

**“Usury, to the English Mind”: The Image of the Jewish Merchant in the British
Atlantic World**

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In his commentary on the medieval statute *de Judaismo* (1275), written prior to his death in 1634 but published posthumously in his *Second Part of the Institutes of the Lawes of England* (1642), Sir Edward Coke recounted the story of a number of “the richest” Jews of London, who had determined to leave England in the wake of Edward I’s proscription of usury. According to Coke, these men “imbarked themselves with their treasure in a tall ship of great burthen” which soon set sail down the Thames. En route, it seems, the captain devised a scheme for separating the Jews from their money. On reaching a pleasant spot near the river’s tidal basin, he cast the anchor and invited his passengers to join him in a relaxing walk upon the sands in the midst of the river bed. Then, as the tide began to turn, he slipped away from his erstwhile companions and rejoined his crew on board ship. By the time the Jewish passengers realized the danger from the incoming tide, the ship had hauled anchor. As the Jews begged for mercy from their forlorn and rapidly diminishing sanctuary in the river bed, the captain hautilly suggested “That they ought rather to cry to Moses, by whose conduct their fathers passed through the red sea, and that he [would be] able to deliver them out of those raging flouds[.]” The Jews, of course, perished, probably unable to swim. The captain and his co-conspirators were subsequently tried, sentenced and hanged by an English court for the crime of murder. Nevertheless, Coke’s presentation marks the Jews as the real criminals of the tale, because they were “wicked and wretched men” who had achieved great wealth by “cruell” means and “shewed no mercie to numbers

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that cried to them.” Although the captain had also been “wicked and profane” in scheming to obtain the wealth of the Jews by the “foul” taking of life, and legal sentence was thus justly imposed, in Coke’s view his crime was no match for that of his victims. For Coke, the drowning of these medieval Jewish merchants was no less than an act of divine justice, a fair recompense for their longstanding “debts of cruelty.”¹ Their deaths were not to be regretted.

We may well wonder why Coke chose to insert this odd story into a discussion of English legal code. The story’s veracity is unattested by any of the marginal notes Coke was otherwise so fond of making and its relationship to the legal underpinnings for prohibiting usury are unclear, since the drowning took place sometime *after* the statute had been put into effect. Moreover, Coke was writing at a time when Jews were, at least in the technical sense, absent from England. The handful of Jewish individuals who resided in England in the 1630s were circumspect about their practices, presented themselves through a public ruse as Christians, and were thus commonly perceived by English men and women as Spanish Catholics who operated under special dispensation to worship with the diplomatic legations from Spain and the Italian states. They were merchants and physicians who did little, if any, money lending.² It seems unlikely that Coke would have aimed a message intended for broad public dissemination at such a small, discreet group of secret Jews. It is also difficult to make the case for Coke’s use of the *Institutes* for incendiary purposes, since the story does not show the Jews in the process of malfeasance – their drowning is, instead, just retribution for acts they are supposed (by Coke) to have committed in the past. Driven as he was to present the common law as an inherently rational system, it

would seem that Coke wanted to underscore that character matters as much as behavior.³ Perhaps his motive can be found in attitudes toward certain economic practices, including trade monopolies and the practice of usury. Coke's opposition to usury was evidently of longstanding; during the 1624 Parliament, he had participated in the deliberations leading to the passage of an act revising the permissive 1571 usury act to lower the rates and heighten the penalties.⁴ In the *Institutes*, Coke characterizes usury as a "pestilent weed," and he is quick to invoke the image of "usurious Jews" who "thirst[ed] after wicked gain." Edward I was thus ennobled by having banished usury among the Jews. For Coke, this was particularly trenchant because it was an act against the king's own interest: the Crown benefited directly from Jewish revenues through the imposition of heavy tallages, so the termination of usury by Jews meant less money in the king's coffers. According to Coke, it was this curb on the practice of usury by Jews in 1275, rather than a formal decree of expulsion, that caused the Jews to leave England in 1290. Unlike medieval commentators, however, Coke did not excoriate the Jews for believing in a despised religious creed to which Christianity was presumed to constitute the more enlightened successor. Instead, in equating "Jewishness" with certain kinds of economic activity, Coke was re-fashioning the traditional link between religion and usury into something different.

The novelty of Coke's peculiar construction of the Jewish merchant becomes evident when we compare his version of the drowning story with earlier historic chronicles, such as Raphael Holinshed's *Chronicles of England, Scotlande and Irelande*, published in 1577. Holinshed had painstakingly compiled folktales and political history into a readable and chronological narrative. The resulting work was popular with Elizabethan and later scholars, and it inspired a number of contemporary dramatists, including Shakespeare. It

seems likely that Coke may first have found the anecdote about the drowning of the Jews in Holinshed.⁵ And this raises the curious question why Coke did not acknowledge Holinshed as an original source for the tale, as it was his careful custom to do with other texts on which he relied. The answer, I think, lies in what Holinshed makes of the story. When we read Holinshed's version of the drowning of the Jews, it is the mariners, not the Jews, who appear villainous. Indeed, Holinshed not only declines to stereotype the Jews as "usurers" but rather emphasizes that the Jews were operating under the king's express license to remove their chattel property along with their persons. Moreover, Holinshed reports two possible scenarios for the consequences of the drowning, neither of which fully aligns with Coke's version of the story:

"The master returned with the Shippe, and tolde the King howe hee had used the matter, and had both thanks and reward, as some have written, where other[s] affirme, and more truely as should figure, that diuers of those marriners whiche dealt so wickedly againste the Jewes, were hanged for their wicked practice, and so receyued a iust rewarde of their fraudulent and mischevous dealing."⁶

