterfeiter to escape. Much of Meyer's property was handed over to the archbishop, who promised not to hold the city to account for the

property of Meyer which it appropriated for itself. Also Count Adolf von Berg produced claims, and the archbishop arrived at an agreement with him. The City of Cologne, however, rejected all claims (October 21, 1334), whereupon Count Adolf von Berg issued a statement exposing the agreement arrived at between the city and Meyer's heirs. Finally, on December 20, 1337, a Latin and Hebrew document was issued and signed by the Jewry Bishop of that time, to the effect that the Widow Jutta and her son gave up all claims to the debts due Meyer von Siegburg from the archbishop. Therein Jutta renounces five hundred gold pieces. Although in the end the lawsuit was settled in a legal and friendly spirit, there seems to be no doubt that the condemnation of Meyer and of his son was a case of judicial murder. It was but a prelude, on a small scale, of the great tragedy which befell the Jews of Cologne shortly before Walram's death which occurred on August 14, 1349.

Despite everything the archbishop remained angry at the Jews of Cologne because of the affair of Meyer von Siegburg. For, on November 4, 1338, he lets it be known that "since our beloved Jews of Cologne" have again given him their willing obedience, he consents to renounce all anger and irritation which he had harbored against them. Therefore, he again extended his favor toward them, and, after mature consideration, handed them a decree sealed with the Great Seal, and asked the Council of the city loyally to protect and defend the Jews of Cologne in all their above-mentioned rights and favors in

accordance with the contents of the Privilege. This Privilege is not extant.

When, on February 2, 1342, the city of Cologne, in all due obedience to the request of the archbishop and for the good of the Church of Cologne, had once more accepted the Jews as fellow-citizens, and had promised loyally to maintain for thirteen years the Privilege bearing the seal of the archbishop and the Chapter, the archbishop announced that he did not desire any hardship to come to the city or its burghers individually and collectively as a result of their protection of the Jews. Should anyone commit a misdeed against a Jew or Jewess, either by wounding or robbing, only the evildoer shall suffer for it. The city is justified in protecting the Jews against any violation of the rights granted them in this Privilege. The archbishop, furthermore, promises his support to anyone undertaking the defense of the Jews against those standing in the way of such protection. The Cathedral Chapter set its seal by the side of the archbishop's. This was the last Privilege granted by Archbishop Walram before the tragedy of 1349. The events of this tragedy, and the part taken in it by Archbishop William of Cologne (1349 - 1362) will be described below.

Archbishop William, who in 1356 became also Elector of Cologne, issued on January 2, 1360, no doubt at the request of the Jews of his diocese, the summary of the Golden Bull of Frederick II (1236) which had been included in a document issued by Bishop Eberhard of Worms. In this were set forth the fundamental rights of the emperor in the matter

of protecting the Jews as well as that emperor's judicial pronouncement clearing the Jews from the charge of ritual-murder. The further relations of the archbishops of Cologne to the Jews of the city subsequent to their readmittance in 1372 will be described later in connection with the other factors involved in the protection of the Jews.

CHAPTER 7

THE CITY OF COLOGNE AND ITS JEWS

In 1096, when rumors about the attacks upon Jews in other parts of the Rhineland reached Cologne, some burghers, who in the contemporary documents are called "Christian acquaintances," protected the life and property of the Jews of the city until the archbishop, as the city's overlord, took the necessary steps. Again, when the Second Crusade was in preparation, a non-resident Jew, Rabbi Simeon of Treves, husband of a descendant of one of England's most prominent Jewish families, was murdered by crusaders before the gates of Cologne. The burghers of the city showed their friendliness to the Jews by taking steps to have the body delivered to them. Between these two crusades, in 1112, the citizens of Cologne organized the *Conjuratio de Libertate*, by which they hoped to gain for themselves certain autonomous rights. Their activity in behalf of the Jews, therefore, may well be interpreted as a kind of civic defense.

The aid extended to the Jews during the First Crusade laid the foundation for the subsequent policy of protection. Around 1150 we find the Jews described as *concives*, a word which is best rendered by "fellow-inhabitants." For it must be understood that the civic organization embraced not only those

who formed the inner circle of the commonwealth, but also those who, because of some right attaching to their persons, could claim the protection of the community, as well as those who, for one reason or another, were obligated to give the community a personal or property service. Like the burghers, the Jews enjoyed the right of carrying arms. Like the burghers, too, they could voluntarily invoke the jurisdiction of the masters and officials in cases involving their real-estate.

At the beginning of the twelfth century the burghers of the Rhenish towns set up organizations for the defense of their respective cities. The inhabitants went to battle arrayed according to parish, and each group was assigned the defense of the gate of the city-wall located in its district. The responsibility rested with the officials of the parish. Where a parish did not border on the city's fortifications, being within the center of the town, a gate was assigned to it which it could reach most easily and quickly. Accordingly, the Parish of St. Laurence, which at no point touched the city-wall, was assigned the Wuerfel Gate located in the Niederich district. Hence, the Jewish population, whose homes were situated in this parish, was entrusted, since 1106, with the gate near the *Wuerfeltor*, which was, in consequence, called the *Porta Judaeorum*. In addition, since 1180, when the enlarged city was newly fortified, another spot indicated the military obligations of the Jews. This was the *Wichhaus* which came to be known either as the *propugnaculum Judaeorum*, or as the *Judenwichhaus*.

In the fight between the archbishop and the city at the beginning of the year 1252, we actually find the Jews fighting by the side of the burghers. The peace signed between the archbishop and the city included also the Jews who are mentioned as having guarded the walls during the struggle. As late as 1372 the Jewry Privilege granted by the city expressly mentions the obligation of the Jews to participate in the city's defense.

Moreover, the Jews were subjected to the voluntary jurisdiction of master and officers demonstrably existing in the various parishes since 1135. The ownership of houses and land by Jews were entered into the records and books in the same manner as the possessions of Christians. The officials who kept these records were the authorities who bore witness in case of a contest to the title of any property. It follows that the unique records of Cologne (*Schreinsbuecher*) are of the greatest importance for the Jewish possessions in land.

On the other hand, in the more important matter of the protection of the Jews by the city, documentary material developed considerably later. During the twelfth century protection by the burghers, as distinguished from the official protection by the archbishops, was maintained as a manifestation of civic power, that is of the authority of the burghers within the town's boundaries. Therefore, the Jews needed no special document. But sometime around the turn of the thirteenth to the fourteenth century there occurred a formal change in the civic constitutional law. Thereafter the validity of the civic duty

to protect the Jews depended upon the grant of a document. This development is intimately connected with the city's struggle for freedom from the archbishop. For the first time in 1252 there appears a request by the archbishop, who no doubt had been prompted to it by the Jews, that the burghers join in a formal guarantee of the archbishop's promises. Among other matters, the archbishop had promised the Jews legal procedure in the prosecution of persons subject to punishment. Later on the archbishop used force in direct contravention of this promise. Such, at least, was the view taken by the burghers. Thereupon they asserted that a violation of Jewry Law had taken place. Basing themselves upon the fact that the archbishop himself had requested them to go surety for the maintenance of Jewish rights, they could claim that the overlord's illegal action threatened the city's immunities. As already mentioned above, the decision which the arbitrators rendered in 1259 declared it to be only right for the defender of the Jews to keep his promises to them and to the city. A decree on the subject of the Jews followed in the same year. In it the burghers once more pledged themselves to maintain the privileges granted by the archbishop. At the same time the archbishop granted the city the right to levy an annual, though rather small, tax upon the Jews. For fifty years longer the custom continued for the burghers merely to guarantee the archiepiscopal Jewry Privileges. Then, during the first decades of the fourteenth century, the guarantee was replaced by a formal, independent promise of protection on the

part of the City Council. This change was one result of the fact that after the Battle of Worringen, in 1288, the Archbishop of Cologne removed his residence from the city.

In 1321 the city granted the Jews a Letter of Protection for ten years. In it they were promised that none of them would be cited for damages except before a Jewish Court. Should this promise, announced as a *Morgensprache*, be broken, half of the sum sued for shall be paid as a fine. This Privilege was sealed with the Great Seal of the city, but it has been lost. Archbishop Henry II recognized the decree as binding, as already indicated above. Thus, for the first time, the city appears as possessing equal rights with the archbishop in the granting of privileges to the Jews. In the same year the City Council decided to begin negotiating the terms of its protection of the Jews half a year before the expiration of the Privilege.

As mentioned above, the archiepiscopal Privilege of 1321 had to be ratified by the Cathedral Chapter. As late as 1324 such ratification had not yet been obtained. Consequently the Jews of Cologne turned to the City Council. On January 16 the Council promised to use its influence with the Cathedral Chapter toward ratification of the archbishop's Privilege. When ratification was achieved, the Jews promised to pay the Council 300 marks in return for its trouble. The Council expressed a desire to be of aid to the Jews also in other respects. They were ready to help if a member of the community were unwilling to pay taxes. They agreed that the Jews

could be cited to law only in their communal house, that is to say before their own magistrate, an appointee of the archbishop and Chapter. In return for an annual protection fee of sixteen hundred marks, the city undertook to protect the Jews in person and property. At the same time the city excluded from the terms of this agreement both Solomon of Basel and Joseph of Ahrweiler, about whom more will be said later, since both of them enjoyed tax exemption.

On January 15, 1325 the Council renewed for the Jews of Cologne its assurance that for the next ten years they would be protected against threats to their persons, undue burdens, and harm to their property. It further promised that during this period no regulations would be adopted for increased demands at the expiration of the ten years. The Jews, on the other hand, could negotiate with the city during the ten years for regulations to come into force thereafter. In case of disputes the Jews might demand information and assistance from the City Council. This Privilege bore the Great Seal of the city, and was entered, word for word, in the city's *Eidbuch*, in which its treaties and obligations were recorded. In general, the last portion of the first *Eidbuch* was reserved for entries of records bearing upon relations between the city and the Jews.

The fact that such entries were considered necessary, and, moreover, that the city was called upon to renew its assurances so frequently, is proof enough of the growing insecurity of Jewish life in Cologne. For on January 23, 1327 the Council again promises

the Jews of Cologne protection and liberty in accordance with the seal-bearing Privilege. Even if an "evil thing" (*böses Ding*) be found in the courtyard of the synagogue or in their well, Jewish persons and property shall not on that account be attacked. When a Jew hales a Christian to court in a matter of debt, and if the Jew holds a promissory note or a pledged article from the hands of the Christian, the latter shall answer for the interest as well as the capital, and the judge shall aid the Jew to obtain his rights. Furthermore, the Council promises to expel Jews of bad reputation in accordance with the will of the majority of the Jewish communal leaders. This Privilege of 1327 is also sealed with the Great Seal and entered into the Book of Treaties. A few days later, on January 28, the city promises the Jews not to permit harm to come to them because of any event that may have taken place till then.

The earliest Letter of Protection granted the Jews by the city which has actually come down to us dates from the year 1331. In it the city grants the following rights: 1) In matters of debts, or of "edibles" (*essende Speise*), or in lawsuits resulting from loans on pledge, Jews shall be haled only before their own law-courts and not before courts of any other jurisdiction. The Council itself undertakes to guarantee this clause, and promises its good offices, if needed, also in a legal way, with the advice of the city's jurists. 2) The Jews may be given in pledge only in accordance with traditional Jewry Law. 3) They shall be free from all military service and war burdens, except in case of the need to defend the Jewish Gate

which had been entrusted to them from of old. 4) New Jewish immigrants shall enjoy the same privileges as old Jewish residents, but they must pay the archbishop the usual fees. Whoever fails to do so shall be forced to it by the city administration. 5) All members of the community shall enjoy the same rights; none may be granted special rights. 6) In quarrels between Jews and Christians, or among the Jews themselves, neither the entire community nor any innocent Jews shall be arrested. Finally, all rights and privileges granted the Jews by popes, emperors, Roman kings, or archbishops, as well as such City Privileges as had been entered into the Book of Treaties, shall be conscientiously maintained. For greater assurance, this Privilege, too, shall be entered into the Book along with the other Jewry Privileges. In return the Jews shall pay an annual sum of eighteen hundred marks.

In the face of external attack, as against the archbishop, the Council took energetic steps for the protection of the Jews. It forbade the *Greve* to place Jews under arrest in the house of the Chamberlain, if these Jews offered the guarantee of a Jew possessed of real property. Their accuser was told to take his case before the Bishop and Chapter of the Jews, where he was to abide by Jewish Law without appeal. They protected them also against the Margrave of Juelich, when he complained that the Jews of Cologne were acting unjustly toward his Jews. On the other hand, in 1337 the Council had to accept the demand of the Margrave of Juelich, in the name of Archbishop Walram, that the city protect its Jews. This

may have been connected with the Armleder persecution which raged through the Rhineland.

The city sought to maintain and extend its authority over the Jews by interfering in their internal affairs. On February 28, 1325, the Council forbade a number of Jews to settle in the city. The Council made itself the arbitrator in the lively disputes which raged within the Jewish community, where it energetically sought to re-establish peace and harmony. For example, for some ten years the Jewish community was engrossed in a dispute with Solomon of Basel, his children, and his sons-in-law. The Council of Cologne took a hand in the matter and in 1320 accepted as an outline of a settlement two letters issued by the Jewish community. Everything that had happened till Christmas 1320 was to be erased and forgotten. Thereafter Solomon was to remain free from imposts by the city and the archbishop, though not from special assessments and taxes of lesser importance. Whoever breaks this agreement, by spreading evil reports and the like, is to be excommunicated. In 1325 or 1326 two Jews violated this arrangement. They were forced to withdraw their charges, or leave the city and not set foot in it again until they had paid a fine. Nor did the dispute end there; it continued even after the death of Solomon of Basel, in 1330. On March 4th of that year the Inner Council of the city had to issue another decree in an attempt to establish peace.

In 1328 and 1329 another dispute arose involving two Jews and a building close by the synagogue court. Again the Council took energetic steps. Its

attempt to settle the matter resulted in the departure from the city of the Jewish "Bishop," Suesskind. In 1337 the city took a hand in the quarrel between the Jewish community and Leontinus. Finally, in 1343, the Council adopted a resolution in connection with the punishment of Abraham, grandson of Solomon of Basel

These internal quarrels, which sometimes led to physical combat, lessened the security of the Jewish population. On April 12, 1330, the Jewish district was provided with a protecting wall. In 1341 the purchase of any more real-estate by Jews was made almost impossible by a rule that further purchases by Jews of Christian-owned property must have the unanimous consent of the councilmen. In 1342 the Privilege granted the Jews by the city expired, and was renewed for another period of thirteen years, that is to 1355. The contents of this Privilege have not come down to us. But we do know that on April 10, 1347, the Council arrived at the decision that "in view of the contents of the Law Books and the advice of the legally informed," several of the Privilege articles "could in no way be reconciled with God and the salvation of the soul." Such articles, the decision went on to say, shall never be accepted in future Privileges. The articles in question concerned the sole jurisdiction of the Jewish Court in disputes of Christians with Jews, the guarantee given to their written and unwritten privileges and traditional customs, the regulation that a Jew may be condemned only upon the testimony of a Christian

and a Jew, and, finally, the maintenance of the gates to the Jewish district. But there was never destined to be an occasion for putting this resolution into effect, since only half of the thirteen years' term was up when catastrophe befell the Jews of Cologne.

CHAPTER 8

HOW THE JEWISH COMMUNITY FUNCTIONED

THE Jewish community of the Middle Ages was not only a religious community; it was at the same time a political and civic organization. As in other Jewish communities along the Rhine, so in the community of Cologne, communal leadership was in the hands of a Jewish "bishop" and a Communal Council. It is not clear when these names came into use, though they are obviously borrowed from the Cologne environment. Between 1135 and 1152, when the Jews of Cologne are recorded as purchasing two houses for communal purposes, they are not represented by a Jewish "bishop;" all the Jews in common make the purchase. Almost immediately thereafter, however, the records mention a Jewish "bishop" by the name of Bruningus. One hundred years later, the archbishop's Privilege of 1252 makes regulations about a Jewish "bishop." This privilege decrees that the Jewish "bishop" shall retain his post for only one year, at the end of which time he is to be replaced by another worthy man. The regulation was obviously motivated by the five marks payment which was to be made to the archbishop at every new election. Actually, as we can see from the documents in question, the office of

Jewish "bishop" could remain in the same hands year after year.

This "bishop" should not be identified with the rabbi. The early Middle Ages knew of no distinction between rabbi and communal head (*parnas*). The only requirement for a man who wanted to concern himself with Jewish Law was to have attained proficiency in teaching it and in acting as judge.

As in other Rhenish Jewish communities, so in that of Cologne, the Council consisted of twelve members including the "bishop." Not all of this number necessarily appear as acting at any one time. Thus, five persons mentioned in 1321 as entrusted by the Jewish community with the imposition of excommunication, need not be assumed to have constituted a body outside the Council. The same Jewish Council, moreover, which used to sign all Hebrew documents during the period around 1260 to 1270, is also given the name "Chapter" as a sort of parallel to the name "Jewish Bishop." Since the fourteenth century the "bishop" is also called *Meister der Juden*, Master of the Jews. In the fifteenth century we also meet the name *Hochmeister*, that is Supreme Master.¹²

The Council of the Jewish community concerned itself with matters of administration and justice. One of its duties was to make available to the city administration the Hebrew documents concerning the real-estate transactions within the Jewish community. This was done for the following reason. The Jews of Cologne had long enjoyed the right to live according to Jewish Law, and suffered but few

restrictions in that regard. The archbishop's Privilege in 1252 was the first to ratify this openly. In transfers of property Jewish Law was involved in certain specific instances. Thus, the Jewish Court had to take a hand in paying the *Ketubah*, that is in settling the widow's estate (*Wittum*), or in the appointment of guardians for minors, and the like. Otherwise property transfers among Jews were considered valid immediately upon the payment of the sum agreed upon between buyer and seller, or upon the transmission, before two witnesses, of a document drawn by the seller and handed to the buyer. It was the duty of the city's keeper of records to take into consideration the differences between Jewish and Cologne Law. Such an official, however, was not quite ready to accept and enter upon the record a document signed by two men quite unknown to him. He found it far more desirable to put the responsibility upon the Jewish authorities, by letting them certify to the legitimacy of the transaction, and, to some extent, holding them to account for the legality of the transfer within the Jewish community. For the new owner the document prepared by the Jewish Court of Law served as proof before the city's recorder that he had come legally into possession of the house or property in question. "That which we know for certain we have written down as proof, and have handed over as testimony to the Christian officials at St. Laurence, so that they may enter it upon their book, to certify for the two brothers that the piece of land belongs to them in accordance with the law there followed." These words

of the Jewish Council are noted in Document no. 217.¹³ Subsequent to 1372 no Hebrew documents have come down involving transfers of Jewish property in Cologne, presumably because no more were drawn.