In Holinshed's balanced recounting, some medieval chronicles thus report official sanction for the robbery and murder and others the punishment of the perpetrators. But Holinshed himself judges the perpetrators as "justly rewarded" by their purported punishment, rather than (as in Coke's telling) the victims. The absence of any condemnation (or even discussion) of Jewish economic activities, including the coin clipping allegations of the late 1270s (which had resulted in mass trials, hangings and the confiscation of goods) as well as the practice of usury, are notable in Holinshed's chronicle. It would appear that Coke, whose version of the story emphasized how the victims had employed "their Jewish Trade of Usury" for nefarious purposes, was attempting to play on

negative stereotypes of Jewish merchants in order to further promote his stance on the prohibition of moneylending. He was, perhaps, purposefully distancing himself from a source in which the Jews could be read as objects of sympathy. Such a reading sets Coke's commentary on *de Judaismo* in line with his activities relative to purported "grievances of trade" debated during the Parliaments of 1621 and 1624, when Coke spoke repeatedly against emerging trade monopolies, the undervaluation of commodities, corrupt dealings in the collection of His Majesty's customs, the excessive importation of luxury goods, high export duties, the engrossing of the national trade by London at the expense of merchants in outlying port towns and the general decay in English currency.⁷ Decrying as dishonest practices which restrained free trade, and unhappy with the new ideologies of market development in which the role of religion was evidently declining, Coke constructed his commentary on *de Judaismo* as a response to these dangerous, insidious and immoral developments in English commerce, and reconfigured the evidence to suit his purpose.⁸ In didactic fashion, Coke was advocating a return to the traditional links between Christian values and market activity by demonstrating that usurers always came to a bad end. For Coke, the drowned medieval Jews had become the icon for every negative feature of the Tudor-Stuart markets.

Coke was hardly alone among his contemporaries in reading usury as an economic peculiarity of real or fictive Jews. Indeed, a number of plays and political tracts circulating in the late sixteenth century made reference to usury and other unpalatable economic practices as "Jewish" behaviors, relying in part on the traditional understanding that Judaism allowed moneylending (to non-Jews) where Christianity prohibited the practice. In his 1572 *Discourse Upon Usury*, for example, two of Thomas Wilson's characters condemn English

usury by connecting it to Jews. The “Doctour” (e.g., a Professor) terms usury “thys horrible sinne” for which Jews had been “worthely” banished, because “surely that common weale and country cannot long stande in prosperous estate and welfare, wher merchants and all others become usurers.” Another of Wilson’s characters, the Preacher, takes the analogy further, advocating banishment for “all these Englishemen ... that lende their money or their goods whatsoever for gayne” because their behavior rendered them “no better than Iewes” and often worse.⁹ Francis Bacon made note of the suggestion -- one of a number of popular and “witty invectives” that were bandied against usury -- that English usurers ought to wear orange hats because by engaging in the practice they did “judaize.”¹⁰ There is a notable vagueness to these associations that leaves ajar the question of causal connection: was usury bad because Jews practiced it, or were Jews bad because they practiced usury?

The nearly automatic association of usury with economic practices specific to Jewish merchants obscured the comprehension by some commentators of the late medieval economy and the important role that money lending played in greasing the wheels of commerce at a time when the banking system was de-centralized and in private hands, rather than operating through centralized public institutions.¹¹ In fact, Christians and Jews both engaged in money lending and usury.¹² As early as the twelfth century, Christians who practiced usury were brought under the rubric of the diocesan courts and were routinely prosecuted and punished under Canon law. The regulation of Jewish usury was, by necessity, left to the civil courts, which operated under common law standards and royal prerogative. The development of these parallel systems for the regulation of usury inevitably led to inequities in the treatment of usurers. Indeed, Christian usury (and usury prosecutions) continued into the sixteenth century – some 300 years after *de Judaismo* had

banned Jewish usury.¹³ Parliament took action to prohibit usury in the late fifteenth and early sixteenth centuries, but the new laws proved ineffective in putting a halt to the practice.¹⁴ By this time, changing economic circumstances had established a climate where it was desirable to take advantage of opportunities for the productive employment of capital. Moreover, Henry VIII's break with Rome in the 1530s created the opportunity to repudiate those policies of the Holy Roman Church that did not meet with emerging social and economic needs. It now became possible to advance a number of justifications for practices that the Church had traditionally prohibited as usurious. Indeed, prominent reformers from the Continent, notably John Calvin and Martin Bucer, were already separating themselves from longstanding Catholic policy on usury by differentiating between the lawful taking of interest as a hedge for the lender's right to regain the principal loaned (or property rented), and "biting usury," defined as the taking of excessive interest on a loan for the primary purpose of making profit. For these theologians, taking interest was therefore lawful when the purpose it served was merely compensatory (that is, to make the lender whole in the event of the borrower's default), but a positive evil when it punished the borrower for his neediness and rewarded the lender's cupidity. Bucer, who arrived in Cambridge to hold a chair in divinity in 1548, was particularly associated with introducing this Roman law distinction to his English students.¹⁵ By 1570, the practice of usury had become so widespread that, as Richard Porder's anti-usury sermon acknowledged, it was commonly found at nearly every level of English society – "Noblemen, Courtiers, Gentlemen, Grasiers, Farmers, Plowmen, and Artificers" were all known to lend money, and even the clergy were involved.¹⁶ Parliament itself was forced to concede the new reality in its bill "against Usury" in 1571, where it made allowance for the court of orphans to lend at rates under

10%.¹⁷ By 1624, when the 1571 law was finally revised, a number of theorists were arguing that, as Robert Filmer maintained, usury “is no where in Scripture forbidden to Christians: ... it is as lawfull as any other contract or bargain, unless the lawes of the land do prohibit or moderate it...”¹⁸ With such a pronounced shift in public attitudes toward usury, it is not terribly surprising that Parliament’s amendments to the 1571 law removed references to God in the preamble. The distinction between lending at lawful interest and sinful usury thus became a matter of private conscience. Coke’s iconography notwithstanding, under English statutory law usury was a secular affair after 1624.¹⁹ Thus, Coke found it necessary in his commentary to add that the “naturall Jews” of medieval England had their counterpart in “another kinde of Jews” among a particular set of Englishmen – “viz. The Judges of the Kings Bench, and of the Common Pleas, the Barons of the Exchequer, and the Justices Itinerants” -- whose hands were “stained ... with forbid Bribery.”²⁰ Coke, in elaborating the connection that Wilson and others made between the medieval past and the economic present, now put an ambiguous spin on the very word “Jew,” suggesting that it could be applied to anyone, Jew or Christian, who exhibited a lust for money.