The further duties of the Jewish Council consisted in representing the Jewish community in its legal actions conducted before government officials, whether of the city or of the archbishop. This is clearly exemplified in the various disputes between the Jewish Council and some members of the community. A case in point is the dispute, during the twenties of the fourteenth century, between Solomon of Mainz and the Jewish community about his claim to exemption from taxation. The Jewish Council argued before the archbishop's officers that the exemption of one man meant the imposition of a correspondingly heavier burden upon the other members of the community. Another example is the fact that the dispute between the family of the executed Meyer of Siegburg and the Archbishop of Cologne was brought to an end, in 1337, through the deposition of the Jewish "Bishop" Joselin.

The Council also served as the place of address for other Jewish communities seeking information. Thus, in the first half of the fourteenth century, presumably in 1331, the Cologne Council sent to the Jews of Mainz a blank formula for a guarantee, in which painstaking scrupulousness is emphasized as a method of maintaining peace.

One very important activity of the Jewish Council was the judicial. Insofar as mediaeval law left it in their hands, lawsuits were submitted to the legal

experts in the Council, namely the rabbis. Mediaeval legislation generally granted the Jews legal autonomy, so that they could apply Mosaic-Talmudic Law to disputes among themselves. The same situation obtained among the Jews of Cologne, and it was sanctioned to some extent through the Privilege of the archbishop in 1252. A further extension of the Jewish court's competence was granted by the city and the archbishop, in all likelihood because the economic conditions of the mediaeval Jews made such an extension necessary. This extension involved jurisdiction over certain mixed disputes. In 1321 the City Council promised that no one might sue the Jews for damages before any court but their own. It even fixed a punishment for any violation of this extension. Again in the Privilege of 1331 the City Council decreed, even more specifically, that in suits about debts of money or about edibles, or in any lawsuit resulting from commercial transactions, Jews may be sued only in their own courts of law. The City Council itself accepted the guarantee for this arrangement. The archbishop's Privilege of the same year decreed at first that plaintiffs bringing suit against a Jew must be satisfied with the decision of the Jewish court. Later, however, the same Privilege appears to restrict the Jewish court to matters pertaining to Jewish Law and ritual. In any event, civil disputes involving Jews were the exclusive concern of the Jewish court. Even the Cathedral Chapter had to appear before it. The lieutenant of the Count of the Castle, the *Greve* of the high court, had his complaints referred expressly "to the Bishop and

the Chapter of the Jewish community, and must there submit to Jewish Law without objection."¹⁴ All this, however, had the effect of arousing the opposition of the clergy and the burghers, so that eventually there was a reaction against the arrangement. In actual practice nothing was changed down to 1349.

The proceedings of the Jewish court took place in rooms of the synagogue building or in the synagogue courtyard. The Jewish civil court's chief means of punishment was excommunication. Sometimes this meant a temporary, at other times a permanent expulsion from the community. But at all times punishment could be meted out only with the aid of the city, just as we have seen it done in connection with the dispute between Solomon of Mainz and the Jewish Council.

After 1372 the Jewish community was usually represented before the city authorities by the Jewish "bishop" and one or two other Jews. The judicial activity was exercised, with certain limitations, until the expulsion in 1424.

The oath commonly used by the Jews of Cologne, as it has come down to us from the fourteenth and the fifteenth centuries, is referred to as "the oath of the Jews fixed by the Holy Roman emperors and strictly observed from ancient times through the entire Teutonic Territory."¹⁶

CHAPTER 9

RABBIS AND SCHOLARS

THE early history of the Jewish community of Cologne, like that of Worms, is surrounded by legend. Legend relates that Rabbi Amram of Mainz left his native town and, coming to Cologne, established there a college for the study of the Talmud. At his death, the story continues, his pupils placed his remains in a coffin, and entrusted it to the waters of the Rhine. Against the current, the coffin moved to Mainz. The legend is reminiscent of a similar story connected with St. Emmeran of Regensburg, and is traceable to the Teutonic custom of ship-burial. Another Cologne legend tells that Nachmanides resided not far from this city. Actually he was born in Gerona, Spain, in 1195, and after spending most of his life there as rabbi and physician, died in Palestine in 1270.

The earliest authentic names of rabbis and Jewish scholars date from the eleventh century. Aside from the "bishops" already mentioned, who presumably were possessed of rabbinic learning, we can name for the eleventh century Rabbi Moshe ha-Kohen, the rabbi from France, who was beloved as a cantor and at the same time was famous for his piety. His great virtues became particularly evident during the persecution of 1096. He was among those who fled to Xanten where he encouraged his fellow fugitives

willingly to submit to self-destruction. Joyfully, he, his wife Belet, his son Eljakim, and his daughter Ogia, accepted martyrdom. Because the name Moshe ha-Kohen is such a common one, or even Moshe Hazan, as he was sometimes called, it is difficult to decide whether the man we are discussing is identical with the liturgical poet by the same name. Rabbi Shimshon ben Gershom belongs to the same century. He, too, suffered martyrdom at Cologne in 1096, along with his sister Rachel. Finally, Mar Judah son of Rabbi Abraham, the communal head, belongs to the same period. He was "the wise and respected counsellor" of his own community and of all Jewish communities who used to come thrice yearly to the fair at Cologne. His love of his neighbors was famous. On the 27th of June, 1096, upon the approach of the crusading army, he killed his son, his son's bride, and then himself. This took place in Eller, whither they had all fled.

From about the year 1100 we hear of some local customs peculiar to Cologne, some of them destined to be adopted by other communities. These had to do with the reading of the Torah,¹⁶ with the poetry read during the synagogue service on certain occasions,¹⁷ and even the manner of sounding the *shofar* at the close of the Day of Atonement.¹⁸ Generally speaking, however, the customs prevalent elsewhere in the Rhineland were followed also in Cologne. The same holds true of the regulations adopted by the Jewish synods of the Rhineland. Nevertheless, Cologne strikes a slightly different note.

It is a difference which one occasionally senses in the life and contributions of the rabbis and scholars of Cologne during the twelfth and thirteenth centuries. One remarks a spirit of independence about these men, which sets them off from their contemporaries. A complete list of them and their literary contributions will be found elsewhere in this volume;¹⁹ here only the more remarkable names and achievements will be given. Some, like Rabbi Eliezer ben Shimshon and Joel ben Isaac ha-Levi of the twelfth century, were gifted poets. Others, like Ephraim ben Jacob, wrote chronicles of their times.

An example of the life and activity of a rabbi of that day is to be found in the biography of Rabbi Eliezer ben Joel ha-Levi (*Rabiah*) whose father, Joel ben Isaac, had been rabbi in Cologne until 1200. The son followed the father and exceeded the father's reputation. In addition to the instruction given to Rabbi Eliezer by his father, he studied in the famous talmudic academies of Mainz, Metz, Regensburg, and Speyer. He spent various periods of his life in Bonn, Frankfort, Cologne, Worms, Wuerzburg, as well as some even smaller communities. Since he was economically quite well off during the better part of his life, he could devote himself to study without assuming the burdens of an official position, and to the alleviation of distress among his co-religionists, as for example in Frankfort. But during the last third of his life he was subjected to suffering and want. The fire in the City of Bonn in 1198 destroyed most of his property, and what was left was annihilated during the wars

between Philip of Swabia and Otto of Brunswick (1198-1199). He barely escaped with his life. As a result he yielded to the wishes of his father, and, at the age of sixty, took over his father's rabbinic post in Cologne. He found it so distasteful to earn his livelihood from the rabbinic office, that he assumed also the office of cantor when that post became vacant, preferring to receive a salary as cantor rather than as rabbi. But he withdrew from the cantor's office when the archbishop, at the instigation of a Jew, officially confirmed him in this position. For it was considered contrary to Jewish policy for a Jew to accept a religious post from the hands of a Christian ruler, since to do so would leave the way open for the non-Jewish suzerains to dictate the religious policies of the Jewish community.

During the days of Rabbi Eliezer ben Joel the Jewish Court of Law (*Beth-Din*) of Cologne became the foremost in Germany, for he was recognized by everyone as the highest legal authority in Germany. He also participated in the synods of the Rhenish communities held in Mainz in 1220 and in Speyer in 1223. In 1216 the martyrdom suffered by his brother Uri affected him deeply. In 1221, for reasons unknown to us, he gave up his post in Cologne and transferred his activity to Wuerzburg, where he died around 1225.

Rabbi Eliezer wrote extensively on legal subjects,²⁰ so that through his works and his pupils his influence upon later generations was even greater than upon his contemporaries. Moreover,

his personal misfortunes led him to write a number of penitential poems, six of which have been preserved. Though not a mystic in the same sense as Judah *he-Hasid* or Eliazar of Worms, he equalled them in his lofty interpretation of ethical conduct. Isaac Or Zaru'a, his most famous pupil called Rabbi Eliezer "a Gaon and a pillar of the Universe." When, therefore, Isaac Or Zaru'a, whose work was composed between 1217 and 1246, cites customs of the Rhenish Jews, as he frequently does, he must have seen many of these customs in Cologne.

Another interesting personality connected with thirteenth century Cologne is Abraham ben Alexander, also called Achselrad of Cologne. He was a pupil of the pious mystic Eliazar of Worms. He seems, however, to have developed a penchant for the occult. In the synagogue of Cologne he offered some astonishing manifestations of knowledge gained through visions. The same man seems to have paid a visit to King Ferdinand II of Castile, although on this occasion he found it necessary, for some unknown reason, to call himself Nathan. The noted Spanish scholar of a generation later, Rabbi Solomon ibn Adret, reported from hearsay that, at the time of the visit to the king, Abraham spent a Sabbath in the company of a large gathering of rabbis and completely bewildered them by the marvels he showed them. His reputation was such that two hundred and fifty years later, around 1500, the famous humanist, Pico della Mirandola, had Abraham's cabalistic works translated into Latin by Johanan Alemanno.²¹

No sharp line separated scholarship from public

affairs in the Cologne of the mediaeval period. A number of the most prominent scholars were at the same time businessmen and members of the Jewish Council.²² On the other hand, businessmen were frequently deeply interested in scholarship. Proof of such interest is the report by the liturgical poet, Ephraim ben Jacob, that after the harrowing massacre of the Jews in York, England, in 1190, a number of Hebrew books from there were brought to and sold in Cologne. Of these books not one has come down to the present day. We do have, however, a number of remarkable manuscripts and illuminations prepared by and for Jews of Cologne during the twelfth to the fifteenth centuries, and now treasured in various libraries and museums throughout the world.²³

The scholarly activity of the community resumed with practically the same vigor after their readmittance to the city in 1372.²⁴

CHAPTER 10

THE JEWISH QUARTER

A. TOPOGRAPHY

THE first mention of a Jewish Quarter in Cologne occurs during the time of Archbishop Anno (1056-1075). It was located in the eastern corner of the old city, close to the ancient Roman wall, where the main street led to the Rhine through the old principal gate on the right (*porta principalis dextra*) which in later days came to be known as the Market Gate. It is no longer possible to decide just why the Jews settled in that particular spot. Was it the proximity to the royal citadel? Was it the immunity provided by the nearness to the cathedral, the archbishop's seat? Or was it only the fact that immediately to the east of the Jewish district, on the city's outskirts near the Rhine, lay the old market? In any event, as the various sections of the Cologne community were being formed, the Jewish district fell mostly in the Parish of St. Laurence, and to some extent in that of St. Brigit. A few Jewish houses were subject to the jurisdiction of the canons of St. Mary ad Gradus, *auf den Dielen*. The streets in which, around 1135 (when records of them began to be kept), the Jews possessed property were the Judengasse (mostly on the west side), the Portalgasse (on the south side), and the nearby corner of

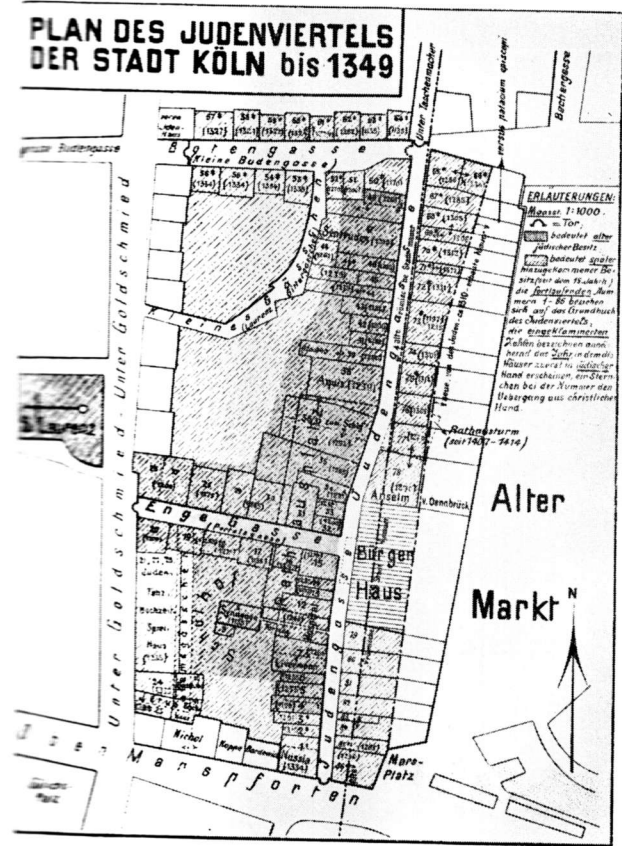
Unter Goldschmied. Here and there a house on the west side of the Buergerstrasse also belonged to the Jews.

Exact knowledge of the extent of the Jewish Quarter can be had only from about the middle of the thirteenth century. It was bounded by the following square: Stesse on the north, Obenmarspforten on the south, Alter Markt on the east, and Unter Goldschmied on the west. Early in the fourteenth century Jewish property began to expand. This may have been due to fugitives from South Germany fleeing the Rindfleisch persecutions of 1298, or to the exiles from France who settled among the Jews of Cologne. Whatever the cause, the result was an increase in Jewish-owned houses. As early as 1341 limitations were set to the extension of Jewish property. The importance attached by the City Council to this regulation is evident from the fact that it was inserted into the oath of office for members of the Council. Its purport was that the unanimous permission of the Council must be obtained by Jews to purchase new property.

Around 1349 the boundary of the Jewish Quarter underwent some changes. It consisted thereafter on the east, of the Buergerstrasse and the Judengasse; on the north, the Budengasse; on the west, the Unter Goldschmied; on the south, the Marspforten. Thus it is clear that, while the ownership and residence of the Jews were limited to a definite space, they were not, at least until the fourteenth century, separated from the streets and the homes of Christians. The Guild Hall (*Bürgerhaus*), for example,

which is first mentioned between 1135 and 1159, lay in the very center of the Jewish Quarter.²⁵ Its chief beam found its support in a house which lay to its north and belonged to a Jew.

Christians also owned property on the peripheral streets of the Jewish Quarter. Houses from the western side of the old Market reached into the very center of the Jewish district. Even after the portions reaching into the Judengasse had been cut off from the Market, these parts continued to belong to Christian owners until the beginning of the fourteenth century. Once in a while, sometimes temporarily and sometimes permanently, houses or parts of houses occupied by Jews were taken over by Christians. Occasionally this happened through the giving of a house in pledge to Christians, just as was sometimes the case with personal property. Another way by which Christians might have come into possession of houses formerly owned by Jews can be deduced from the following story. Between 1239 and 1270 Abbot Richer of Senones told of an image of Jesus crucified in a house on the Judengasse. A miracle occurred there as a result of which some Jews were killed, others had themselves baptized, and still others fled from the town. The story is merely an echo of the wonder tales so widely spread through the Middle Ages and adjusted by each teller to a particular time and place. It establishes more firmly, however, the fact that Christians could possess property within the Jewish district, and that they might even, in rare instances, inhabit such dwellings. It



Map of the Jewish Quarter of Cologne

Adolf Kober, *Grundbuch der Kölner Judenviertel*, p. 233).

also shows how property, long in the hands of Jews, suddenly was acquired by Christians.

As in other cities, so in Cologne, the proximity of Jewish and Christian homes resulted in a natural community of certain interests. Thus, for example, Jews and Christians shared in the use of a cesspool and in the cost of cleaning it. Either party could raise at will the wall separating their land without the other having the right to object. In a sense, therefore, the Jewish purchaser of some houses obtained certain rights over the neighboring Christian property. For example, water flowing off the roof of the Jew's house might, without objection, flow down onto his Christian neighbor's ground. On the other hand, the Christian might retain the right of using the separating wall which divides him from the Jew's land, as a support for his cornerstone, his principal beam, and the like.