Coke’s commentary on *de Judaismo* laid much of the legal groundwork for opposition to the Readmission of the Jews in the mid-1650s. When political discussion of Jewish resettlement in England culminated in the Whitehall Conference of December 1655, two of Coke’s colleagues at the bar, William Hughes of Gray’s Inn and William Prynne of Lincoln’s Inn, quickly jumped into the fray, using Coke’s arguments to buttress their arguments against the Jews. Hughes overtly desired to refute Menasseh ben Israel’s 1656 tract *Vindiciae Judaearum*, and his response was drawn, as he claimed, from

“...such Authors as hold out unto us the behavior of the Jews, whilst here formerly residing, which seemed to be such, as the English Nation believed

other things of them then Profitableness and Faithfulness, having bought their experience at a very dear rate.”²¹

For Hughes, any pretensions that contemporary Jews desired to make their way only by “merchandizing,” as Menasseh ben Israel and other the advocates of Readmission claimed, would result largely in the diminution of opportunities for English merchants. Noting that “Usury was most practised by them here; and is still in Italy, and other parts, where they have not such opportunity of trading,” Hughes argued that even allowing for new opportunities of trade with the East Indies and the Americas, the number of Englishmen interested in trade would be sufficient to meet the needs of English mercantilism. Jews, he suggested, could only constitute a drain on English commerce, “they being noted as sucking Leaches where ere they come, in some way or other.”²² Like Coke, Prynne resurrected the expulsion of the Jews as legal authority and discussed the role played by the purported economic misdeeds of medieval English Jews in provoking that event. Both Hughes and Prynne, however, while acknowledging the role of economic issues in effecting the expulsion, tried to emphasize the importance of religious considerations. As Hughes put it, “though usury was the main thing under which [the medieval English] groaned, yet there were other things they could not but be sensible of: viz. Crucifying of children, and [the Jews’] great spight to Christian profession[.]”²³ Prynne similarly attempted to shift the emphasis found in medieval sources by suggesting that the expulsion had been ordered “not only for [the Jews’] Usury, but chiefly for their Infidelity and Enmity to Christs Cross.”²⁴ Writing at a moment of high religious tension, Hughes and Prynne were concerned with the excessive religious fervor in contemporary England, and both focused their efforts on the purported theological effects of the Readmission proposal submitted to Cromwell.

What these legal scholars failed to appreciate was that Coke, writing well before Readmission of the Jews had become a political and theological hot button, was acting on a very different agenda than they were. They were therefore incredulous at the gross inaccuracy of Coke's principal claim that the Jews had left England voluntarily, by virtue of having lost their economic sustenance after the enactment of *de Judaismo* in 1275. Hughes, noting that he had "not arrived at that height of arrogance, as to oppose so great a man" as Coke, nevertheless felt impelled to cite nearly a dozen historical chronicles in which it was stated that the Jews were forced to leave by an enactment of some type.²⁵ Prynne, a particularly assiduous scholar, recounted in painstaking detail the documentary history of the expulsion from the medieval close rolls then kept in the Tower, concluding that Jews had been "all banished by sentence of Parliament" in 1290, the 18th year in the reign of Edward I.²⁶ Operating within a context where religious arguments alone might have sufficed to keep the Jews out, neither was able to appreciate Coke's shrewd manipulation of the imagery associated with the Jewish merchant's market activities. And nowhere was Coke's influence more evident than in the evolving markets of England's new world colonies, where legislators relied on that "Oracle of the Law" Sir Edward Coke, and his *Institutes*, along with their legal progeny, for their understanding of English precedents.

English settlers in the new American colonies had first begun to encounter Jewish merchants at about the time Coke wrote his commentary on *de Judaismo*, several decades before Jews began to resettle in London. When polemical tracts about the monetary activities of Jews therefore traveled from England to its colonies on the far side of the Atlantic, where they found a ready audience. English colonists soon began to contribute

their own complaints about the Jews to a broader -- now trans-Atlantic -- discourse in ways that echoed Coke's re-imagining of the "Jewish trade of usury." These Anglo-American claims against the Jews can be grouped into three general categories: complaints that Jewish merchants engrossed and monopolized colonial trade, anxieties about the exercise of undue influence by Jewish merchants in Anglo-American politics, and claims that Jewish merchants did not contribute their fair share to colonial (and by extension, royal) coffers. Each of these complaints used elements of Coke's re-fashioned image of Jewish merchants to make a claim for intervention of some sort by the Crown.

Complaints that Jewish merchants "engrossed" trade and created "monopolies" bore close resemblance to earlier claims about the impact of usury on English markets, pre-dating the Readmission of the Jews by a number of decades. In 1570, for example, Richard Porder noted that usurers

"...lend to the riche man, who having the money, doth ingrosse the markets, bringeth heapes of commodities into his owne handes, and so maketh a Monopolion, and dearth without neede."²⁷

In the New World setting, claims that Jews engrossed trade were most prevalent in the English sugar colonies, particularly Jamaica, where Jews had established a strong mercantile presence with the encouragement of some of the island's early governors. In 1672, for example, 31 English merchants in Port Royal complained to Gov. Thomas Lynch about the mercantile behavior of 29 Jewish merchants trading there, of whom only 13 had obtained Letters Patent from the Crown, stating that:

"The great mischeife w[hi]ch wee suffer by y[e]m is, That their Tradeing is a perfect Monopoly, For they are a kind of a Company, & Trade w[i]th a joynt Stocke, Whereby they allwaies Comand ready money, & by y[a]t meanes doe not onely allwaies buy ye choicest & best goods, but frequently

whole Cargoes, ... But by these Arts at last they gaine Excessivuely, & giues ye whole measure to ye Trade themselues...”