Of particular interest in this connection is an entry in the judicial records of the year 1323. The Jewish Quarter was bounded on the south by the Mars Gate with which was connected the Chapel of St. Michael where the City Council used to hear mass. This Chapel was built right up against the home of a Jew, Joseph of Ahrweiler. When rebuilding his house, Joseph obtained from the priest and the canons of the St. Albans parish, which bordered that of St. Laurence on the south, the right to shut off one window of the Chapel of St. Michael, to change another of its windows, and to raise one wall of the Chapel in such a way as to use it for the support of

his beam. Interesting, too, is the use to which the money was to be put which Joseph paid for the permission to make these changes. One portion of the sum, the exact size of which is not known, was to be used for the erection of a steeple on the Church of St. Albans, another part for the purchase of a book, and the third for making improvements in the windows of the Chapel of St. Michael.

Although as early as the twelfth and thirteenth centuries we find mention of walls to separate Christian and Jewish property, nevertheless the complete separation of the Jewish Quarter from the non-Jewish appears only about 1300. On its eastern side, among the houses of the Old Market and those of the Buergerstrasse, walls are mentioned in 1295 and again in 1301 and in 1305. Apparently between 1305 and 1310 the Jewish owners on the eastern side of the Buergerstrasse extended the wall between their houses and the houses of the Old Market which bordered theirs on the east. The separation of the Jewish Quarter on the west was no less strict. Also in the Unter Goldschmied, between the Portalgasse and the Kleine Budengasse, walls separated Jewish from non-Jewish property along the Buergerstrasse, although the *Laurenzgittergaessen* already formed a sort of separating wall. In 1289, on the occasion of a Jew's purchase of some real estate, the Recorder's Office ordered that the Jews must not be disturbed or annoyed by their Christian neighbors during the Feast of Tabernacles. The same reason prompted the regulation that neither side might make a window in the separating wall, or, at least, that a window

thus made must have bars across. The doors and windows of Jewish homes looking out upon Christian streets were boarded up. Only in exceptional cases could such exits remain open, or new doors and windows be opened on Christian streets. Moreover, the exits from the streets of the Jewish Quarter were also barred by means of wooden pillars. These existed to the north leading to Unter Taschenmacher, on the south near the Mars Gate, and on the west at the Portalgasse at the corner of the Unter Goldschmied and the small Budengasse.

No one knows when such bars began to be put up. An entry in the second Book of Obligations (*Einfach*) around 1340 describes the wooden pillars more clearly. In accordance with an agreement between the city and the Jewish community the posts were to stand so close to one another as to make it impossible to see, shoot, or stab through them. All the posts were to be made of equal height, and be provided with a roof-like entrance for protection against rain. At Unter Taschenmacher the posts were broken through to provide a large gate through which a laden cart or wagon might pass easily. This larger door in turn had a smaller one enough for a single horseman or for a man carrying a burden. The gate at the Mars Gate was large enough for a horseman or an empty cart. A still smaller gate existed at the intersection of the Kleine Budengasse and the Portalgasse, though it, too, permitted passage of a horseman. Rabbi Alexander Suesskind, the author of the halachic work *Apostich*, who lived in Cologne at this time, took

occasion to discuss the problem whether such gates needed a *mezuzah*. He consulted the scholars in the Upper Rhineland, and finally, basing himself on the fact that the Jewish gates of Worms had no *mezuzah*, and upon a discussion in the Talmud (Babli, *Sota*, 11a), decided against putting *mezuzot* on the Cologne gates. The reason he offered was that there were Christians living within the Jewish Quarter, and that the Guild Hall was located there.

The gates were closed at night, except when the City Council was in session. They were reopened very early in the morning (*zu der vroer primen*). The City Bailiff had keys to all the gates; but for the small gate of the Judengasse the Jewish "bishop" also had a key. For this keeping of the keys the Jews had to pay the bailiff twenty marks annually. It should be stated that, while this separation offered protection against attack, it did not prevent lively traffic through the streets of the Quarter. These streets served as highways leading in various directions, especially to the east along the Rhine, where the wholesale dealers and the rich merchants had their stalls.

B. PROPERTY RIGHTS AND COMMERCE

Most of their property the Jews acquired as a free possession. There was only one limitation, namely that their real possessions be restricted to a certain district. In the case of a smaller number of houses belonging to Jews, ownership was limited by lease obligations, ground rent (*Hofzins*) stemming from

the concept of royal ownership, annuities, liens, and hereditary tenure. Property acquired through an hereditary tenure was to all intents and purposes in the unhindered control of the borrower, whose sole obligation was to pay the hereditary tax. This type of acquisition by Jews occurred but rarely before 1349.

A more usual burden on property was the ground rent. It was a tax on the property which had no relation to or influence upon personal taxes. It is almost identical with the hereditary tax. The transfer of the ground rent or the hereditary tax was made through the bishop as the head of the Church of Cologne, that is of the Patrimony of St. Peter, or through the chamberlain in his capacity of property-administrator. When, after the Jewish fire, the chamberlain feared that he would lose the ground rent, an agreement between the archbishop and the city specifically promised its continuance, so that the old houses of the Jews continued to pay it even after 1349; in other words after the Jews had been expelled and these houses had passed into Christian hands. Particularly worthy of mention is the ground rent collected in the suburb near the Rhine, whose origin must be sought in a royal tax on the land and which continued to be collected during the fourteenth century on the Great Feast of St. Martin. Although the Roman Wall formed the boundary of the district that had to pay this tax, nevertheless the houses on the east side of the Judengasse also had to pay it.

Furthermore, Christian sellers of real estate were

went to retain for themselves an income from what they sold to the Jews, in addition to any other tax that may have burdened the property. In this way another hereditary tax developed and was transmitted from owner to owner. There was also an income purchase, an investment which, like the modern mortgage, obligated the owner of a property to pay certain sums periodically in return for capital given him at one time. The Jewish Community House itself was burdened with such an obligation by the Jewish "bishop" in the year 1288. The purchasers of such incomes were here, as elsewhere, almost always Christians. With few exceptions one never finds Jewish money invested in such income-purchases.

Alongside of the general financial burdens there were also certain specific obligations to Christians, as well as some customary rights which individual Christians enjoyed over certain Jewish-owned houses. The demands of Church Law that Jews pay the tithe was applied in Cologne since the second decade of the fourteenth century. Houses located in the Stesse which were sold by Christians to Jews had to pay three *solidi* annually to the priest and parish of St. Laurence. The acquisition of houses on the Stesse was made still more difficult by the fact that from 1322 on a purchaser had to pay an additional ten marks to Simon von Juelich, owner of a house on the north side of that street. This was done in payment of a debt which the city owed him, and was to continue until his claims on the city were satisfied. The placing of a house in pledge with a Christian was of frequent occurrence. On the other

hand, Christians also pledged parts of houses with Jews, and a Jew might pledge with another Jew an annuity derivable from a house as a guarantee of a sale, and the like. Among Christians who sold property to Jews one might list all those who possessed property near the Jewish Quarter, whether charitable foundations or monasteries, patricians or burghers.

There were instances of Jews redeeming their houses from the financial obligations resting upon them. For example, a particular form of hereditary acquisition developed about 1320 for houses on the Stesse. A sale of this sort had to have the consent of the City Council, which thereupon received a quarter of the purchase price. The house in question and its inhabitants were then freed from any further payment of the hereditary tax.

The conveyancing of houses by owners who resided outside of Cologne was done before the authorities of the city in which the Jew who sold the property lived, that is before the judges, jurors, and burghers of Mainz, or Muehlhausen, or Muenster. In the same way the renunciation of their rights by children, whose parents lived in Cologne but who themselves resided in Sinzig, took place before the authorities of the latter town. If the husband of a seller had to confirm the sale and he lived in the city of Wesel, he had to do so before the mayor and the jurors of that city. Confirmation of a sale by the wife, who was a resident of Worms, likewise had to be done before the Bishop and the Council of Worms. The authorities concerned would notify the officials of

St. Laurence or St. Brigit of the conveyancing, and these officials would then enter the sale upon their records.²⁵ An interesting illustration of this procedure is the unique case of a number of Jews residing in Muenster who sold to a number of Jews residing in Bonn a part of their house in the Jewish Quarter of Cologne. Even if Cologne Jews resided in another town only temporarily, the conveyancing of their property in case of a sale had to be done in their temporary dwelling-place.

C. SOME STATISTICAL DATA

1. PRIVATE PROPERTY

AS ONE may note in the records of property-ownership, the Jewish Quarter consisted of houses, courtyards, homesteads, and occasionally also shops (*Gad-demen, Cubicula*). Like all other Cologne property, that of the Jews is classified into big, small, and long houses and courts. The houses were of one or more stories. A chimney rose over the part of the house used for a living room. Other rooms were usually built around it. Most houses had a cellar. Sometimes there is mention of a gabled roof. To Anselm of Osnabrueck, around 1328 to 1330, the City Council showed special favor by permitting him to raise his gable as high as he desired. In accordance with the general custom, in Cologne as in all of the older German cities, the wooden structure was made of light frame-work. There is, however, frequent mention of stone or of part-stone buildings. There are

only vague references to architectural style, for example, to the Romanesque.

Usually a courtyard went with each house. Frequently it contained a tiny orchard or a vegetable garden, and a well to provide drinking-water for the inhabitants. Some additional buildings might go with the house, for example, a winter-house and some stalls for animals. There were also outhouses, sewer-drains, and cesspools. Among the houses belonging to Solomon of Basel, or of Mainz, there was one built entirely of stone and so striking in the richness of its accommodations that it reminds one of the homes of the lordly mediaeval families. It was in Romanesque style, and consisted of a front-house and a rear-house. It contained a large number of rooms, among them a bath-room, numerous windows front and rear, three exits, several stairways, a cellar, a well, and so forth. Also its furniture indicated the wealth of the owner.

Around 1135 there were about thirty houses in Jewish hands; in 1170 around forty-eight; in 1235 around fifty; in 1300 about sixty; in 1325 about seventy, and in 1349 about seventy-five. To these numbers must be added the communal houses and other buildings not meant for dwellings. A number of people are mentioned as owners of more than one house.²⁷ In the course of years new houses separated off from the old ones, while, on the other hand, certain other properties were combined so that frequently two and, on one occasion, four dwellings could be found under one roof. A considerable portion of the Jewish population of Cologne lived in houses which

they rented in the Jewish Quarter. There were also some vacant lots in the Quarter, in all likelihood the result of a fire. But new houses were erected there, as they were elsewhere, in place of tottering old buildings. At the time of the fire in the Jewish Quarter in 1349 most of the buildings between the Portalgasse, the southern part of Unter Goldschmied, and the Jerusalemgaesschen fell a prey to the flames. For, in place of the houses to be found there before that date, there later appears a large estate referred to as *in dem Plaise*, after its owner Arnold of Plaise, the largest real-estate dealer of the fourteenth century.

In any event, the money invested in houses in the Jewish Quarter formed but a small proportion of the total Jewish capital. The investment in rentals never assumed any importance in the development of the Jewish economy. The total value of the real property in Jewish hands amounted, at the time of its sale through the archbishop and the city, according to the information in the city accounts, to 33,087 marks and 10 *solidi*. In modern money this means about 700,138 royal marks, around \$175,000. A few examples indicate a considerable difference between the price of houses before and after the year 1350. Clearly the Jewish fire resulted in a devaluation of the land and property within the Jewish Quarter. The fate of the former Jewish homes of the Quarter can be followed easily down to modern times, since they were entered into a separate record-book, *Scabinorum Judaeorum*, kept in the German language.

2. PUBLIC PROPERTY

Like every other large mediaeval Jewish community, that of Cologne possessed its synagogue building, its community house, its hospital, bath-house, bakery, and cemetery. All these buildings, with the natural exception of the cemetery, lay in the section of the Quarter near the Portalgasse, Unter Goldschmied, Obenmarspforten, and Judengasse. The synagogue, referred to as *synagoga*, *scholae*, or *scholae Judaeorum*, was erected, according to tradition, either in 1012 or in 1040, that is about the time the Worms synagogue was erected. In it the Jews are supposed to have bewailed the death of Archbishop Anno. It is certain that in 1096 this synagogue building was destroyed by the crusaders. The repaired, or newly-erected synagogue building, was located on the west side of the Judengasse, opposite the City Hall. According to a statement found in the writings of Rabbi Meir of Rothenburg, this synagogue, like that of Worms in the days of Eliezer ben Nathan (twelfth century), contained a Holy Ark, *Aron ha-Kodesh*, made of stone, as well as benches for adults and children. It also had stained glass windows with representations of lions and snakes, a fact of some interest for this type of art. In fact, the windows gave rise to a religious dispute. In 1152, Eljakim ben Joseph, one of the greatest scholars of Mainz, considered it improper for synagogue windows to be decorated with the figures of animals, since the impression might be given that the worshippers turned

in prayer to these figures. On the other hand, Ephraim ben Isaac of Regensburg, in his opinion directed to Rabbi Joel, permitted these and similar representations, in view of the fact that there was no longer any fear of idolatry among the Jews.

During the first decade of the fourteenth century there is mention of a pulpit from which the Torah was read. There is also a reference to prayer-books presented to the community by Solomon of Mainz, a member of the Jewish Council. The women's synagogue (*scola muliera, mitra*) which, during the Middle Ages, generally adjoined but did not form an integral part of the synagogue building, was added later, again as in Worms. First mention of it occurs in 1281. It was located on the Portalgasse, south of the *domus que quarta est a domo cor Misten*. The rooms of the synagogue building were used not only for prayer. Here was administered the oath to a Jew involved in a lawsuit, and here, too, the required penance was performed by a Jew who desired to free himself from excommunication imposed by the Jewish "bishop." Christians had to appear in this building when they entered suit against a Jew.

In front and behind the synagogue building lay the synagogue courtyard. Around 1280 it was increased in size by the addition of a neighboring court. Since 1315 there is reference also to the community gateway which led to the synagogue court. In the fire of 1349 the synagogue was partly destroyed. Subsequently, when all Jewish property was being sold, one half of the synagogue property went to the

estate *in dem Plaise*, and the other half was assigned to a neighboring estate which likewise belonged to Arnold von Plaise. Upon the return of the Jews, in 1372, the community regained the ground upon which the synagogue used to be located, not fully as its property, however, but under a hereditary loan arrangement. After the second expulsion of the Jews, the City Council forfeited it, in 1426, for non-payment of taxes. Like so many other synagogues after an expulsion, it was turned over to Christian religious purposes, and for hundreds of years thereafter served as the Council's Chapel (*Capella Mariae in Jerusalem*).

An annual celebration used to commemorate the conversion of the synagogue into a chapel. But with that the history of the building was not at an end; on the contrary, it was more varied than that of its first occupants. For three hundred years it enjoyed the particular affection and care of the City Council. Repeatedly it was renovated and beautified. Like many private chapels it became to some extent also a museum. In it was placed the most beautiful and most famous work of the Cologne school of painters, Stephen Lochner's beautifully colored Portrait of Three Kings. Through the influence of Wallraf and on the advice of the brothers Boisserée, this painting later was transferred to the cathedral. During the French period the Chapel completely lost its religious character and, till 1847, the building was used as a storehouse. Then it became the statuary-hall for the Wallraf Collection, and for the housing of the large Roman floor-mosaic discovered in 1844.

Between 1862 and 1875 it was the first home of the famous Cologne Male Choral Society. Between 1877 and 1907 it once more served as a Catholic Church, and after 1907 again as a city storehouse. In 1910 it was put in repair with the object of turning it into a public auditorium, but for reason of acoustics the plan was given up. In very recent times it was turned over to the Anglican Church. Of the former synagogue building, which has had such a varied career, little has remained except some portions of the walls. Also, when the west side of the Council Chapel was dismantled, some truncated columns were found which were probably remains of the synagogue building.

Another formerly Jewish spot which has had an independent career is a Jewish estate of those days, *das Haus zur Kamenate* (the House of the Chimney), which fell into the hands of the City Council in 1475. On it is now located the *Spanische Bau*, the most imposing non-religious building next to the *Rathaus*.

Adjoining the synagogue was a rather small building, the home of the synagogue functionary. On the west side of the Judengasse was a *Hospitale Judaeorum*. According to the *Deutzer Memorbuch* the last-named building was put up, at a time unknown, by Bella and her sons Eljakim and Mordecai, and Hanna wife of the latter. Its primary function was to serve as an inn for non-resident Jews. Close by the synagogue-court and bordering on the east side of the Jerusalemgaesschen, was the *puteus Judaeorum*, mentioned in 1361, the cold bath, called also *der kalte Born*, and "the large, four cor-

nered *Puetz*." A passage led to it from the *Judengasse*.

The oldest ritual bath, the *mikvah*, dates from the twelfth century. It is to be identified with the Romanesque cellar in the so-called *Plasmannsches Haus* near the City Hall. In Andernach, too, the Jewish bath was located near the City Hall. The oldest entry in the *Schreinsbuch* bearing witness to this identification of the Cologne *mikvah* dates from the year 1278, and speaks of *lapis lavatorius*, the bathing-stone near the *antiquus murus paganorum*, referring probably to the Roman City Wall from which the Roman market-place was actually about two miles to the east. Support for the assumption that this was the oldest Jewish ritual bath is to be found in a certain similarity between this and the similar bath in Worms established several decades later. It must have been arranged in some such fashion as follows. Out of the central of the three modern chancery houses a stairway led down to a room now filled in. A side-room, of smaller size, served as a dressing-room, the still visible niches along its wall being used as clothes receptacles, the entire arrangement being similar to that of Speyer and Worms. From there one went into the large, square room supported by pillars. Steps led down into the depth filled with spring-water.

Next to the synagogue, the Community House seems to have been the oldest property acquired by the Jews, probably around 1135 to 1152. The purpose of this house is adequately described by the

name usually applied to it, Bridal and Wedding House, or Play House (*Spielhaus*). It surely served also as the meeting place of the "bishop" and the Jewish "Chapter." In order to raise funds, the community and the "bishop," in 1288, sold to Johann von Merzenich, an income of ten Cologne *denarii* from this house. Till 1298 this income remained in Christian hands. In 1349 the house burned down.