The failure of the Governor of Jamaica and the Board of Trade in London to take effective action prohibiting or restricting Jewish mercantile trade on the island only exacerbated the frustrations of Anglo-Jamaican merchants and planters. English merchants and their supporters submitted a continuous stream of petitions to the Governor’s Council, including one in 1692 following the unexpected death of Lord Inchiquin, a proponent of Jewish mercantile enterprise who had been Governor of the Island since 1689.²⁸ This latest effort was even supported by the Governor’s Council, which, as their letter to the Board of Trade underscored, also feared an influx of Jewish merchants to Jamaica from other places. “The Jews,” they wrote, “eat us and our children of all trade We did not want them at Port Royal, a place populous and strong without them; and though told that the whole country lay open to them they have made Port Royal their Goshen and will do nothing but tradeThis means taking our children’s bread and giving it to Jews.”²⁹ During the Spring of 1700, when requested by the Board of Trade to answer for their excessive taxation of the island’s Jews, the Governor and Council did not deny the allegations. Rather, they offered the following explanation of their behavior:

“...[The Jews’] Employment is generally keeping of Shoppes and Merchandizing, by the first of which they have Ingrosst that Employment, and by their parcimonious living ... they have thereby meanes of under=selling the English that [the English] cannot many of them follow that Employment, Nor can they in reason putt their Children to the Jews to be Trained up in that profession by which the English Nation thus be they Suffer much both in their owne Advantages and what may be made to their Children Hereafter....”³⁰

Such self-serving justifications were an ongoing theme in Anglo-Jamaican politics well into the eighteenth-century, as is evident in the further proceedings of both the Jamaica

Assembly and the Board of Trade and Plantations. In January 1714, for example, a body of Anglo-Jamaican merchants presented a petition to the Island's Assembly "against the importation of indigo, wine, and other European goods" -- trades in which Jews were particularly involved in the early part of the 18th century -- "and also of Jews keeping shops..."³¹ Toward the end of the eighteenth century, Anglo-Jamaican complaints began to shift away from allegations that the Jews engrossed the island's trade toward allegations about the manipulation of credit and currency exchange. In his 1774 History of Jamaica, Edward Long, a planter who served as Secretary to the island's governor, complained bitterly of the usurious interest rates charged for private credit in Jamaica. The blame for these practices he laid primarily (if not exclusively) on the island's Jews, asking rhetorically whether it would not better serve colonial interests to raise the public interest rates and thus "save the planters from a tribe of villainous men in Jamaica, and put the island into a more flourishing condition[.]" In fact, he claimed, planters were pressed either to consign their produce to Kingston's wealthy factors or "to take up loans in the island of some rich Jew," which forced them to pay interest rates not lower than 16% and as high as 20%. And, by Long's account, it was not only the planters who suffered from the malfeasance of Jewish merchants. Blacks, too, were exploited by the Jews for profit. Here, Long exposed the role of Jewish shopkeepers as intermediaries between the island's black population and its well-to-do merchant importers, stating that

"whenever ... [the shopkeepers] take diminished money from the Negroes, it is with design to profit upon them; and this has usually been managed, by giving but a trifling value of their goods for it; and then, by watching opportunities to change it for heavy money; and, as the light money reverts into circulation, and can have no outlet by trade, so it continues to run current so long as any heavy money can be picked up; when this is exhausted, the shopkeepers begin to cry down the light and counterfeit coins; the Negroes are unable to carry on their traffic; and a general confusion ensues."³²

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Long suggested that it was “rascally tricks” such as these, “for which both antient and modern Jews have always been distinguished,” that had “served not a little to embitter the popular hatred” toward Jewish merchants. Long also employed the more traditional screed against Jewish self-interest by claiming that Jews had originally been attracted to Jamaica “by the quantity of gold and silver brought into circulation here. . .”³³

Complaints about Jewish merchants using various tricks to monopolize trade and manipulate currency were compounded by the fact that Jewish merchants, despite their status as foreigners, managed to insinuate themselves into English colonies as inhabitants. This sparked Anglo-American fears about how Jewish merchants negotiated with local officials, and the consequences of their behavior for the conduct of governance. Anglo-Jamaican merchants pointed to the ceaseless activity by Jewish merchants for “their owne private int’rest & Advantage” as evidence that the Jews had “...remoued y[e]mselves hither from none of his Ma[jes]ties Dominions,” but rather were enticed to Jamaica from elsewhere “by their Lucre and design[.]” What assurances, asked these English merchants, “can there bee of [Jewish] fidelities, who liue vnder noe obligacon of Duty & Alleigance” to the English Crown?³⁴ In fact, many of the Jewish merchants they complained of had taken great pains to obtain Letters Patent of Denization, which gave them the status of English subjects and thus the putative authority to conduct trade without violating the Navigation Acts. By rhetorically constructing Jewish merchants as “foreign” or “Alien” to British interests, Anglo-Americans thus sought to rationalize their demands that Jewish merchants be barred from English commerce or, in the alternative, be subjected to stricter oversight and regulation. A case

in point is the admiralty prosecution of New York merchant Rabba Couty in Jamaica. In 1671, Couty's ketch, *The Tryall*, arrived in Jamaica laden with provisions but was seized and condemned on the libel that it was not an English ship. Couty appeared before the Admiralty Court to defend his interest in the vessel by presenting a license from Col. Francis Lovelace, the British governor of New York. Rather than having his status as an English subject ratified by the Court, however, Couty was stunned by the unanticipated ruling that "hee was no Denizen." Since Couty had already confessed that 2/3 of the vessel and its cargo were his, the Court now proceeded to condemn the vessel and its contents (worth more than £1200, by Couty's account). Couty was forced to sail to New York to obtain a second certificate from Gov. Lovelace that verified his status as "a Free Burgher of this Citty" as well as the status of the ketch and its crew as English, in order to petition the king to have his property restored. The Privy Council, appointed to investigate Couty's claims, subsequently found not only "the said Sentence to be grounded on a presumption that the said Rabba Couty being not an Englishman, but a Iew was for this cause to be accompted a Forreigner" in contravention of colonial policy, but also that the two certificates from Gov. Lovelace were in fact sufficient to establish Couty's claim to be "an Inhabitant, and free Cittyzen of your Majestyes Plantations." In this case, the attempt of the Admiralty Court in Jamaica to construct Couty as a foreigner relied upon the premise that Couty's documentation was inadequate to prove his status as an English subject. This notion was defeated only by the direct intervention of the Crown.³⁵

Prosecutions of Jewish merchants as "Aliens" was not exclusive to the Caribbean sugar colonies, and took place on two occasions in Rhode Island. The first of these, in

1684, involved the seizure of property belonging to eight Jewish merchants residing in the town of Newport to compel their appearance in court on the charge that as “Aliens” they were not entitled to conduct trade in Rhode Island under the Navigation Acts, although the Jews involved had been residing in Newport for nearly seven years. On June 24, 1684, after the Complaint had been filed by the Colony’s Surveyor General, two of the Jewish merchants presented a Petition to the General Assembly requesting protections from this unwarranted seizure of their property. The Assembly, without debate, promised the Jews “as good protection here as any strangers being not of our nation residing amongst us...being obedient to his Majesty’s laws.” While purporting to extend the requested protection, however, the Assembly’s statement underscored the public position of the eight Jews as outsiders (“strangers being not of our nation”) despite their long term of residence in the colony.³⁶ The scenario was re-enacted some 60 years later, when the Constable for the town of Newport was sued for trespass in 1743 by three Jewish merchants. In that case, the Constable had seized the merchants’ property, at the request of the Town’s tax collector, as a result of their refusal to pay the colony’s Alien Tax. Each of the three merchants had been residing in the colony for over a year, the time period specified by English law to establish residency in a town, and on this basis alone they were able to prevail on the merits in court.³⁷

A 1750 petition to the Jamaica Assembly by planters from St. Catherine’s parish drew the most direct link between the threat of Jewish mercantile success and Jewish status as inherently alien:

“...the Jews are a foreign nation, and of a different religion from us, that they are at this instant governed by laws and magistrates of their own, and pay no voluntary obedience to our laws; but, on the contrary, abhor both them and our religion, and that they are ever likely to continue in the same situation and

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sentiments: ... it would be extremely imprudent to admit a nation, under such circumstances, to exercise a share in the legislature, which they might, in a short time, extend by their wealth and frugality, to a degree that might be destructive to our religion and constitution[.]”³⁸

Here, the planters suggest that traditional Jewish practices which required that Jews be “governed by laws and magistrates of their own” did not merely serve religious functions, but in fact constituted the Jews as a separate political entity. By maintaining their separate identity, Jews thus demonstrated that their allegiance was not to the island’s colonial government but to themselves alone. Giving the Jews liberty to participate in local governance, say by voting or holding elective office, would thus give them the opportunity to “buy” or bribe the island’s government and would, ultimately, result in the overthrow of English constitutional liberties and English Christianity. Faced with the continuing animosity of the planters who constituted their customer base as well as the island’s governing elite, Jamaican Jewish merchants, by the commencement of the eighteenth century, found themselves obliged to behave as their London counterparts did, presenting to “every new governor, upon his arrival, ... a peace offering” consisting of “a purse of doubloons,” with smaller presents made to the lieutenant governor and the island secretary, in order to ensure official favor when need arose.³⁹ This, of course, only exacerbated the suspicions of Anglo-Jamaicans like Edward Long that Jewish merchants were actively corrupting the government.

While political attacks on Jewish merchant behavior were most substantial in the Caribbean sugar colonies, they also found their way into the rhetoric of the mainland colonies, particularly at moments when colonists feared that their liberties might be abrogated. In 1770, Newport’s Rev. Ezra Stiles heard from a member of his congregation,

Capt. William Augustus Peck, that a secret Jewish conspiracy had been operating for at least four years from basement offices on a street in London “where the Jews live” for purposes of gathering intelligence on the American colonies through local correspondents. Stiles reported the rumor as if true, noting it as “intirely a Jew Affair – a Jew Compting House,” persuaded it seems by Peck’s information that he had “sailed to London in a Vessel of the Jews & by this fell into the hands of the Jews there,” who (finding that Peck was not “strong for American rights”) apparently revealed the existence of the secret “Intelligence office.” Stiles, who already suspected Newport’s Jews of self-dealing, seems to have believed that the conspiracy aimed at subverting American attempts at self-governance.⁴⁰ In Georgia, the anonymous pamphlet entitled Cursory Remarks on Men and Measures in Georgia, which had appeared “under cover of night” in Savannah in 1784, contended that Jews had forfeited their right to citizenship in Georgia by virtue of their behavior. The pamphlet’s anonymous author (subscribed “A CITIZEN”) complained that Jews lacked a sense of “common modesty and decorum,” and were making alarming efforts to expand their political participation:

“...we see these people eternally obstruding themselves as volunteers upon every publick occasion, one day assuming the lead at an election, the next taking upon them to direct the police of the town, and the third daring to pass as jurors upon the life and death of a free man, [and] what are we to expect but to have Christianity *enacted into* a capital heresy, the synagogue become the established church, The most distant apprehension of which evils is sufficient to rouse any man into action who values either his civil or religious liberty.”⁴¹

Stiles, who had befriended a number of Newport’s Jewish merchants, relented on his suspicions of a conspiracy of Jewish Tories by the end of the war, while the argument that Jewish participation would lead to an eclipse of Christianity in favor of Judaism apparently fell on deaf ears in post-war Georgia, finding no resonance with the Christian populace to

whom it was directed.⁴² In effect, the number of Jewish merchants on the mainland was simply too small to render the threat of a “takeover” more than remotely credible, particularly after independence from Britain had been won.