In 1288 the Jewish "bishop" and one Jewish Councillor, on behalf of the Jewish community, bought a house from a Christian, and turned it into the Jewish Bakery.²⁸ It remained burdened with a hereditary tax. In 1349 it, too, burned down.

Only the larger and more important communities possessed a cemetery (*cymiterium, hortus, sepulturae Judaeorum*). In Cologne, as elsewhere, it was located outside the town limits, quite a distance from the Jewish Quarter. It lay, since Roman times, to the south of the city, outside the ramparts erected in 1180, in the property of the Parish of St. Severin. *Am toten Juden* was the name given to this stretch of ground measuring about 29,000 square meters.²⁹ In 1096 Solomon ben Simeon mentions the tombstones of the Jews buried there. In 1146 Rabbi Simeon of Treves was buried in this cemetery by the leaders of the Cologne Jewish community. The earliest tombstone of the cemetery still in existence, however, dates from the year 1152.

The size of the cemetery in that year is not mentioned; but in 1174 it was increased by five acres, which the dean of St. Severin, with the consent of the Chapter, gave to the Jews in return for an



The tombstone of Samuel Moshe ha-Levi, 5 Iyar, 934 (April 8, 1144).
One of the oldest tombstones in Cologne.

annual tax of four *denarii* in place of whatever tithes the land might have paid.³⁰ The enlargement of the cemetery was due not alone to the growth of the Jewish community of Cologne, but also to the fact that the smaller localities of the archbishopric brought their dead for burial there.

Burial was permitted in that cemetery without any hindrance and without any tax. A decree of Archbishop Engelbert II, which was carved in stone, granted that, "No official, whether of the archbishop or of anyone else, shall permit the execution of bloody judgment upon Jew or Christian upon the above-named Churchyard or in such proximity to it that it may hurt the sensibilities of the Jews." This dates from the year 1266, and was in consonance with the views of Pope Innocent IV who had forbidden the desecration of Jewish cemeteries. Also Archbishop Wicbold (1302) and Henry II (1331) granted protection to the cemetery. As a matter of fact, however, when non-resident Jews brought the dead to be buried there a tax upon the corpse was demanded and even forced, and the peace of the cemetery was disturbed by executions carried out in its immediate vicinity.

In 1349 the Cologne cemetery suffered the fate of other German Jewish cemeteries. Since the tombstones were considered ownerless, some of them were torn out of their places and used by Archbishop William of Gennep for the construction of the fortress of Lechenich or in Huelchrath. After 1372 the Jews of Cologne again were granted the use of the

cemetery near the St. Severin gate, and till 1695 it continued to be used, above all by the Jews of Deutz. The names *Am toten Juden* and *Judenbuechel* have kept the memory of the cemetery alive down to modern times.

The second name is applied to this place because it is situated on an elevation of from forty-nine, fifty to fifty-one of the Amsterdam water gauge. The neighborhood of the *Judenbuechel* has served as a place of execution as well as celebration. In 1324 Louis the Bavarian celebrated here his marriage with Margaret, daughter of Count William of Holland. Tournaments also took place *Am toten Juden*. In 1474, when Charles the Bold of Burgundy was besieging the City of Cologne, many buildings in the vicinity of the *Judenbuechel* were torn down, while the Jewish cemetery, as well as a number of houses near it, was levelled to the ground. Soon thereafter the Archbishop of Cologne gave permission for the erection of a gallows near the *Judenbuechel*.

One reason for the persistence of the memory of this cemetery in manuscript and geographical literature was the dispute between the archbishop and the city about jurisdiction over this parcel of land. Despite the fact that in the nineteenth century a fort and a freight-station were erected in the neighborhood of the *Toten Juden*, the name has not quite disappeared. A few years ago the ruins of Billstein's Dance Hall were removed from the *Toten Juden*. The extension of the freight-station to the Bonn Gate, which took place in 1922, aroused archaeological

interest in the Jewish cemetery. This led to excavations, and above all, to the acquisition of part of the former cemetery ground by the Cologne synagogue. Toward the end of 1936 this last portion of the archaeologically valuable, ancient Jewish cemetery had to give way to a new city market.

CHAPTER 11

MERCHANTS AND BANKERS

DURING the Middle Ages the City of Cologne achieved a leading position by means of its commerce. The fame of the Cologne fair was widespread. Already in Roman days and far into the Frankish period the city enjoyed a considerable trade. Proof for this is in the settlement of Greeks and Jews within the Old City, and of Frisian cloth-merchants and Walloons in the district of St. Gereon. Following the Norman Invasion of 881, when Cologne was destroyed, and with the setting up of fairs which followed the consolidation of the German kingship, the city's trade resumed its development. It must be assumed that during the reconstruction period in the middle of the tenth century, the newly established fair sought a new location. The Merchants' Guild of St. Martin developed its rich corporate life in the district lying between the Rhine and the Roman Wall which was settled and drawn into the city organization during that century. During the eleventh and twelfth centuries Cologne became incontestably the first mercantile city of the Empire. Its trade became very active, and its merchants were to be found in other lands.

In the tenth century, Jewish merchants, traveling by sea and land, traversed the vast distances from the Land of the Franks to China. At the time of

Emperor Otto I, Jewish merchants could be found at the fairs of Cologne selling principally wool, skins, furs of every kind, pearls and gems. Thus the Spanish Jew Ibrahim ibn Jakub describes their activity. At the beginning of the twelfth century the Cologne Jew Judas, who later became a convert and a Premonstratensian monk under the name of Hermann, travelled toward Mainz with a variety of products, "for all Jews are engaged in trade." Indeed, the Jews were among the most active participants in the fairs of Cologne. This is reflected in the life of Eliezer ben Nathan, who lived in Mainz about the middle of the twelfth century. A scholar, in addition to being a poet, he was called upon to settle many legal disputes to which commerce had given rise. Purchases were made in Cologne and immediately resold in Mainz. The poorer merchants bought goods on commission, paying back about half the profit, or earned merely a broker's fee.

Wherever possible, journeys were made by ship. If one wanted to save on the price of a voyage, the heavy bundles of goods were entrusted to ships that pined the Rhine, while the merchant himself went by a different route. Trade in gold, pearls, sheepskin, and cloaks, is referred to frequently. The Hebrew record of Ephraim ben Jacob, as late as 1171, mentions the much-travelled Rabbi Benjamin the Noble who had come to the fair of Cologne from Vladimir in Russia. As to the trade carried on within Cologne by the Jews resident there, the records of Cologne speak of it, for example, when they mention a shopman by Vivus son of Livermannus around 1135 to

1152. A papal Bull of 1213 likewise refers to such trade. As late as 1326, mention is made of the existence in Cologne of Jewish butchers and dealers in fowl. In 1389 there is a reference to the *Verkaeufferin Bela*, obviously a shopkeeper. Through the re-sale of pledges deposited with the Jews there was always bound to be a certain amount of trade in goods. Thus we find that in 1395 a certain Christian woman owes the Jew Joedelin a sum of money for a white cloth. Generally speaking, however, the fourteenth century saw the end, for the Middle Ages, of Jewish trade in goods.

At the same time signs are not lacking that, along with trade, financial operations were carried on quite extensively throughout the period. The stone-carved Privilege which Archbishop Engelbert II granted in 1266, assumes the Jewish pre-occupation with finance, since it promises the Jews not to tolerate Cahorsins or Christian money-lenders in Cologne whose operations might work harm to the Jews. As a matter of fact, since the time of Archbishop Anno the Great (1056-1075), many archbishops of Cologne were themselves in debt to the Jews of the city. Anno himself was one of them, as were also Arnold I, Philip von Heinsberg, Wichbold, Walram, and Dietrich II, while Archbishop Henry (1306-1332) had recourse also to the Cahorsins.

With regard to the city's loans from the Jews, only few such are known before 1349. The city borrowed from Joseph of Ahrweiler and Solomon of Basel in 1321, and from Simon of Juelich around the same time. The fact is, however, that earlier

city accounts are lacking. Among monasteries and other Christian institutions indebted to the Jews, we have for the thirteenth century: St. Pantaleon of Cologne, and the Premonstratensian Abbey Knechtsteden in the year 1286; for the fourteenth century: St. Andrew's of Cologne in 1321, and the monastery Brauweiler near Cologne around 1328. Among the lenders before 1349 are mentioned: Livermann of Dueren, the creditor of the Duke of Juelich in 1271, Moyses (*dictus* Beyn) of Stommeln, Vivus of Muenster, Isaac Schure, Leyfmann of Berk, Godescalcus Mothir the Jewish "bishop," Alexander of Wassenberg, and above all Meyer of Siegburg who was the creditor both of the city and of Archbishop Walram.

After the resettlement of the Jews in Cologne in 1372, their importance in financial operations seems to have increased considerably. Not only the City of Cologne and other cities, like Dortmund, but also princes, lords, monasteries, and the upper and lower nobility of the Lower Rhineland, were indebted to them. The Jews constituted a sort of bankers' association for the City of Cologne. They made use also of the system of business partnerships. For example, around 1375 the capital of the condemned Simon of Siegburg was around 27,000 marks (equal to 330,000 royal marks of today, about \$80,000), but he loaned money also in partnership with others. In 1336, the banking-house Jacob Daniels of Treves, made payments in Cologne through the firm of Aaron and Baruch. The Count of Berg appears to have engaged in a number of financial transactions with Jewish

partnerships.³¹ In 1416 King Erich of Denmark and Sweden was in the debt of the Jews of Cologne.

We are particularly well informed about the business practices following 1372. In 1321 the City of Cologne transferred to Joseph of Ahrweiler and to Solomon of Basel the toll at the Bayenturm in Cologne as a pledge for their loan. On the other hand, during the last quarter of the fourteenth century and thereafter it became customary to give the Jewish creditor not a pledge, but a sealed note. Thus the City of Cologne testified to its debts in a document which was called *eyme offenen besiegelten principal-brieve*. Moreover, at this time it took its loans from Jews, as from Christians, for only brief periods. A portion of the loans bore no interest. The repayment by the city was made, sometimes even weekly, from the excise taxes of the city. For example, the city used for this purpose its millers'-tax and its tax on meat and wine. In the case of loans to private persons the usual objects left in pledge were jewels, silver cups, bowls, girdles, and the like. Even Archbishop Dietrich II, who was always in financial difficulties, gave such pledges to his Jewish creditors. Furthermore, the Jews frequently received real-estate, or hereditary annuities from real property, as pledges for a loan, and in case of non-payment such property remained in their hands as compensation.

In the fourteenth century and in the first quarter of the fifteenth, the customary rate of interest seems never to have been more than 36.1%. This, in any event, was the rate set in the City Privilege of 1372.

A large number of documents indicate that this figure was not always reached. In 1380, for example, the city paid the Jews Abraham and Schaiff, on a loan of 3,083 marks and 4 *solidi*, an interest of 300 marks, which amounts to only 10%. In 1395 certain private persons paid the Jew Joedelin a penny per mark per week, which amounts to the above maximum rate of 36.1%; but interest on this loan did not start to run until after the loan had gone interest-free for two months. In 1399 a private person paid Moses of Bachrach one mark and one half-penny weekly, that is, 10.8%. Only after a year had gone by was the interest compounded with the principal for the purpose of further interest. The same method was pursued in the case of the juror Everhard von Kovelshoven in 1408, who paid, during the first year, one *Moerchen* per week for every Rhenish gulden, that is 21.1%.

Ordinary interest must be kept distinct from penalties for delay in repayment. For such situations there was no fixed rate; a rate was arrived at by agreement between the parties concerned. If, therefore, in 1258, 1270, and 1272 a rate of three mark per week (108.3% annually) is noted as the usual, this affords no conclusive evidence for the height of interest rates in general. Moreover, beginning with the fourteenth century it seems to have been customary, in case of a Christian debtor's delay in repaying his loan, for the Christian creditor to transfer the debt to the Christian Cahorsins or to Jews.³² Upon repayment of the debt, a brief German or Hebrew statement was appended to the promis-

sory note, or a receipt was given which bore the name of the creditor in Hebrew and to which several Christian witnesses added their seals. Some receipts are quite similar to the quit-claims which have come down from England before 1290.

On the first page of the Register of Safe Conducts (*Geleitsregister*) of the City of Cologne for 1450 the powers of the city are enumerated epigrammatically. As the fourth and final power is mentioned the one of regulating the "commerce of the citizens and the money of the Jews."³³ The economic historian Kuske was of the opinion that, although at that time the city could not speak of its power over the Jews themselves, since they had already been expelled from the city, it could speak of their money, for Jewish capital continued to function in the city through Christian hands. The statement may even be a reference to the continuance of Jewish trade in the nature of investments within the city. For the expulsion of 1424 prohibited Jewish residence or prolonged stay, but not Jewish trade. Indeed, several sources for the history of Cologne during the fifteenth century repeatedly mention the Jews, for example, in the commercial-regulation (*Kaeuferordnung*) of 1469. The Jews of Deutz above all continued their cloth business in Cologne. Nevertheless, it seems more likely that the reference mentioned above is to the situation antedating the expulsion.

CHAPTER 12

COLOGNE AND OTHER JEWISH COMMUNITIES

EVER since the eleventh century the Jews of Cologne had relations, economic and spiritual, with the Jews of other communities, especially those in the Rhineland. Among the Jewish merchants who were regular attendants at the Cologne fairs toward the end of the thirteenth century, Jews of Mainz and Worms are particularly prominent. Moreover, Jews of Mainz, Worms, Westphalian Muenster, Wesel, and Muelhausen, owned property in the Jewish Quarter of Cologne.

Close spiritual ties were established through family relationships as well as through literary intercourse between the learned men of Cologne and their contemporary authorities elsewhere, especially in Mainz, Speyer, Worms, Regensburg, and Vienna. The religious leaders of Cologne took part in the great synods which were held in Mainz and Speyer during the thirteenth and fourteenth centuries, and the names of the Cologne scholars are signed to the reform regulations there adopted. Another example of inter-communal consultations is the formula for a pledge of good faith and reminder of the need for painstaking conscientiousness for the sake of peace, which the Jewish Council of Cologne sent to the Jews of Mainz at the time of Mayor Emmercho.

When considering the places of origin of the Cologne Jews down to 1349, one notes that the Rhine provinces take first place, especially the government district of Cologne itself. Next in order is the district of Coblenz. Then come other portions of the German Empire, like Westphalia and Belgium, some of whose cities are equally distant from Cologne. A like number came from Hesse-Nassau, the Grand Duchy of Hesse, Bavaria, and the Netherlands. On the other hand, during the same period we find in Nuremberg, Frankfort, and Bingen, Jews whose place of origin was Cologne. Thus among those murdered on August 1, 1298 in Nuremberg, were two brothers from Cologne who were studying with the Rabbi of Nuremberg. In the same city, in 1328, lived Veifs of Cologne and also Falk of Cologne. The former of these two is mentioned again in 1338.

Particularly active relations, at an early period, existed between Cologne and Frankfort. Many Jews can be shown to have lived in Frankfort at this time who bore the surname "de Colonia." Worthy of mention among these is Suskind of Cologne (1330-1348). In the town of Bingen there lived, in 1342, Meister Enselin of Cologne and his sons.

Following 1372 the Jewish community of Cologne represented a completely new settlement. It stands to reason, therefore, that its members would hail from every land. Even French Jews from Paris and Montpellier were to be found in this new community. At the very same time, as is likewise to be expected, Jews of Cologne origin were to be met in Worms,

Noerdlingen, Nuremberg, Speyer, and particularly Frankfort a/M, Bingen, Erfurt, and Rothenburg on the Tauber. Naturally, at a much later time there were individuals, especially in Polish ghettos, who bore the surname Koeln.

CHAPTER 13

THE BLACK DEATH

AROUND the year 1346 a pestilence made its way out of Asia, more extensive in the territory it attacked, and immeasurably more fearful in its results than anything that previous history had to record. In 1347 and 1348 it attacked Italy and France. From there it was but a short jump to the Rhineland, so that in 1349 and 1350 the pestilence raged in Cologne, as the Chronicler of Limburg correctly noted. In 1894 the origin of the pestilence was discovered to have been a bacillus which for more than two millenia had made its home in certain rodents of the Asiatic steppes. The man of the Middle Ages, however, had not the vaguest notion about fleas and similar parasites being the most dangerous and most common transporters of disease. In some parts of Europe the belief became current that the Jews were poisoning the world. Hence Jews were killed.

In the Archbishopric of Cologne two distinct persecutions of the Jews took place during the period of the Black Death. The first of these took place while Archbishop Walram was still alive, when the Jews of the near-by territories and cities were killed.³⁴ The second period of persecution took place between the death of Walram (August 14, 1349) and the accession of his successor, William (December 18, 1349). Throughout the year 1348 the City Council

of Cologne was receiving news from Strasbourg. Finally, in a letter written to Strasbourg on January 12, 1349, Cologne issued a warning against mistreating the Jews because of unverified rumors about them. But conditions were stronger than the desire of the city to protect its Jews. Whether it wanted to or not, the Council of Cologne was compelled to yield to the fear-crazed populace. However, here, as elsewhere, "their cold cash was the poison which killed the Jews."

Several times the catastrophe has been described romantically; so by Cardanus in the *Stadtschreiber von Koeln*, and by Ludwig Mathar. But, on the basis of the sources, the following is what really happened. On the night between the 23rd and the 24th of August, the night of St. Bartholomew, in the year 1349, the mob stormed the Jewish Quarter, the City Council not daring to interpose any further assistance. One portion of the community gathered in the synagogue and set it on fire, dying like the heroes of Masada. Whoever did not commit suicide was murdered by the mob. That, most likely, is what is meant by the Cologne records of the second half of the fourteenth century when they speak of these events in terms of *slacht oder slaichte der joden*. The rabbis, scholars, and "bishops" perished with the rest.³⁵ As everywhere, so here, widespread plundering of Jewish property took place, and destruction of notes of indebtedness. The mob was not alone in such activity.