The scenario of a Jewish threat to constitutional liberty in Jamaica, however, continued to resonate with an insecure planter class. Anglo-Jamaican anxieties about Jewish mercantile success on the island continued unabated into the eighteenth century, particularly among prominent English planters and government officials and were, soon enough, expanded into claims that Jews did not pay their fair share of the costs of government. By 1700, this had already become the standard justification for the separate “Jew tax” that was regularly assessed against the Jewish communities in both Jamaica and Barbados. In 1700, for example, the Governor’s Council of Jamaica explained that

“... the Assemblys have always ... thought it but reasonable that they the Jews who in the opinion of the Assemblys Ease out the English in Trade and gott it very much in to their owne hands and thereby the proffitts and advantages that might be made by the Retayling Trade to the English nation have thought it but Just that they should pay something in proportion more then the English...”⁴³

Forty years later, when pressed by the Board of Trade to explain why they continued to separately tax Jews in direct contravention of orders from London, the Jamaica Assembly reported

“That the Jews in this island are a very wealthy body, their gains considerable, and acquired with great ease and indolence, and with little risk, and their fortunes so disposed that the usual methods of laying taxes will not affect them, ... [and] That the Jews contribute very little to the revenue, are not at all concerned in shipping, and such of them as are engaged in trade, seldom import any but dry goods, not liable to duties, or if they ever do import cocoa or indigo, they generally contrive to avoid paying any duty for it, and they never import nor consume liquors, from which the main branch of the revenue arises[.]”⁴⁴

Here, the Assembly pegged Jewish merchants not only as self-dealing and self-interested, but, significantly, as having arranged their business affairs in such a way as to entirely evade every official scheme for the assessment and collection of revenues. Although the allegations were open to dispute, they presented the Jews as marginal men who were capable but wholly unwilling to help bear the burdens of local and national governance. Forcing them to pay the separate Jew tax became only way to ensure fair play. In this way, the Jamaica Assembly created yet another thread of justification for its continuous effort to find revenue to pay off its annual spending deficits.

When it came to understanding the relationship between the Jews and the British state on the imperial scale, Anglo-Americans, like Coke before them, as frequently turned back to the reign of Edward I as to contemporary commentators. The most direct link between eighteenth century Jewish merchants in Jamaica and the medieval Jewish merchants of England was drawn in the 1750 petition from Anglo-Jamaican residents of Kingston in opposition to a petition by a number of Jamaican Jews to be permitted to vote in colony elections. Unlike similar documents drawn up by Anglo-Jamaicans from other parts of the island, the Kingston petition drew a parallel between the position of Jews in the medieval polity and that of Africans in Jamaica, arguing that in medieval England Jews had been “as absolutely the slaves and property of the king, as the African Negro slaves are of their masters the planters in this island.” Kingstonians relied upon “the best and most eminent historians,” they claimed, for their suggestion that since “the Jews... have been for their outrages, villanies, and barbarities, ... drove out of all kingdoms in the world” the only possible result of allowing Jews to vote would be “dangerous commotions among the people” of Jamaica, “more especially as [the Petitioners] have

heard more menaces thrown out against the Jews, since the preferring [the Jews'] petition to this honourable house[.]”⁴⁵ Georgia’s anonymous “Citizen” also made the claim that Jews had had no greater “liberty” in England than that of “the African slave who deserts the employment of his master,” citing Blackstone, Molloy and other legal commentaries for the proposition that medieval Jews had been “*most absolute bond slaves*,” of the King, lacking the right to dispose of their property or to bring suit without his express license, prior to the expulsion of 1290.⁴⁶

This comparison was not, I think, aimed at reasserting the eternal “serfdom” of the Jews, but was rather calculated to position the respective claimants to demand action from the state. For these writers, the most trenchant characteristic of the Jewish position in medieval England was the fact that Jewish economic activities had been so closely attached to the royal treasury. Jewish wealth was, in essence, the King’s wealth. Anglo-Americans feared that in the absence of this historical bondage to state enterprise, Jewish merchants would enrich themselves at the expense of English citizens, and to the detriment of both England and its colonies. In drawing the connection to their legal status in medieval England, Anglo-Americans were therefore demanding that the Crown and its colonial proxies take steps to re-assert the hegemony of the state over Jewish merchants. This represented a sea change from where Coke had started. It was no longer the morality of Jewish mercantile activity that was at issue, but whether Jewish merchants were participating in the expansion of the empire on fair terms. If, in the long term, Jews were to achieve the rights of British citizenship, Jewish merchants would have to pay a fee to the state to get them.

In making claims against the dangers posed by Jewish merchants, Anglo-Americans were actively participating in a trans-Atlantic discourse about the basis of English economy that was already centuries-old. They relied on definitions of “Jewishness” that had been created prior to the Readmission of the Jews as a shorthand reference for particular kinds of economic activity imbedded in secrecy, corruption and self-dealing. Invoking the “Jewish” merchant expressed the particular anxiety that the wealth of the nation was disappearing into private hands and would not be accessible for the public good, to be shared among the nation and its subjects. In responding to the activities of Jewish merchants, Anglo-Americans demanded that the Crown take steps to protect their interests in colonial markets by restricting the access of Jews, and that it retain the traditional exclusion of Jews from participation in Anglo-American politics. Failing that, they challenged the authorities to harness Jewish economic prowess to the mechanisms of the state, as had been the case in medieval England.

¹ Coke, Edward, *The Second Part of the Institutes of the Lawes of England* (London: M. Flesher and R. Young, 1642), pp. 507-508.

² See, e.g., Meyers, Charles, “Debt in Elizabethan England: the Adventures of Dr Hector Nunez, physician and merchant,” *Jewish Historical Studies: Transactions of the Jewish Historical Society of England*, Vol. 34 (1994-1996), pp. 125-140; Meyers, Charles, “Dr. Hector Nunez: Elizabethan Merchant,” *Transactions of the Jewish Historical Society of England*, Vol. 28 (1984), pp. 129-131; Katz, David S., *The Jews in the History of England* (Oxford: Clarendon Press, 1996), pp. 3-7, 10-14.

³ See Cromartie, Alan, *Sir Matthew Hale, 1609-1676* (Cambridge, England: Cambridge University Press, 1995), pp. 17-19.

⁴ Jones, Norman, *God and the Moneylenders: Usury and Law in Early Modern England* (Oxford, England: Basil Blackwell, 1989), p. 195; White, Stephen D., *Sir Edward Coke and “The Grievances of the Commonwealth,” 1621-1628* (Chapel Hill: University of North Carolina Press, 1979), pp. 10, 34, 280-282. Jones

indicates that Coke sat on the Committee of the Commons responsible for drafting the amended usury law in 1624.

- ⁵ Holinshed, Raphael, *Chronicles of England, Scotlande and Irelande* (London: John Hunne, 1577), Vol. II, p. 799. See also, H[ughes], W[illiam], *Anglo-Judaeus, or the History of the Jews, Whilst Here in England* (London: T.N. for Thomas Heath, 1656), pp. 25-26. Hughes cites the tale to both Holinshead and Coke.
- ⁶ Holinshed, *Chronicles of England...*, Vol. II, p. 799.
- ⁷ White, *Sir Edward Coke*, pp. 86-87, 90-101.
- ⁸ On Coke's response to Stuart market activities as an M.P., see White, *Sir Edward Coke*, pp. 118-121.
- ⁹ Tawney, R.H. (ed.) *A Discourse Upon Usury: By Way of Dialogue and Orations, for the Better Variety and More Delight of All Those That Shall Read this Treatise [1572] by Thomas Wilson* (London: Frank Cass & Co. Ltd. 1925, 1962), pp. 232, 283.
- ¹⁰ Bacon, Francis, *The Essays* (New York: Penguin Books, 1985 reprinted from London: John Haviland, 1625), p. 183.
- ¹¹ It is notable, for example, that the Bank of England was not founded until 1694.
- ¹² Shatzmiller, Joseph, *Shylock Reconsidered: Jews, Moneylending and Medieval Society* (Berkeley, California: University of California Press, 1990), pp. 84-93.
- ¹³ Helmholz, R. H., "Usury and the Medieval English Church Courts," *Speculum*, vol. 61, no. 2 (April 1986), pp. 365-368; Shatzmiller, *Shylock Reconsidered*, p. 85; Jones, *God and the Moneylenders*, p. 47.
- ¹⁴ Jones, *God and the Moneylenders*, pp. 47-49.
- ¹⁵ Kerridge, Eric. *Usury, Interest and the Reformation*, St. Andrews Series in Reformation History (Aldershot, England: Ashgate Publishing Limited, 2002), pp. 27-28, 53, 67-71, 73; Jones, *God and the Moneylenders*, p. 20.
- ¹⁶ Jones, *God and the Moneylenders*, pp. 53-54, 67.
- ¹⁷ Jones, *God and the Moneylenders*, pp. 55, 63.
- ¹⁸ Jones, *God and the Moneylenders*, p. 159, esp. note 31.

- ¹⁹ See Jones, *God and the Moneylenders*, pp. 197-200.
- ²⁰ Coke, *Second Part of the Institutes*, p. 507.
- ²¹ Hughes, *Anglo-Judaeus*, “Epistle Dedicatory.”
- ²² Hughes, *Anglo-Judaeus*, p. 35-36.
- ²³ Hughes, *Anglo-Judaeus*, p. 30.
- ²⁴ Prynne, William, *A Short Demurrer to the Jewes Long discontinued barred Remitter into ENGLAND...*, Second edition (“enlarged”) (London: Edward Thomas, 1656), p. 54.
- ²⁵ Hughes, *Anglo-Judaeus*, pp. 26-30.
- ²⁶ Prynne, *A Short Demurrer*, pp. 36-40, 52-61.
- ²⁷ Jones, *God and the Moneylenders*, p. 54.
- ²⁸ “Memorandum of the Jews in Jamaica,” (undated), C.O. 137/2: Board of Trade JAMAICA 1689-1692, f. 209. Although the document is not dated or signed, its reference to “the death of my Lord Incequin late Govern[o]r of the said Island” places it in 1692.
- ²⁹ President and Council of Jamaica to the Board of Trade, January 28, 1692/3, C.O. 137/53; abstracted in *Calendar of State Papers: Colonial Series, America and West Indies*, Vol. 13 (1689-1692), pp. 593-594.
- ³⁰ Governor and Council of Jamaica to the Board of Trade, undated, Board of Trade, Jamaica 1699-1703, C.O. 137/5, f. 57. This document was produced as part of an investigation by the Board of Trade which was requested by William III in response to a petition from Manuel de Belmonte (alias Isaac Nunes), Baron of Belmonte, on behalf of the Jews in Jamaica. See, e.g., *Ibid.* at folios 10-13, 50-56, and Chapter 3, pp. 103-106.
- ³¹ *Journal of the Assembly of Jamaica, Vol.II: From March the 1st, 1709-10...To February the 19th, 1730-31* (London: J Whiting, 1824), p. 124-28.
- ³² [Long, Edward], *The History of Jamaica, Or, General Survey of the Antient and Modern State of That Island: with Reflections on its Situation, Settlements, Inhabitants, Climate, Products, Commerce, Laws, and Government*, Three Volumes (London: T Lowndes, 1774), Vol. I, p. 573.