The fire which then broke out changed the aspect of the Jewish Quarter in two spots particularly: in

the Portalgasse and in the Kleine Budengasse. The entire section between the Portalgasse on the south, Unter Goldschmied, and the Jerusalemgaesschen fell a prey to the flames. The estate of Arnold von Plaise, the foremost real-estate speculator of the fourteenth century, was subsequently located there.

The Jews destroyed, the comedy of the Satyrs commenced. Everyone laid claim to the property of the Jews; the archbishop, the city, and the Count of Juelich. On September 26, 1349 the Chief Official of Cologne, at the order of the City Council, warned the clergy to command the faithful to give the Council complete information about the property stolen from the Jews and about the thieves and their fences. On September 23, 1350 Archbishop William arrived at an understanding with the city. It was agreed that a commission be appointed to decide on all matters pertaining to the massacre of the Jews under Archbishop Walram, that any further attack be met with resistance by force, and that the city receive half of what the Jews had left behind. As to Jewish property outside of Cologne, on November 16, 1351 the noble and feudal court of the Archbishopric of Cologne decided that the archbishop was the sole legal heir of the Jews massacred in the City and the Bishopric of Cologne. To this decision the Cities of Andernach and Bonn gave their agreement. Archbishop William, for his part, as is evident from the Privilege which he granted the City of Bonn and which is now in that city's archives, forgave the burghers of Bonn for having killed the Jews. On February

24, 1352 the same court declared further that Archbishop William holds the Jews of his lands as a fief of the Empire, and that therefore he alone can inherit their property and alienate this inheritance as he pleases. Only in 1356 did the archbishop arrive at an agreement with Margrave William von Juelich. On August 20th of that year the margrave relinquished all claims against the archbishop and the city in connection with the Jewish fire.

The property of the Jews was sold. That is recorded in the *Scabinorum Judaeorum*, the record-book begun for that particular purpose and kept in the German language.³⁶ According to the city accounts all of the former Jewish property had been transferred into Christian hands till the end of 1360. Nevertheless the city continued till the last decades of the fourteenth century to pay to certain of its burghers rents and hereditary taxes from some houses in the Jewish Quarter. Moreover, damages for losses suffered during the massacre of the Jews in Cologne continued to be paid for decades longer to certain knights and other personalities of the land. Vogts asserts that the wealth gained by the city from the property of the Jews made it possible on the one hand to beautify the Cathedral with new works of art, with the result that a new impetus was given to painting and the plastic arts in Cologne, and, on the other hand, to rebuild the City Hall with a magnificence equalled until then only by the Flemish cities.

CHAPTER 14

THE REORGANIZED COMMUNITY
(1372 TO 1424)

A. PRIVILEGES OF THE ARCHBISHOP AND THE CITY

AFTER prolonged negotiations with the Archbishop of Cologne, Frederick von Sarwerden, the city decided, in 1372, again to receive Jews within its walls. The date set for their readmission was October 1, 1372. But everyone concerned was in a hurry. Archbishop Frederick began by granting his protection and safe-conduct to Simon of Siegburg and his family on October 8, 1371, long before the final decision was made. The actual resettlement commenced on June 30, 1372, three months before the term fixed.

On October 3, 1372 Archbishop Frederick granted a Privilege to the new Jewish settlers in Cologne. It was to remain in force for ten years, and agreed in substance with Privileges granted by the archbishops before 1349. It stipulated that the archbishop shall give protection against injustice and force. Every Jew shall pay seventy marks for permission to settle, and a fixed annual sum every October 1st. These payments shall free the Jews from every other tax. The same arrangement shall hold for all Jews settling in Cologne during the ten-year period. Every such prospective settler shall be given fifteen days to decide whether or not he wants to remain in the

city. The successor of the archbishop shall also be bound to the fulfillment of this Privilege during the next ten years. The Jews shall give the customary Jewish Oath, and shall not be compelled to give any other. Their cemetery shall be under the archbishop's special protection. They may rebuild their old synagogue. They shall not be haled before an ecclesiastical court, nor be excommunicated by it directly. Claims against the Jews shall be brought before a Jewish court which also shall have the right to excommunicate in accordance with Jewish Law. As of old, the Jews shall not be made to pay for persons or articles any tax other than that paid by Christians. Jews may be convicted by the Jewish court only on the testimony of two trustworthy witnesses. Money-lending shall be permitted them, except that they shall not lend against pledges stained with blood and against church vessels. They may employ a rabbi, a synagogue-watcher, and a *shohet*. These, however, as well as the pupils of the rabbi, shall not engage in business, and, in return, shall not pay taxes. Any disobedient Jew, who rebels against the community's authority, shall be exiled by the archbishop. Any Jew settling in the city within the ten-year period, shall arrive at an understanding with the archbishop's tax-steward and commissioner about the annual tax which he is to pay. The Jewish court shall have jurisdiction only over matters which concern the usual and Jewish law. All privileges granted by the archbishop's predecessors, popes, emperors and kings, shall be observed.

These regulations remained the guiding laws of the new Jewish community practically until its end fifty years later. The same Privilege was renewed in 1384, and thereafter every ten years, the last renewal being in 1414.³⁷ The one change made was Archbishop Frederick von Sarwerden's grant, in 1378, of all his rights over and income from the Jews to his Master of the Seal, the well-known financier Hermann von Goch. That, however, made no practical difference in the life of the Jews.

The archbishop was not the only one with whom the Jews had to arrive at an understanding before their life in Cologne was secure; the city also had to set down certain basic conditions. The first Privilege granted the newly settled Jews by the City of Cologne dates from November 29, 1372. The following are its contents: For a period of ten years the city accepts the Jews and their property, and considers them as co-citizens. The city promises to protect and defend the Jews. Lawsuits involving debts or food shall come only before the Jewish court. Should anyone try to hale them before any other court the city shall try to persuade the plaintiff to seek and receive justice from the Jewish court. Other cases shall be decided by the city's legal experts. No one shall take money or property away from the Jews. In matters involving unredeemed pledges or such as had been sold, Jews shall be haled before the Jewish court only. If a pledge is made with the Jews of an article which cannot be preserved for a year and a day, it may be sold at any time, after reaching an agreement with the owner. Jews may sell any other

pledge left with them for a year and a day. The Jews shall be free from war burdens, although in case of necessity they may be called upon to keep watch over the Jewry Gate which has been entrusted to them from of old. All the rights and liberties granted to the Jews shall remain in force for ten years. All incomes from fines imposed upon the Jews shall be divided equally between the archbishop and the city. The Jews shall continue to pay the archbishop whatever imposts they have been accustomed to pay, without prejudice to the taxes which are now to be definitely fixed for the archbishop and the city. Should a member of the community refuse to pay the imposts imposed upon him by the Jewish Council, the city, upon request of this Council, shall come to its assistance in collecting the said sum. All Jews, without exception, shall enjoy the same law; and no Jew may be granted special rights by the city. If the Jewish Council by vote of its majority, decides to exclude a Jew from its community, the city shall aid it in doing so. In case of arguments, dissension, and riots between Christians and Jews, or among the Jews themselves, the innocent shall not be made to suffer along with the guilty, but shall receive the protection of the city. The city promises never to impose an involuntary contribution upon the innocent, be it the entire community or an individual within it. It also promises to defend the Jews against any injustice or act of compulsion on the part of someone else. In the event that one Jew defrauds another without leaving any direct proof of his misdeed, the matter shall be judged on the basis of

unrefuted statements by unimpeached men, whether Jews or Christians. On Fridays the Jews shall have the same opportunity as the Christians to purchase food and drink. All rights, customs, and liberties which had been granted them by emperors, popes, and archbishops, shall remain in force. All claims to participation in or to income from houses in the Jewish Quarter before 1349 are no longer in force. Each household shall pay a small sum annually, to be agreed upon with the city. As soon as children leave the parental house and become independent, they must reach a separate agreement with the city. The Jews may charge an interest rate of one *Pfennig* per mark per week, which amounts to an annual rate of 36 $\frac{1}{2}$ %. They may lend on pledge, but they may not accept garments stained with blood, priestly vestments, or church vessels.

This Privilege differs but little from the city's Jewry Privileges before 1349. Some items, for example those dealing with financial transactions, are put in stronger language.

The Jewish community for which this was intended was small. Between 1372 and 1424 it never counted more than one hundred and fifty to two hundred souls, or more than thirty-one tax-paying households.³⁸ The settlement payment amounted to between fifty and five hundred gulden, and the annual protection-money to between four and two hundred gulden. Accordingly, the total amount of settlement-money for the city in the twenty years between 1372 and 1392 was 11,550 marks and 4 shillings, and the tax of the Jews during the same period 23,732 marks

and 4 shillings. The Jewish tax between the years 1414 and 1425 totalled 18,794 marks 2 shillings and 24 *denarii*. In the case of a number of Jews the taxes they owed were balanced against the loans made to the City of Cologne.

It is interesting to find that among the Jews accepted for settlement there were two or three physicians. Mannus *der Artzeiter* was admitted in 1384; David of Mommelgerde, *eyn Artzeder*, in 1390; and David *Medicus* (?). In 1390, also, is found the first mention of two Jews from Paris: *Salomon van Parijs*, *Yssac syn broider*, who thus apparently left their home before the final expulsion of the Jews from France in 1394.

B. THE ECONOMIC IMPORTANCE OF THE JEWS

THIS handful of people represented for the city an important economic unit, not so much because of its annual contribution in taxes as because of its activity in money-lending on pledge, wherein they rendered service as a banking association. This becomes clear from the situation in which Cologne found itself during those decades. The city's economy suffered its first upset through the Weavers' Uprising in 1370-1371. For almost half a year the Patriciate of the city had to mete out bloody punishment before it could re-establish itself in the seat of power. Even more costly than these internal disturbances were a number of external conflicts, against enemies of the city who were particularly active between 1370 and 1392. The year 1394 brought further pecuniary diffi-

culties upon the city, and in 1396 the entire population rose against its oppressors. The aristocratic rulers were deposed, a provisional council was set up, and a new constitution adopted. This *Verbundbrief*, or Charter of Confederation, at one blow destroyed all class distinctions and created a community of equal citizens under a Council of forty-nine men. But before the patrician government gave way to the new regime, it found itself under the necessity of doing what it had long tried to avoid, increase the funded debt of the city.

The revolution of 1396 itself shook but did not greatly disturb the city's economy despite the great efforts that had to be made to obtain recognition of the new constitution from the emperor and the archbishop. Real difficulties developed as a result of later events. The city's accounts show a gap between 1392 and 1414. But the accounts between 1414 and 1431 afford a clear picture of the city's debt situation and its increasing needs. In 1414 the city was obliged to pay for the ratification of its privileges so that it gave the recently-crowned King Sigismund a gift of 5,000 gulden and a loan of 25,000 more. The fortification of Deutz, the participation in the Wars of the Hussites, and the contribution to the imperial taxes, imposed further heavy expenditures upon the city. Resort to financing was unavoidable. Between 1414 and 1431 the city's financial administration not only issued a short-term loan of 354,728 marks, 6 shillings, but also disposed of personal and hereditary taxes to the amount of over 478,426 marks. Altogether, therefore, the city budget was burdened

with a sum of more than 833,335 marks and 2 shillings (about 92,228,000 in modern *Reichsmark*), a very large portion of which, namely 163,224 and 159,784 marks respectively, was expended during the years 1418 and 1419. A public loan was floated especially during the war-year 1418.

The above situation is the background for the relationship between the city and the Jews, and the reason for the prolongation of their Privilege. Between 1370 and 1392, and again from 1414 to 1424, the Jews of Cologne loaned, with and without interest, 163,221 marks and 8 shillings to the city, that is, 22 to 29% of the total city debt of the period. To this should be added another loan of 5,714 marks during the year 1398. Moreover, the total sum may have been even larger, since the accounts for 1393 to 1413 are missing, as has already been pointed out. These loans were made in part by individual Jews, or, especially later on, by the small Jewish community acting as a unit (*societas*). It must have been unavoidable for the Jews to pool their resources to be able to satisfy the enormous needs of the city.

Foremost among the city's Jews to supply the rather considerable sums between 1375 and 1391 is (Bunheim) Schaiff, undoubtedly the most important financier among the Jews of that day.³⁹ Aside from lending as an individual he presumably participated also in those loans which the Jewish community as a whole made to the city during these years. There was not a Jew of any financial standing whose resources were not tapped by the city.⁴⁰ The largest

single loan made to the city by the Jews was for 6,000 Rhenish gulden in the year 1418 when the city's needs were at their highest, for reasons already mentioned. The city's loans were for short terms. Repayment was made in part by balancing the debt of the Jews against their annual tax, and in part by re-imbursing them from the city's excise, for example the millers'-tax, the meat-tax, the wine-tax, the cranage, and the water-tax.

During the first decade of the Jewish resettlement occurred the incident of Simon of Siegburg. His arrest and the arrest of his brother-in-law by the bailiff of the High Court in 1375, ostensibly for treasonable practices against their co-religionists, was the immediate cause for the outbreak of the aldermanic dispute in the city. With the settlement of this dispute, he and his brother-in-law, David, were hanged on August 3, 1377, their property being shared by the archbishop and the city. The city drew up a list of the letters of credit found among Simon's effects. According to this, his outstanding investments with the higher and lower nobility of the Rhineland amounted to about 27,000 marks, equal to about 330,000 in modern money. On March 20, 1378 Archbishop Frederick and the city entered into a pact of mutual protection against any challenge of their disposition of Simon's property.

It follows from what has just been said that actually the prolongation of the Jewry Privilege was due not to the goodwill of the archbishop, but to their financial importance to the city. Difficulties

arose the very first time the city Privilege had to be renewed, in 1382. It was July 28, 1384 before the archbishop and the city arrived at an understanding, and prolonged the right of the Jews to reside in the city for ten years beginning October 1, 1384. Advantage was taken of the situation to make some interesting changes in the previous regulations. Jewish affairs were thereafter to be regulated by two representatives of the archbishop and two of the city, who were to take charge of the taxes and fines paid by the Jews. Moreover, for the first time there is a reference to a special cloth, of a simple and modest nature, of which Jewish men and women were to make their garments, so that they might be recognized as Jews. Finally, the four overseers of the Jews were to see to it that Christian women no longer served as nurses in Jewish homes. Failure to observe this order was a punishable offense. With these additions the city gave the Jews, on October 2, 1384, a new Privilege for ten years. In it was included the provision of the archbishop's Privilege of 1372 permitting the Jews to have a rabbi who might have students, and a *shohet*. All these, and their families, were to be free from taxes, provided they did not engage in business.

The City Council did not wait for the expiration of this term. Already on June 3, 1393 they came to an agreement with the Jews, discontinuing their right of residence and giving them only one year beyond 1394 to settle their affairs. In the end, however, matters turned out differently, for the city

decided to prolong the Privilege of 1394 for ten more years. The new Privilege agreed almost verbatim with the preceding one. There was just one addition at the end, that Jews and Jewesses shall thereafter dress in the same manner as did Jewish men and women elsewhere.

In the years following, the situation of the Jews grew worse. On June 5, 1400 the City Council decided to withdraw from the Jews the privilege of preparing their meat in the city's meat market. The Jews were asked to rent a house of their own for this purpose, as they used to do in former days, where they could do their slaughtering. On December 13 of the same year the Council further decreed that the Jews must pay a tax on the cattle they bought for slaughtering. For the first time, in 1406, it is revealed, in connection with a decree about a search of the homes of women shopkeepers, that similar searches had taken place in Jewish homes in connection with articles lost, stolen, or otherwise disappeared. The regulations of the Green Fish-market in 1407 also contain certain articles about the Jews. On July 4, 1404, presumably because the regulations on Jewish dress had not been carried out, the City Council issued a complete set of regulations on clothes and other subjects. These regulations clearly indicate the insecurity of Jewish life. Their aim was to make the Jews unmistakably distinguishable from the Christians and, at the same time, to impose plainness and simplicity upon old and young in the matter of clothing, girdles, and rings. The same order regulated also the conduct of Jews on

Christian holidays, and on the square in front of the City Hall. During the Passion Week and on Easter days, when processions passed in the neighborhood of the Jewish Quarter, the Jews must stay at home. On Sundays and holidays they must not display any articles pledged with them in front of their doors. They may be found in the portico of the City Hall only when the Council desires their presence. They may not gather in the City Hall square when the Council is in session. They may go to and from the synagogue only in twos and threes. They must not throw their rubbish on the City Hall square or in front of other people's houses. Articles that had been lost must not be accepted by them in pledge.

The renewal of the City Privilege took place on October 2, 1404, and is found to agree verbatim with the one of 1392. Similarly the City Privilege of 1414 was granted in the same form. Yet every renewal was accompanied by prolonged discussion. The community began the discussion by broaching the subject to Archbishop Frederick von Sarwerden at the beginning of 1414. The archbishop promised it to them, but the city would not hear of it. The archbishop insisted, and finally the city yielded. Like previous Privileges this one guaranteed the Jews protection of life and property, and the retention of all the privileges granted them by popes, emperors, kings, and archbishops, both within and without the diocese for the next ten years.⁴¹

On November 21, 1414 King Sigismund ratified the agreement he had arrived at with the Jews of Cologne, as well as all their privileges, especially the

jus de non evocando, as their jurisdictional rights were called, and their freedom of trade and movement throughout the cities of the Empire.

C. THE EXPULSION

NO SOONER was this Privilege ratified than a chain of events began which led directly to the expulsion of the Jews at the expiration of this ten-year term. Behind it all was the simple fact that the Jews were looked upon purely as a source of money. It was clear that whoever held them in his power could force them to contribute to his financial needs. Dietrich von Moers, the new Archbishop of Cologne, though bound by the Privilege granted by his predecessor, did not hesitate to attack one of its most important clauses by summoning Jews to his court. It was no secret that he sought to force from them a large contribution to his empty treasury. That suited the city just as little as it suited the Jews, not only because the Jews would thereby be seriously hurt financially, but also because to grant the archbishop legal control over the Jews would give him a means for interfering with the city's liberties. The result was prolonged, involved, and costly litigation into which the neighboring cities, archbishops, and even the emperor were drawn.⁴² Begun in 1415, the dispute was not ended till 1419.