- ³³ Long, *History of Jamaica*, Vol. I, pp. 556-558, 573. Long consistently invoked the disreputable love of money allegedly held by Jews.
- ³⁴ Original Petition of the Merchants at Port Royal to Sir Thomas Lynch concerning the Jews, &c., (undated, but endorsed June 11, 1672), C.O.1/28, f. 159-160, Public Record Office of Great Britain; *printed in* Friedenwald, Herbert, "Material for the History of the Jews in the British West Indies," *Publications of the American Jewish Historical Society*, Vol. 5 (1897), pp. 73-75. The Petition does not state the number of Jews involved; this information is provided in the correspondence of Gov. Lynch, which indicates that "here was 13 free Jewes, and 16 not soe, w[hi]ch acted under the others. . ." See Sir Thomas Lynch to Council, March 10, 1671, C.O.1/28, f. 57.
- ³⁵ Friedenwald, "Material for the History of the Jews in the British West Indies," pp. 76-87. Original documents are in C.O.1/29 f.50 and Domestic Entry Book 31 (Charles II) f. 101d.
- ³⁶ Bartlett, John Russell, *Records of the Colony of Rhode Island, and Providence Plantations, in New England* (Providence: Knowles, Anthony & Co. State Printers, 1856-1865), Vol. III (1678-1706), p. 160. The case against the eight "fforeign borne" Jews was brought to trial on March 13, 1685. The Surveyor General, Major William Dyre, did not appear in court but was represented by an attorney, and the Court proceeded without him. The jury rendered a verdict in favor of the eight defendants, and charged the costs against the plaintiff; the goods retained pursuant to the writ of attachment were subsequently returned to the defendants. *Dyre v. Campanell et al.*, General Court of Trial, March Term 1685, Newport Record Book A, f. 73, Collection of the Rhode Island Supreme Court Judicial Records Center.
- ³⁷ The rulings of the Court of Common Pleas in the three cases hinged upon the application of the Act of 3 & 4 of William and Mary, c. 11 ("An Act for the better Explanation and Sufflying the Defects of the former laws, and for Settlement of the Poor" [sic]), §6, which specified that "any Person, who shall come to inhabit in any Town or Parish" that either served in public office or "shall be charged with and pay his Share towards the publick Taxes or Levies" would be deemed a legal resident of that town or parish without the benefit of "Notice in Writing." *Statutes At Large, of England and of Great-Britain: From Magna Carta to the Union of the Kingdoms of Great Britain and Ireland*, 20 volumes (London: 1811), Volume V [12 Charles II 1660 - 7&8 William III 1696], pp. 583-584. The jury determined that if this statute had full force and effect in Rhode Island, each of the plaintiffs should prevail. When the Court held that the statute did in fact apply, the jury's verdict was entered in favor of the three plaintiffs. One of the plaintiffs, Issachar Pollock, introduced as evidence his receipt for the tax paid by him as a foreigner for 1741, the year immediately prior to the one for which his goods had been seized. See *William Dyre v. Jacob Isaacks*, Newport Court of Common Pleas, May 1743, CCP Record Book C, p. 155; see, also, appellate case files for *Jacob Isaacks v. William Dyre, Abraham*

Hart v. William Dyre, and *Issachar Polock v. William Dyre*, Newport Superior Court of Judicature, September 1743, Collections of the Rhode Island Supreme Court Judicial Record Center. The appellate case files contain transcriptions of the proceedings at the lower court level.

38 *Journals of the Assembly of Jamaica*, Vol. IV, p. 247.

39 Long, *History of Jamaica*, Volume II, p. 294. Long states that the first gift of this sort was placed into a pie “for decency-sake” and that the governor’s gift was thereafter referred to as a “pye,” while that to the lieutenant governor was called the “tart” and that to the secretary the “tartlet.” Long indicates the amount of the respective gifts to be 200 pistoles to the governor, 150 pistoles to the lieutenant governor and 50 pistoles to the secretary. *Ibid.*

40 Dexter, Franklin B. (ed.), *The Literary Diary of Ezra Stiles, D.D., LL.D., President of Yale College*, 3 volumes (New York: Charles Scribner's Sons, 1901), Volume I [1769-1776], p. 65.

41 *Cursory Remarks on Men and Measures in Georgia* ([Savannah, Georgia]: 1784), p. 25.

42 "A Real Citizen" to the Georgia Gazette, 1785, B. H. Levy Collection of Sheftall Family Papers, *photostat copy* in Correspondence File, Collections of the American Jewish Archives. As Mordecai Sheftall noted, "the little Countenance [the pamphlet] has met with from the publik, in General, must longe Ere this have Convinced ["Citizen"], that he might have Employed his time to some better purpose[.]"

43 Governor and Council of Jamaica to the Board of Trade, undated, Board of Trade, Jamaica 1699-1703, C.O. 137/5, f. 57. This document was produced as part of an investigation by the Board of Trade which was requested by William III in response to a petition from Manuel de Belmonte (alias Isaac Nunes), Baron of Belmonte, on behalf of the Jews in Jamaica. See, e.g., *Ibid.* at folios 10-13, 50-56, and Chapter 3, pp. 103-106.

44 *Journal of the Assembly of Jamaica*, Vol. III: 04 May 1731-13 Jul 1745 (London: J Whiting, 1827), pp. 570-571.

45 *Journals of the Assembly of Jamaica*, Vol. IV, p. 246. A similar petition from St. Andrews parish, near Kingston, referred to “the malevolent disposition of the Jews,” noting that “their behaviour in all countries [is] so turbulent and villainous, that

there is no kingdom or country in the world out of which they have not been drove with ignominy[.]” *Ibid*, p. 247.

⁴⁶ *Cursory Remarks*, pp. 20-22.