By this time the quarrel between the archbishop and the city had become broadened. It was no longer a matter of the Jews alone; the question involved was the general right of taxation. The struggle

had become embittered. For the purpose of conducting peace negotiations in 1419 both sides agreed on Archbishop Otto of Treves as arbitrator. Archbishop Dietrich made one of his demands that the Jews be recognized as subjects of the Archbishop's Court and that their *jus de non evocando* be rescinded. The city, basing its case on documentary evidence wherein the position of the Jews was clearly and explicitly indicated, fully justified its claims. Archbishop Otto rendered his decision on September 20, 1419. The Jews were asked to pay the Archbishop of Cologne the 25,000 gulden he demanded, half to be paid on Christmas, and the rest at Easter time of the following year. The archbishop, on the other hand, was to let them enjoy the rights and liberties which had been granted them, and no longer summon them before his court as long as their Privilege was in force. Some of the privileges obtained by the archbishop from the King to the detriment of the city during the previous three years were to be null and void, as were to be also the privileges obtained during the same period by the city to the detriment of the archbishop and the Jews. This decision ended the open conflict between the archbishop and the city. It also implied that in the next renewal of the Jewry Privilege the archbishop would obtain control of the Jews.

The accounts of the archiepiscopal administration of 1419 reveal that the Jews paid the 25,000 gulden in question. In addition, it seems that the Jews outside of Cologne paid 19,000 gulden as a special levy. Moreover, for the same year there is a record of the

taxes paid by the Jews of the archdiocese: 726 gulden by the Jews of Cologne, and 722 by those of Andernach, Ahrweiler, Bonn, Neuss, Lechenich, Berg and Uerdingen. For the period between February 1, 1421 to March 1, 1422, there have come down the ordinary and special taxes of the Jews of the archdiocese exclusive of Cologne which were collected by a Jew employed for that purpose. Of extraordinary taxes the Jews paid, during that period, 1324 gulden, including 1,000 for the support of the fight against heretics, and 150 gulden for the support of the archbishop in Bohemia. The regular annual tax of the Jews of Andernach, Ahrweiler, Bonn, Neuss, Uerdingen, Rheinbach, Lechenich, Lynns, amounted to 286 gulden. Clearly the archbishop was deriving considerable advantage from the Jews outside the city, and the prospective situation after 1424 promised even more.

In addition the situation in the city became threatening for other reasons. The armies gathered in Cologne for the war against the Hussites menaced the Jews. For, although even Christian sources indicate no clear friendliness toward Jews on the part of the Hussites, there was a widespread belief that the Jews and the Hussites were in league. However, the City Council protected the community, and in return received a special tax. No sooner was this danger past, than a contagious disease broke out in the city, and the frenzy of the populace turned against the Jews. Besides, the financial demands upon the Jews by the emperor were unceasing. In 1422 the city received a royal command to turn over

to the Margrave of Baden one third of the Jewish property in the city. This meant a further weakening of Jewish financial power, and the city replied that it could not proceed in the matter without the co-operation of Archbishop Dietrich. Thereupon Margrave Bernhard von Baden sent Jacob the Minter to Cologne to raise the royal impost from the Jews. At the command of the archbishop, Jacob was arrested, presumably by the High Court, and later freed, though it is not clear whether the Jews of Cologne did or did not promise any money to the minter of Margrave Bernhard.

All these events destroyed the city's willingness to prolong the stay of the Jews beyond the year 1424. Already on August 16, 1423, the burgomaster and the twenty-four representatives of the City Council arrived at a unanimous decision not to renew the Privilege which was to expire in October 1424. They were not at a loss for grounds. The detailed defense which was dispatched to King Sigismund on August 28, 1431 outlines the reasons which moved the civic authorities. There was the old accusation of poisoning the wells, and the even more ancient charge of the intolerable burden of usury. In addition, there appears the charge, absurd as it must sound for that period, that the Jews had made attempts to convert Christians, and that they were in close touch with the Bohemian heretics, in other words that the Jews formed a part of the danger threatening from the Hussites. Particularly decisive must have been the examples set by Archbishop Conrad of Mainz and of Archbishop Otto of Treves who had expelled their

Jews, though they are not mentioned in the defense. The same City Councillors who a short time before had leaned so heavily upon the financial power of the small Jewish community, suddenly realized that the City of Cologne was one of the most sacred cities of Christendom, and that it was not right for its holy soil to be desecrated by non-Christian feet.

All the people concerned in this step were invoked to stop it. It stands to reason that Archbishop Dietrich came to the defense of the Jews of Cologne, who were under his protection, and warmly defended them against the city and its Council. He complained to King Sigismund. On January 5, 1424, the latter directed a letter to one hundred and two members of the City Council named therein warning them to cease annoying Archbishop Dietrich in his rights, especially with regard to the Jewry of Cologne, or he, the King, would summon them before him. Arnold von Hemberg, the archbishop's chamberlain, he who had at one time summoned the Jews to appear before the Feudal Court at Poppelsdorf, now vainly warned the city, on August 9, 1424, that it would have to make up the loss to the archbishop's treasury if the Jews were to withdraw. The city did, indeed, give him an opportunity to negotiate with it, but he seems to have had no success. Duke Adolf of Berg-Cleve-Juelich was called upon to act as arbitrator on the question whether the city should be compelled to extend the stay of the Jews beyond October 1, 1424. His decision was to be handed to both parties in seal-bearing documents and was to

be binding upon both. The decision, however, was rendered on July 24, 1425, months after the Jews had been expelled. It read that the city could not be compelled again to accept Jews within its walls.

Before the expiration of the Jewish term of residence the question was presented also to the papal curia. To Martin V, known for the part he played in the history of the Jews of Italy, Spain, and Bohemia, the City of Cologne now complained against its archbishop for his refusal to consent to the projected expulsion of the Jews. Previously, the city asserted, it had yielded to the demands of the archbishop by taking the Jews under their protection, treating them as fellow-citizens, and providing them with privileges. In doing all this the city had suffered serious losses and disadvantages, and still was suffering them daily, since the wealth of the faithful falls into the hands of the Jews. The Jews exacted not merely interest, but also usury upon usury. They sold pledges at insignificant prices, and made money by unholy means. As a result many burghers and city-dwellers were reduced to abject poverty, while the storehouses of the Jews were filled with all kinds of objects, clothing, gold, silver, household goods and countless things belonging to the burghers. Because of the heavy burden of interest the burghers had given up redeeming their pledges, and were thus robbed of their means. The results were evident in thefts, robberies, and moral degeneracy. For the intolerable conditions led men to deviate from piety, to despise God's teaching and religious worship. The

Christian character of the population is being interfered with, and the city suffers thereby. Crimes are being committed; conflicts between the archbishop and the city are being called forth. Recently the archbishop summoned the Jews before his court, and when the city objected, a dispute broke out between the city and the archbishop. Cologne is a city which glories in having been the scene of numerous triumphs by saints, and in possessing many sacred relics. Now the Council of the city has been ordered by the archbishop to renew the privileges of the Jews. Yet, he should rather have exercised his duty as a shepherd, and urged the citizens to expel the Jews. He bases his demands upon the fact that the Jews are his feudal property which he holds from the Holy See of Rome. The city desires no conflict with the archbishop; on the contrary, to live at peace with him. But it finds it intolerable to be compelled to retain the Jews within its walls, when it would be so much better to drive them out. The Holy See must decide.

Pope Martin V appointed Cardinal Antonius of Aquilea as papal referee to sift the entire matter. On August 29, 1424, the cardinal set a time for the hearing of the city's complaint against the archbishop. Apparently this hearing took place and remained without result, for the matter of the expulsion was in no way modified.⁴³

Before the royal court the lawsuit regarding the expulsion of the Jews from Cologne dragged on for a number of years. At first King Sigismund yielded to the request of the archbishop and ordered the

city to rescind its decree of expulsion. In the end, however, he seems to have submitted to the city. In any event, no indication has come down of any consequences which may have followed the above-mentioned letter of justification which the city dispatched to the King on August 28, 1431. Nevertheless, the affair did not end there. In 1442 King Frederick III visited the City of Cologne, and in the very next year he commanded his superior judge, Count Gumprecht von Neuenahr, to look into the matter of the Jewish community which had formerly existed in Cologne. As one may observe in the city's correspondence books, Cologne appointed Johann Vrunnt, its foremost Chancery official, to go to the King and represent it at the Superior Court. He was to defend the city's liberties, among them its rights over the Cologne Jewry as over against the claims that had been made by Sigismund for the King and the German Empire. Nothing more definite is known about the matter, for the record of the correspondence expresses itself in general terms only. On May 31, 1443, Vrunnt still receives instructions from the city about the affair of the Jews. We shall make no mistake if we assume that the result at the time was the ratification by Frederick III of the city's privileges, including its right to exclude the Jews. Thus the expulsion of the Jews finally became official, and the Jews remained excluded from the city until the end of the eighteenth century.

Cologne offered an example followed by other towns of the neighborhood: From Siegburg the Jews were

expelled in 1440-1448, from Neuss in 1462. The Duchess Sophia of Juelich-Berg, who acted as regent for her weak-minded husband, likewise expelled the Jews from the territory under her control in 1461. The Jews were kept out of Siegburg until the beginning of the eighteenth century, and from Neuss until the coming of the French.

SECTION III
THE JEWS IN THE
ELECTORATE OF COLOGNE

1500-1800

CHAPTER I
THEIR LEGAL AND ECONOMIC
CONDITIONS

THE expulsion of the Jews from a number of German cities during the fifteenth and sixteenth centuries resulted in the removal of the center of gravity of Jewish life in Germany from the larger cities toward those territories and districts in which they had enjoyed a continuous existence or in which they now found asylum. In the Rhineland the places where Jews continued to play a part were the independent principalities of Electoral Mainz, Electoral Treves, Electoral Cologne, the Duchy of Juelich-Berg, and the Duchy of Kleve-Mark. The Jewry of each of these principalities, whether under an ecclesiastical or a secular prince, constituted a separate corporation or unit headed by a *Vorgaenger*. This organization took the place of the individual communities of the various cities, and in this modified form the Jews continued their history from the fifteenth and sixteenth centuries on. In place of the variety of Privileges of former years, imperial, archiepiscopal, princely, and civic, there now come to the fore *Judenordnungen*, Jewry Regulations, granted by the head of the principality or of the town. No matter

how much they differ one from the other, the numerous Jewry Regulations of this period have one element in common, namely that they aim primarily to protect and serve the Christian population. They offer the Jews only the bare necessities of life, limiting them both in number and in occupation. No elaboration of their history during this period describes the life of the Jews more effectively than an outline of the Regulations under which they lived.

This holds true also of the Electorate of Cologne during the period between the expulsion of the Jews from the city in 1425 to about the end of the eighteenth century, during all of which time there were no Jews in Cologne proper. The following are the cities and places of the Electoral Principality of Cologne in which the Jews had the right of residence during the first half of the fifteenth century. In 1421 and 1422 Jews lived in Andernach, Ahrweiler, Bonn, Berg, Lechenich, Lynns, Neuss (till 1462), Uerdingen, and Rheinbach. With the Jews of these towns Archbishop Dietrich II (1414-1463) continued his economic relationships after the expulsion of the Jews from Cologne. Thus, in 1430 he assigned to Meyer of Neuss the forthcoming income from the taxes of Kempen in return for a loan of 900 gulden.

In 1452 a Church Council decreed that the Jews of Electoral Cologne must wear a distinguishing mark on their clothes. But apart from such an isolated decree, the oldest Jewry Regulation of the Electoral Principality dates from the year 1599, the time of Elector Ernst of Bavaria (1583-1612). The provin-

cial representative assemblies of the Rhineland had already expressed themselves at the Territorial Diets and in their committees, voicing opposition to the toleration of the Jews within the territory and demanding their expulsion. Since this could not be achieved at the time, the following Regulation was adopted after consultation with the representatives of the various estates. In view of the fact that Jews had been tolerated in the Electoral Principality for several centuries, they shall be permitted to continue in their ancient usages and may lend money to Christians. They shall, however, obtain letters of protection from the Elector, pay a tax upon their arrival, and an annual tribute, and remit their letter of protection upon emigrating from the principality. They shall also pay an extra duty of ten percent on their total property, and this duty shall be paid likewise upon the marriage of their children outside the territory. They shall live far away from the church. Their relations with Christians shall be peaceful, but they shall not live under the same roof with Christians. Jewish stores shall not be open on Sundays and Christian holidays. In times of war they shall dutifully stand guard at the command of the princely or civic officials. They may lend money on pledge both within and without the principality, except on real-estate. In the matter of artisanship, the glazier's trade alone is permitted them. The purchase and sale of meat is permitted them only in accordance with old custom. On weekday markets they shall enjoy no right of pre-emption. Hereditary incomes

acquired before this Jewry Regulation shall be sold within the next two or three years. Although the legal rate of interest for Christians and Jews is set at five percent, nevertheless, in view of the fact that the Jews may follow no other occupation, and that the right to lend money at interest had been granted them by emperors and kings, they may charge three *Heller* per *Thaler* per week. They may not lend, however, upon the pledge of church vessels, objects robbed or stolen, weapons, harness, plow, or agricultural implement. Such articles shall be returned within three months. They may not lend money to minors. Notes of indebtedness shall indicate the actual sum loaned. At the end of two years, the debt shall be called in for payment, and, after a certain period, the pledges, having been publicly evaluated, may be auctioned off. The Jews shall keep books in the German language, noting their expense and income, and specifying the date of the transactions, so that they may be able to give an accounting before any court.

The next Jewry Regulation dates from 1614, and was given by Elector Ferdinand of Bavaria (1612-1650). It is somewhat more detailed, and is divided into two chapters, called respectively: "Of Jewish Protection" and "Of Jewish Business." To the rules set forth in the earlier Regulation the following are added. The lower nobility that has had charge of Jewish protection until now shall continue to exercise it. No more Jews shall be accepted within the principality. The Jews shall not have Christian nurses or Christian help within their houses. Before leaving

the principality the Jews shall pay their debts and settle accounts with those who owe them money. Foreign Jews shall pay toll and a protection-fee as soon as they step upon the soil of the principality. This shall amount to two *Rader Albus* per person every twenty-four hours. But no such foreign Jew shall remain longer than eight days, nor engage in any kind of business. Jews may sell at retail gold, silver, horses, and wagons which have been pledged with them for a loan. They may also be artisans, provided they do not harm Christians thereby. They shall not demand more than one percent monthly for a loan of money, though this does not apply to Jews living in the dominions of the lower nobility or outside the principality. Notes of indebtedness shall be written out in full by the debtor. If, however, the debtor cannot write, his note, if it involves a sum above fifty thalers, shall be drawn in the presence of two jurymen, or of the secretary of the court; and if it involves less than fifty thalers, the note shall be drawn by the secretary of the court, or in the presence of a notary of the principality. In addition, this Regulation also provided for the keeping of books in the German language. In case of a debtor's insolvency his debt shall be extended, after two years, without interest. If the Jew loaned money on the good faith of the borrower, and the debt is not paid, he shall accept payment in portable property if there is no real-estate, provided he re-sells such property to Christians. Jews shall not transfer their notes of indebtedness to Christians. They shall not deal in coins or coin values. They may slaughter

cattle, but only for their own needs. At the annual or weekly fairs a Jew shall not deal in futures, or outbid a Christian. Aside from all this the Jews shall live in accordance with imperial and other regulations regarding them, and shall not be molested.

In 1686 Elector Maximilian Heinrich of Cologne (1650-1688) issued a new and improved Jewry Regulation, which applied also to Westphalia. The introduction expresses an attitude more or less like that of the Regulation of 1599. It emphasizes the fact that the territorial Estates had frequently asked for the expulsion of the Jews. The Elector points out that he had refused this demand of the Estates because the Roman Church asked for the toleration of the Jews as witnesses to the truth of the Catholic Faith and in order that "by the goodness and mercy of their Christian overlords they might be moved to recognize their errors and seek the light of the only religion through which salvation may be found." That is why the Elector keeps the Jews in his principality, protects them against injustice and force, and provides them with a chance to earn the necessities of life. His Jewry Regulation aims to guard against all prohibited usury, and, at the same time, to make clear the distinction between Christian liberty and Jewish enslavement.

The first chapter of the Regulation deals with protection and tolls. To be accepted as residents of a town or a village the Jews must have property amounting respectively to eight hundred and four hundred *Reichsthaler*. If the child of a Jew marries, or the child of his male or female Jewish employee,

and cannot obtain the prince's letter of protection, such child must leave the principality inside of half a year in case of the employer, and of six weeks in the case of the employee. Jews shall take an oath of loyalty and obedience to the Elector and be ready to serve him. Every year a list of the Jews living there shall be sent to the Elector's Court by every city, lordship, place, and village. Upon their arrival in the principality, non-resident Jews shall pay toll and protection-money at the toll-gates provided for the purpose. This tax shall amount to five *Albus* and four *Heller* per person for every twenty-four hours of stay.

The second chapter deals with the clothing of the Jews, their conduct and their residence. To make them the more easily distinguishable from the Christians, they shall wear, within easy sight and wherever they go, a yellow ring upon their outer garment, or pay a fine of two golden gulden. As was ordered in the previous Regulation, they shall conduct themselves peacefully on Christian holidays. Their homes shall not be too near a church. They shall not live under one roof with a Christian, nor use Christian servants or maids even on the Jewish Sabbath. In time of war they are obliged to do guard duty, but they may save themselves from the quartering of troops by paying for it, since under any circumstances Christians and Jews must not be found under one roof. The Territorial Estates shall not impose upon them any ordinary or extraordinary assessment or tax, though they may be made to bear the burdens of the particular neighborhood or of the maintenance

of the wells. Jewish physicians may be used by Christians only when the Christian physician cannot be had and the need for medical treatment is urgent.

The third chapter deals with the business and burdens of the Jews. They may deal in fruit, horses, cattle and sheep, old clothes, jewelry, gold and silver vessels, wine, and wool. The last they may deal in provided they do not harm the rights of the weavers. Where there are Christian storekeepers, especially such as belong to a guild, the Jews may not sell at retail. The least measure they may sell is one quarter hundredthweight, one quarter ohm, and whole bolts. This shall not be sold in open stores. But where there are no storekeepers in a place or a village, Jews may sell foodstuffs at retail. They shall pay for all gold and silver articles with the coin of the principality, and shall not export the better kinds of money. They shall not deal in futures at the annual and weekly fairs, where they are expected to conduct themselves in accordance with the market regulations. They shall sell cattle and meat only in so far as their own household needs make it necessary, otherwise they shall suffer confiscation and punishment. Within the towns the Jews shall bear their share of excise and other civic taxes in the same ratio as other burghers.

The fourth chapter deals with money-lending by Jews, their financial income, the preparation of business documents, and the keeping of books. They shall not lend money to a husband without the consent of his wife, or to a wife without the consent of the husband, nor to children or students. The notes

of indebtedness shall indicate the exact amount of money loaned. A note for a debt above ten thaler shall be written by the secretary of the court and two jurymen, or by the notary. The business accounts shall be kept not in the Jewish or Hebrew language or script, but in the German language in German letters, and, if need be, fortified by the Jewish Oath. If the debt is not above one hundred thaler it may bear an interest rate of eight percent, if over one hundred the rate must not exceed six percent annually. In case of debts for goods, the interest rate shall be but five percent. From subjects of a nearby territory, outside of the Electoral Principality, the Jews of the principality may demand whatever interest is currently permitted there. But non-resident Jews shall demand only five percent from borrowers within the principality. Annually the Jews shall make a request for the repayment of the debts, and if they neglect to do so, the debtor need not pay further interest. If they fail to make such a demand for three consecutive years, regardless of the reason why, the payment of interest shall be suspended. The sale of pledges shall not take place without the knowledge and consideration of their owner. The Jews shall accept repayment no matter when during the year it is offered them. Pledged articles shall be returned to their owner as soon as the debt is fully paid. Jewish creditors shall note the full sum paid on the back of the principle note of indebtedness, and in addition, give the debtor a receipt.

The fifth chapter deals with property and docu-

ments, whose purchase and acquisition is forbidden the Jews, including stolen property. Without the special consent of the Elector they shall acquire no land or real estate, nor arms, nor articles known to have been stolen, nor chalices, nor church vessels, nor property stolen on the market. They shall cooperate in the search for the thief. But whoever demands from a Jew something which had been stolen from him, must bring proof. Jews shall not cede to a Christian any demands which they have against another Christian.

A sixth chapter deals with the places where Jews may seek justice. Quarrels arising among resident Jews, or among these and Jews outside the principality, concerning Jewish ceremonies, shall be settled before their own rabbis. This, however, must in no way infringe upon the prerogatives and jurisdiction of the Elector. Annually, around St. Martin's day, the Jewish representative (*Vorgaenger*) must give an account to the Treasury of the Prince of all fines which have to be paid to the Treasury. Where the rabbis show themselves biased, the Council of the Elector shall be called in. Where crimes are involved, or prostitution, or breach of marriage vows, murder, theft, treason, or wounding, the rabbinic court shall have no jurisdiction; the Elector's officials shall take its place. These, however, shall have no right to impose punishment, but shall refer the matter to their superiors. Payment of fines imposed in such matters shall be fixed by the Elector's Treasury. In all other civil matters, if they do not concern Jewish ceremonial, Jews may judge one another as well as

Christians, just as Christians may judge Jews, in accordance with custom and common law, only before the usual local authorities. Since Jews are not permitted in the City of Cologne, they shall turn to the Superior Court at Bonn, and in the second instance to the Court Chancellery.

A seventh chapter deals with the emigration of Jews, and with the maintenance in force of the Regulation here described. Before their departure out of the principality Jews must turn in their letters of protection to the Electoral Court, with whom they shall come to an understanding about the emigration tax. They shall also settle accounts with their debtors, and leave the pledges behind. Whatever is not specifically noted in the Regulation shall be considered to remain in the status of common law and be decided according to precedent. Just as the Jews are expected to remain obedient to this Regulation, so shall all officials and judges of the Principality of Cologne and of the Grandduchy of Westphalia protect the Jews against injustice and insult.

The subsequent Jewry Regulation which the Elector Joseph Clement (1688-1723) gave to the Jews of the Electorate of Cologne and the Grand Duchy of Westphalia in 1700, remained in force to the very end of the Electorate. It differed from that of 1686 only in a few points. Aside from the fact that it lacks the introduction and the motivation for granting protection, its first chapter raises the amount necessary for settling in cities to one thousand *Reichsthaler* and in villages to six hundred. Children after marriage, and others who fail to obtain the

protection of the prince, shall leave the principality within a year. The second chapter contains nothing specifically about the Jewish Badge. On the other hand, it ordains that Jews must not wear any velvet or silk clothes, or lace, or carry pistols or any other kind of arms. The synagogue is to be even farther away from the church than heretofore, so that the Catholic service might not be interfered with. Christian neighbors are permitted to kindle fire and light for the Jews on the Sabbath. Paragraph 5 of the Jewry Regulation of 1686, wherein the Territorial Estates are forbidden to impose any assessments or taxes upon the Jews, is missing in the later Regulation. Jewish physicians are forbidden to dispense medicine prepared by themselves, but must have their prescriptions prepared at the apothecary's. The third chapter permits the Jews to deal also with raw hide and skin, and small articles, although without maintaining a store. Jews may slaughter cattle and sell meat. In cities where a Butchers' Guild exists, the animal brought by a Jew for slaughter must remain standing for an hour for public view in a place to be indicated by the local authorities. Within the communities of the Electorate, Jews are obliged to contribute to the repair and maintenance of roads, highways, wells, and the like. They are not obliged to pay any of the ordinary or extraordinary contributions no matter who imposes it upon them. In chapter 4 the Jews who are unacquainted with German writing are permitted to keep their books in Hebrew script, but the language must be German. The use of their oath as proof shall be restricted to

cases involving no more than ten thalers. Chapter 6 decrees that when the rabbinic court is biased the Jews may call upon the court of the Elector.

These two Jewry Regulations, that of 1686 and that of 1700, offer a clear picture of what the Jew could and could not do until the end of the Electoral period. In a number of points they indicate a slight amelioration as over against the previous age. The external pressure, however, was still very strong, and not the least of this pressure was the burden of taxation. The taxes paid by the Jews in the Electoral Principality of Cologne in the years 1712 to 1736 amounted to 1,500 *Reichsthaler* annually. In 1761 this tax burden reached 50,500 *Reichsthaler*. Toward the end of the century it again fell to 1,548 *Reichsthaler*. One must note, moreover, that a statistical table for the beginning of the year 1765 listed only two hundred names of Jews enjoying protection, living in forty-five different places of the principality. Thus, we may assume no more than about a thousand Jewish souls for the entire principality at that time.⁴⁴

While the Jewish tithe was discontinued in the year 1700, the Jewish Body Tax, which was paid by non-resident Jews, continued to exist down to the end of the Electoral period. In 1794 the Jewry of the Electoral Principality petitioned for the abolition of this tax, but in vain.

To satisfy the demands of the Elector for money, the comparatively small Jewry of the Electorate and Grand Duchy was forced to go into debt. By September 23, 1794, such debts amounted to 25,806

Reichsthaler. Numerically the largest Jewries were those of Deutz and Bonn. Although the city of Deutz belonged to the Duchy of Berg, the Jewry of the town was under the protection of the Archbishop of Cologne. Because of this double relationship the Jews paid, beginning 1616, to the Abbot of Deutz, a capital tax of one golden gulden for every domiciled Jew, in 1744 a New Year's tax to the Bailiff of the Superior Civil Court in Cologne, and throughout the eighteenth century one gulden *fuckengeld*, which in origin was presumably a cattle-dealers tax, for every Jew.⁴⁵ Of the general taxes the Jewry was expected to bear one seventh.

Shortly before 1616 there were only four Jews in Deutz. In 1634 there were 17; in 1764, 19; in 1765, 15 protected (*Verglaidete*), and 11 unprotected (*Unverglaidete*), numbering altogether 56 adults. In 1659 the Jews of Deutz inhabited 24 houses. From the end of the sixteenth century to 1640 there are references to the silk trade among the Jews of Deutz. Around 1608 to 1609 the Jew Samuel is mentioned as the purveyor of the coinage in Deutz. During the sixteenth and seventeenth centuries several Jewish physicians are mentioned as residing in Deutz. Frequently these received calls from outside their own town, especially from Cologne.

From the end of the seventeenth century and throughout the eighteenth a number of Jewish Court Factors and physicians played an important role at the Electoral Court in Bonn. This had a good effect upon the position of the Jewish community of Bonn, giving it a certain importance. During the time of the

Elector Joseph Clement (1688–1723), the Court Factors were Mayer zum Goldstein, Benedict Abraham, Joseph Cassel, Wallich, and Moyses Kaufmann. In the time of the Elector Clement August (1723–1761), the Court Factors were Assur Mayer, Heimann Marx, and especially Baruch Simon. The last-named came to Bonn from Mergentheim and developed a very wide commercial activity under Electors Maximilian Friedrich (1761–1784) and Max Heinrich (1785–1801). Around 1740 Salomon Herz Oppenheim transferred his residence from Frankfort to Bonn. Soon he equalled Simon Baruch and Assur Mayer as Court Factor and purveyor of linen, cloth, storehouses (*gardemeuble*) and all sorts of articles. Like the others he frequently stemmed the ebbing fortunes of the Electoral treasury by means of temporary loans against letters of credit, and by personal aid.

At the head of the Jewry of the Electoral Principality stood a number of representatives and leaders. The position of Chief Leader (*Obervorjaenger*) of the Principality of Cologne, the Grand Duchy of Westphalia, and the Episcopal Diocese of Paderborn, existed down to 1734.

In the City of Cologne, after 1424, the Jews dared not stay for any length of time. Even during the difficult years of war (1583 and 1584), when the Jews of Deutz took ship and fled to Cologne with their property and pledges, begging the City Council for permission to stay only until they disposed of their pledges, all that was permitted them was a three months' stay, later extended for three months more. A further prolongation was categorically

refused. During the three hundred and seventy years when Cologne was closed to them, individual Jews would obtain, in return for a special payment, permission to enter the city for a short while, and that only during the daytime. As we learn from the Book of Obligations (*Eidbuch*) of the Council, dating from the end of the sixteenth century, not even the Burgomaster, to whom the protection of the Jews was entrusted, could grant a Jew permission to stay without the consent of the City Council. Accompanied by a messenger in a red cloak, the Jew could visit only those city residents whom the Council gave him permission to see. In a great many instances the visiting Jews were the physicians from Deutz and Muelheim who were repeatedly called to the bedside of their Christian patients in the City of Cologne. There were also such Jews as had expressed a desire to be baptized, and therefore were permitted to come into the city for purposes of instruction in Christianity. Finally, the representatives of the Jews of Deutz and of the archiepiscopal Jewry were occasionally permitted to enter the city to visit the Archbishop's Court.

The Jews of Deutz, who seem to have carried on a lively trade in Cologne, had their own boat and boatman, the so-called *Judenfahrer*, who would ferry them across the Rhine and act as messenger for them while the Jews themselves remained in the boat. For this service the boatman received a fixed annual wage. In 1656 the Jews complained about the boatman to the Elector. When they travelled

with their wares by ship from Mainz and Frankfort, the boatman would not permit them to continue on to Deutz using their own men, but, at the landing in Cologne, would compel them to transfer their wares into his boat, and make them pay for it. When they landed at the Holz or the Rhine Gate, as was customary, they were forced to wait until it pleased the head boatman and his assistants to ferry them across. Not permitted to set foot upon the ground or upon the wharf, they frequently had to pass the night in the cold and wind, in the midst of the high current, on the Cologne side of the river. Often they were abused by gangs of ruffians who threw stones and dirt at them. The order of Elector Maximilian Heinrich, toward the end of July 1656, that the head boatman must not disturb the Jews in their established customs, brought no improvement in the situation. To a second complaint on the part of the Jews, the boatman replied with a counterclaim, in which he posed as the defender of the Elector's rights and prerogatives. Nothing further is known about this quarrel. It seems, however, that the Jews continued to pay for their special boatman, for the account books of Deutz, as late as 1793, continue to show receipts from journeys by Jews across the river.

It is clear from all this that the City of Cologne made every effort to prevent Jews from entering into its boundaries whether for commercial purposes or to seek safety during times of trouble. It held to this policy even after the Thirty Years' War, when the Jews began to play a particularly important part in

the economic life of Germany, assuming the role of pioneers in re-establishing the trading relationships which the war had all but destroyed. Instructive for the attitude of the Imperial City of Cologne is a passage in the protocols of the Council, dated June 14, 1679: "According to the report of the *Balder*, a very sick Jew was brought into the hospital of St. Catherine along with the other soldiers. The Magistracy must, as soon as possible, place him in a boat and transfer him to Deutz." As late as 1784 the Jews of the Archiepiscopal Diocese repeatedly requested not to be compelled to make a detour around Cologne, but to be permitted to pass through the city accompanied by a soldier. Their petition continues, "For, in common with Christians and all human beings, we have Adam, the first created man, as our ancestor and are therefore all of the same flesh and blood." But on January 24, 1785, the City Council "rejects their petition and counsels patience, leaving matters in accordance with old custom."

CHAPTER 2

RABBIS, SCHOLARS, AND RELIGIOUS LIFE

ALTHOUGH, after the expulsion of the Jews from the city, the Jewry of the Archbishopric of Cologne was small and insignificant, it needed the services of a rabbi. Not only matters of ritual required the presence of a rabbi in the scattered community, but also such matters of autonomy and legal jurisdiction as were still left to the Jews by the various Regulations. The subject of a rabbi is first mentioned in the sixth chapter of the Jewry Regulation granted by the Elector of Cologne in 1686. According to this, the rabbi of the Electorate was empowered to decide religious problems in which not alone the local Jews were concerned, but also those outside of the principality. There was, however, always the proviso that the Elector's prerogatives and the jurisdiction of the regular courts must not be infringed upon.

The first rabbi mentioned after the expulsion of the Jews from the city is Seligmann ha-Levi Ziun in Andernach. It may be that for a time this city was the center of Jewish life in the principality. At a later time we meet the same Seligmann ha-Levi Ziun as rabbi in Bingen and Oppenheim.⁴⁶ As to the other communities, in view of the friendly relations and constant intercourse between Juelich-Berg and the Electorate of Cologne, it is not surprising that the Jewish communities of these districts

usually, if not always, down to 1704, employed the services of the same rabbi. His residence was sometimes in Deutz and sometimes in Bonn.

The first rabbi of the three territories, Electoral Cologne, Juelich, and Geldern, known to us by name, is Rabbi Vives, who flourished about the middle of the fifteenth century.⁴⁷ He is best known for his participation in the dispute aroused among the scholars of Germany and Austria by the Synod of Bingen held under the above-mentioned Rabbi Seligmann. The decisions of Rabbi Seligmann of Bingen and of Rabbi Menahem Bachrach at this Synod were meant to be authoritative for the communities of the upper and lower Rhine. Unfortunately, the decisions have not come down to us. Only this much is known, that Rabbi Seligmann set himself up as the court of last appeal in matters of doubt occurring in his own district as well as in the others, including Juelich and Geldern. Most communities and scholars took a stand against these decisions, primarily on the ground that they were too severe. Now, Rabbi Vives certainly would permit no infringement upon his own authority and the rights of the communities of his jurisdiction. Even though he had sent his own son to represent him at this synod, probably as a gesture of politeness toward Rabbi Seligmann, nevertheless, he was quite opposed to the synod's decisions. Not only did he refuse to recognize as binding his son's consent to the decisions of Bingen, but he even called a synod of his own, consisting of representatives from the communities of Electoral Cologne, Geldern, and



Beginning of Book II of Maimonides' *Mishneh Torah*,
copied in Cologne in 1296, now in the Budapest Academy of Science.

Juelich. Here the decisions of Bingen were unanimously rejected. In this instance Rabbi Vives had the support of Rabbi Lipmann and Rabbi Kossmann. The greatest rabbinic authorities of the time, Israel Isserlein and Moses Minz, also expressed themselves in favor of autonomy in the various communities, and against the Synod of Bingen.

A hundred years elapse before another rabbi of Electoral Cologne is mentioned. He is Hayyim the son of Johanan Treves, and he was active in Electoral Cologne for a great many years.⁴⁸ The memorial books of Bonn and Deutz emphasize his great love for peace. Since his residence is given as Koenigswinter in 1577 and Ahrweiler since 1585, it would seem that he acted as the rabbi in Electoral Cologne, with his residence in Bonn, ahead of Ruben Fulda.

Ruben Fulda is mentioned in the years 1583 and 1588 by David Ganz (1541-1613), the famous astrologer and historian, author of the *Zemach David*, who was his pupil. According to this reference, Ruben Fulda was the friend and favorite of Ernst von Bayern, the Archbishop of Cologne. Presumably he had the archbishop to thank for his position. When, in 1588, Martin Schenk, by a bold stroke, captured the archbishop's residence, Bonn, he led Ruben Fulda and all the Jews of Bonn into captivity. They had to be redeemed. Ruben Fulda seems to have died not long thereafter, since, in the above-named *Zemach David*, which appeared in 1592, he is mentioned as already dead.

Other rabbis of Electoral Cologne were Joseph ben Isaac ha-Levi Ashkenazi,⁴⁹ Moses ben Isaiah

Joseph Buergel,⁵⁰ Moses ben David ha-Kohen, also known as Moses Maus,⁵¹ Naphtali ben Kalonymos, called Herz Bruehl,⁵² Judah ben Benjamin, called Loeb Ashkenazi,⁵³ and Alexander ben Jacob ha-Kohen,⁵⁴ Isaac ben Abraham of Deutz, though not the rabbi of the communities, must also be mentioned in this connection, as one who shed glory upon the spiritual life of the Jews by his intellectual vigor and poetic pen.⁵⁵

Upon the death of Rabbi Alexander the Jews of the archdiocese made a change in the rabbinic situation. In 1706 the Jewries of Juelich and Berg chose Samson Levi as rabbi for themselves. At the same time, in view of the fact that the Elector of Cologne was also Duke of Westphalia, the Jewry of Electoral Cologne combined for rabbinic purposes with the Episcopal Diocese of Muenster, the Duchy of Arnsberg, and the Margravate. This combination for ritual purposes lasted till 1771. The first rabbi for the combined communities of Cologne and Westphalia was Rabbi Judah Mehler II, one of the most remarkable personalities among the German rabbis of the eighteenth century. Born in Bingen in 1660, he studied under Jacob Kohen Poppers in Coblenz, and then in the talmudic academies of Jacob Reischer in Worms and Elia Gomperz in Cleves. He thus became one of the foremost authorities in the field of *halacha*. His wife was Fromet, daughter of Ephraim Gumprich of Coblenz, the pious representative and *shtadlan* for the Jews. His decisions on matters of Jewish law were dispatched to communities far and wide. An exchange

of learned views took place between him and his teachers as well as the other noted authorities of his age.⁵⁶

More than any of his predecessors or successors, Judah Mehler inclined to asceticism. From his fiftieth year on he fasted from Sabbath to Sabbath. After the third Sabbath meal, late Saturday afternoon, he frequently took neither food nor drink until the following Friday evening. Every morning, before going to synagogue, he took a plunge-bath. Despite this unusual manner of living, the varied activity demanded by his far-flung rabbinic jurisdiction, and large talmudical academy with a numerous student-body over which he presided, he attained the great age of ninety. During a period of forty years he broke his week's fasting only once, with the exception, naturally, of holidays and half-holidays. In his last years he lost his sight.

Along with Hillel Minz of Mannheim and Michel Beer of Friedberg, Judah Mehler signed the resolution adopted at Mannheim in 1723 against the Sabbatians and Rabbi Jonathan Eibeschuetz, who was already then suspected of being connected with them. His rabbinic duties sometimes led him to spend weeks away from home, in Westphalia. He headed the commission which in 1734 investigated the indictment of the Jewish community of the Muenster episcopal diocese in its quarrel with Solomon Jacob, the official leader of Jewish affairs. Rabbi Judah's residence was alternately Bonn and Deutz. He was one of the founders and directors of the Charity Society (*Hebra Gemilut Hassadim*) of Deutz. He was

the first to sign its constitutional articles adopted in 1715. He died at Bonn on the 7th of April, 1751, and was buried on the Jewish cemetery in Schwarzhendorf.

A number of other rabbis of Electoral Cologne and its allied communities deserve mention. Joseph Juspa Kossmann of Essen was Rabbi Judah Mehler's son-in-law and assistant, and therefore never in full charge as rabbi of these communities.⁵⁷ Mehler's real successor was Samuel (Zanvil) Ashkenazi (1751-1766),⁵⁸ whose son, Elkan Samuel, turned down an invitation to succeed him.⁵⁹ The Jewry of the district had almost equally poor luck with their next choice, Uri Schraga Phoebus Helmann,⁶⁰ who died one year after assuming his duties in Westphalia and Muenster, in addition to the rabbinate at Bonn. Next, two brothers followed one another in this rabbinic office, Isaac Kahana Rapaport,⁶¹ and Simha Bunem Kahana Rapaport.⁶²

With the last-named we enter into the new era of Jewish life, and the re-organization of a Jewish community in Cologne. The broad outlines of a constitution for the newly organized community in the City of Cologne in 1801 were first discussed under his chairmanship. In his old age he was a member of the Synhedrin which Napoleon called in Paris. After Emmanuel Deutz of Coblenz, the first Chief Rabbi of the Rhine and Moselle district, was called to the headship of the Central Consistory in Paris, Rabbi Simha Bunem followed him in the rabbinate of the Rhine and Moselle district, though his

residence still remained at Bonn. However, because of his very great age, another rabbi, Abraham Auerbach, was placed by his side in 1811 to take over his duties. He died in the evening of the 11th Nissan (April 8-9) 1816, and was buried in Schwarzhendorf.

CHAPTER 3

THE MEDIAEVAL UNIVERSITY OF
COLOGNE AND THE JEWS

ON May 21, 1388 Pope Urban VI issued a Bull giving the City Council of Cologne the right to establish a university on the model of the University of Paris, with the power to grant degrees. Except for its first thirty-six years, therefore, the activity of this institution of learning falls within the period when Jews could no longer reside in the city, and even during this short period, in view of the Christian character of the University of Cologne, Jews were excluded from its studies. Nevertheless, the University did have certain contacts with the Jews, both before and after their expulsion, firstly by reason of its attitude toward Jewish physicians, secondly as a result of the Reuchlin quarrel over Hebrew books, and, finally, because of the study of the Hebrew language carried on at the University.

Although the expulsion from the city in 1424 made it impossible for Jews to live in Cologne proper, the Jewish physicians residing at Deutz had unusual importance for Cologne. This University, like that of Mainz, took a hostile stand toward the exercise of the medical profession by Jews. It opposed the Duke's of Juelich grant of the right to practice medicine at Cologne to his favorite Jewish physician, Vyvis of Aschaffenberg. In 1447 and 1448 the duke

turned to the city with the request that it grant protection to Vyvis in the same way that it did to other citizens of Berg. The Council repeatedly refused on the ground that it could not interfere with the autonomous rights of the University, and the granting of such permission would be contrary to the regulations of the Faculty of Medicine. From an entry in the Council's minutes for the year 1594 we learn that a Jew who took up the profession of medicine without protection was to be detained for punishment, and, in any event, could not practice until examined *per medicos*.⁶³ Thus it seems that the acceptance of Jewish physicians by the city was made to depend on the agreement of the Medical Faculty. It is hard to tell, however, whether this regulation was permanent. The Physicians' Oath of the University, in the years 1624 to 1660, which was intended to be taken by such as had obtained their medical knowledge outside of Cologne, does not make clear-cut distinction between graduates of the University and all other medical practitioners, in which latter category the Jews might have been included. From the city's records about the Jewish physician Levi Nathan of Deutz, in the second half of the seventeenth century, it is clear that the professors of medicine were called from the University to pass judgment upon Jewish physicians.

Neither the attitude of the University, however, nor the decree of the City Council permitting Jews to enter the city only by special permission and only during the daytime, could stop Christian patients within the city from frequently calling upon Jewish

physicians from Deutz. The minutes of the City Council afford abundant testimony that this was a usual practice between the sixteenth and the eighteenth centuries.

The University had occasion to deal also with non-medical problems involving the Jews. On June 2, 1475, the City of Nuremberg sought a decision by the University of Cologne on a question involving the citizens of Nuremberg and the Jews who had been permitted to settle there at the command of the emperor. The Jews, it seems, were engaged almost exclusively in money-lending, and held sealed documents given them by their Christian debtors. Now, when these notes were laid before the civil courts, Christian debtors would sometimes claim that they ought not be asked to pay the entire sum stated in the note, since the interest was included as part of the principal. Thus a problem arose as to the relative credibility of a sealed note held by a Jew as against the word of a Christian, and the civil judges of Nuremberg did not know how to decide. Moreover, the spiritual guides and preachers of the city had qualms about settling the matter themselves. They, therefore, turned to the University of Cologne. The University laid the matter before its doctors and masters who gave a detailed answer which bears the date of August 11, 1475. At the same time the University expressed its dissatisfaction with the sum of five gulden which the City of Nuremberg had sent along with the question.^{63a}

By far the most dramatic and far-reaching series of events in which the Jews were involved with the

University of Cologne was the Reuchlin-Pfefferkorn controversy. In the end it affected the Church much more than the Jews; it does show, however, the weakness of the props upon which the Jewish position rested. Johann Pfefferkorn, a man of little learning and no ethics, became an apostate from Judaism. He came to Cologne, where the Dominicans in control of the University used him to attack Jewish literature and the Jews, and to urge the burning of all Jewish books, except the Bible, as a means of forcing the Jews into the Christian fold. Passing from written arguments to action, Pfefferkorn, still with the Cologne Dominicans behind him, obtained from Emperor Maximilian the authorization to confiscate Jewish books. At this point a number of Jewish communities frantically began to use whatever influence they could muster. Their activity, and the aid of several liberal churchmen, resulted in the appointment by the emperor of a commission to study the matter. The Cologne Dominicans had the majority on this commission, but Johann Reuchlin, a Christian scholar of liberal tendencies, was also a member of it. Reuchlin had long been a student of Hebrew and had acquired the reputation of being the foremost Christian authority in Europe on Jewish literature. To the consternation of Pfefferkorn and his friends, Reuchlin came forward with a defense of the books which the Dominicans wanted to burn.

In the violent controversy which ensued the Jews were passive, though vitally concerned. They stood by and watched — they could do nothing else — the issue of their books assume immense general sig-

nificance by touching off the accumulated dislikes between the obscurantists and the progressives of the day, between the reactionaries within the religious orders and the Humanists. All the scholars of Europe took sides in this controversy. Charges and counter-charges flew in every direction. After a while Reuchlin took the offensive against his opponents. He published a book, *Augenspiegel* (Mirror for the Eyes), in which he let Pfefferkorn and his friends see themselves as others saw them. The book intensified the quarrel in Cologne itself. For the rest of the University, especially its Faculty of Law, was not certain of the legality of the stand taken by the Faculty of Theology. The City Council of Cologne was also half-hearted in the support of the Theological Faculty.

The most prominent personality in the Theological Faculty of Cologne, and second only to Pfefferkorn in this affair of the Jewish books, was Jacob von Hochstraten, the official Inquisitor of Heresy in Germany. He had begun his literary career by a serious and thorough discussion of the profound scholastic problem whether it is permitted to call upon witches for help against witchcraft. He now backed a libel suit against Reuchlin for his attack on the University of Cologne. Though the attitude of the University toward this libel suit is not clear, the City of Cologne, as patron of its seat of learning, did consent to represent the Theological Faculty before the emperor. In the meantime Reuchlin published another book in defense against his calumniators at Cologne (*Defensio . . . contra calumniatores suos Col-*

onienses). On July 8, 1513, probably as a result of the city's intervention, Emperor Maximilian issued an order imposing silence on both sides, and another order, on the next day, commanding the Archbishops of Mainz, Cologne and Treves along with the Inquisitor of Heresy, to find, confiscate and suppress Reuchlin's writings and not to permit their further spread. At the same time the Theological Faculty obtained the condemnation of Reuchlin's *Augenspiegel*, which was publicly burned on February 10, 1514.

Reuchlin, too, was not idle. He appealed to the pope against his persecutors. Pope Leo X, himself inclined toward liberalism, tried to quiet the affair. He appointed an investigator from among the German clergy, and obviously hoped that the storm would soon blow over. But the obscurantists would not let matters rest, and consequently brought upon themselves one of the most destructive attacks in all literature of controversy, which indirectly led to the breach within the Church and the rise of Protestantism.

In the course of the literary conflict between Reuchlin and Pfefferkorn, Gratius, a professor at Cologne, translated into Latin a number of the apostate's writings on the Jews, as well as a similar book by Victor von Carben, another convert from Judaism. In 1514 Gratius asserted that Reuchlin's *Augenspiegel* deserved to be burned because it had caused annoyance. He then goes on to disparage Reuchlin by calling him a "Talmudist," and by resorting to the poor pun of deriving the scholar's name from *Rauch*, that is, smoke. Moreover, he went

on to say, Reuchlin has little understanding but an abundance of arrogance. Altogether Gratus overstepped the bounds of respectability in debate. The reply to Gratus has become a monument in the literature of humor. A collection of expressions in praise of Reuchlin, the *Clarorum Virorum Epistolae* (Letters of Distinguished Men) had appeared in 1514. But this was too dignified to suit some of the opponents of obscurantism. In 1516 there appeared anonymously the *Letters of Obscure Men* or, to give its complete title, *Epistolae Obscurorum Virorum ad Venerabilem Virum Magistrum Ortwinum Gratium Daventriensem Coloniae Agrippinae Bonas Litteras Docentem Variis Locis et Temporibus Missae ac Denunc in Volumen Coactae* (The Letters of Obscure Men sent to Various Places and at Various Times to the Venerable Master Ortwin Gratus of Deventer, Professor of Literature at Cologne, Now Collected in One Volume). It was a book of rough humor and biting satire with more than a touch of malice, the like of which the world has never seen. Gratus was chosen as the addressee of the imaginary letters because he, as teacher, provided many easy marks for attack. He was, moreover, the most disliked among the theologians of Cologne. Reuchlin had called Gratus a donkey, a barbarian, a buffoon, and the scum of every evil, a "perverter of the good arts." The aim of the *Letters of Obscure Men* was to prove all this, and their effect was felt not alone by the University of Cologne; their satire proved destructive of the entire curriculum of the mediaeval universities. There is no mistaking the fact that, beginning with the year

when these letters were published, the number of students at Cologne began to decline.

The after-effects of the quarrel are also instructive. In March 1521 Pfefferkorn published his insulting pamphlet, *Eyn Mitleydliche Claeg*, making sport of the dead Reuchlin. Thereupon Franz von Sickingen took it upon himself to demand that Cologne punish Pfefferkorn who was a resident of the city. The city's reply at this time was given in quite a different tone from that which it had used in previous expressions about Reuchlin. To be sure, Pfefferkorn was not punished, but the city showed him Sickingen's demand, and requested a reply from him which it added to its own answer. The printer, however, who had published Pfefferkorn's insulting expressions without the permission of the Council, was imprisoned.

In spite of everything the study of Hebrew was continued at the University of Cologne throughout the age of Humanism. Flavius Wilhelm Raimundus Mithridates, the first of the wandering Hebraists, appeared at the University of Cologne in 1484 and stayed there for a short time. His personality is still somewhat vague. The researches of the Italian Jewish scholar Umberto Cassuto portray him as follows: He was born a Jew, in Agrigentum, Sicily. An ambitious young man, anxious to obtain honors and to attend a university, he had himself baptized. He displayed his zeal for the new faith by engaging in religious disputations with his former co-religionists. His learning, his ability as a public speaker, and his personal attractiveness earned for him a Professorship of Theology in the Roman Athenaeum. He then

came to Germany and succeeded in arousing a great deal of interest in himself and in gaining recognition as theologian, philosopher, poet, and translator from numerous languages. In 1485 he was back in Italy, initiating Pico della Mirandola not only into the Hebrew, Aramaic and Arabic languages, but also into the mysteries of the Cabala. He then vanishes from view, the rest of his eventful life hidden, or cut short, by the tragic shadow of a prison cell. He is credited with the translation from the Hebrew and the Arabic into Latin of a large number of Cabalistic works and of a variety of other writings.⁶⁵

The first professor of Greek and Hebrew to be called by the City Council of Cologne, which paid part of his salary, was Arnold von Wesel, around 1527. In addition, the Dean of Cologne, Count Hermann von Neuenahr, taught Hebrew and Greek at the University. For to him, as a typical man of the Renaissance, no field of knowledge was quite alien. In the Reuchlin affair he took a definite stand on the side of the attacked Humanists and in opposition to the obscurantists. The noted Isaac Levita (Johann ha-Levi Germanus, 1515-1577) taught at the University of Cologne during the second half of the sixteenth century. He was born at Wetzlar, and at first followed the profession of rabbi. Then he and his four year old son, Stephen, as well as his entire family became converts to Protestantism in Marburg, and in 1547 he was appointed Professor of Hebrew at Loewen. There he stayed, from 1547 to 1551, at the *Collegium Trilingue* in order to obtain

instruction in the Catholic faith. He also taught Hebrew and Aramaic grammar in the same institution. In 1551 we find him in Cologne. His work lay mainly in the field of grammar and on this subject he wrote a number of Hebrew works. He ranked as the outstanding Christian Hebraist of his day, and his text-books were highly popular. His son, Stephen Isaac Levita, who was born at Wetzlar in 1542, first followed his father in the Professorship of Hebrew at Cologne, and later became a Catholic priest. In 1586 he turned Calvinist. His Latin translation of the biblical book Malachi appeared in Cologne in 1563.

It is not clear whether Hebrew was taught at the University of Cologne throughout the seventeenth century. Heinrich Veucht asserted in 1644 that during his student days in Cologne neither Greek nor Hebrew was taught at the University. As late as 1788 the Theological Faculty extended its field of studies by having the Dominican Pius Eitzen teach Oriental languages and the History of Theological Literature.

The attitude of the students of the University to the Jews is exemplified by an incident in the year 1665, which is related in the memorial books of Deutz and Bonn. The books speak of a thousand students, though the University never had that many. The point is, however, that a large number of students came to Deutz in that year to carry out a pogrom against the Jews. The representative of the Jews of that district, Hirz Ueberrhein (Naftali son

of Isaac ha-Levi), turned to the Catholic clergy for aid, and thanks to them the danger was averted. The Jewish community of Deutz then established a holiday.

With one stroke of the French pen the University of Cologne was abolished on April 28, 1798, along with the other schools of higher learning on the left bank of the Rhine. Its last Rector was Wallraf.

SECTION IV
THE COMMUNITY IN
MODERN TIMES