

## LOYALIST JEWS DURING THE AMERICAN REVOLUTION

### The Loyalist Diaspora

The month of May in the Province of Ontario, Canada, is Jewish Heritage Month and to celebrate this let's look back in history and examine the lives of a few Loyalist Jews, who, I believe during the American Revolution remained loyal to the Crown and eventually moved to Canada.

But first, let's begin by examining the American Revolution and the plight of the United Empire Loyalists (UEL).

In reality, the American Revolutionary War (1775-1783) was a vicious civil war pitting Rebels against Loyalists. At the beginning of the conflict people living in the colonies were divided in sentiment; some scholars argued that one-third were for independence as a republic, one-third were against independence as a republic and were loyal to the King, and the remaining one-third were neutral.

By the end of the American Revolutionary War, approximately 100,000 Loyalists were forced to leave the new United States and scatter throughout the British Empire. This 'Loyalist Diaspora' resulted in about 90,000 coming to what is now Canada.

Even before the war started, Loyalists were being severely persecuted. For example, in Connecticut, draconian 'Committees of Observation' were established in communities to weed-out and enforce laws against anyone who was not a 'Patriot'. Sadly, these committees were no better than government-sanctioned mobs. Loyalists were beaten and robbed, "tarred and feathered", hanged, and at a minimum run out of town. Profiteers grabbed their homes, farms and anything else they could get their hands on.

Connecticut passed laws to ferret out and punish Loyalists. Suspected Loyalists, were given 'test oaths'— declarations in which an oath-taker promised not to aid the enemy, swore loyalty to the 'Patriots', and denounced the Crown. Anyone who failed to take the oath faced imprisonment, confiscation of property, banishment, and even death. Many were hanged throughout the New England colonies.

Loyalists who refused to take the oath did not even have the right of foreigners before the court. They had no way to collect debts and could not be the executor of an estate. Lawyers and doctors who did not take the oath lost the right to practice. Connecticut exiled prominent Loyalists, and expelled them from all offices and levied double or treble taxes on them.

As the war progressed life for Loyalists worsened. All of their properties and belongings were forcibly seized and sold at bargain-basement prices. People who owed debts to Loyalists ignored repayment. Some 'Patriots' became rich at the expense of Loyalists who had their property confiscated.

Pushed to the point of being annihilated, the Loyalists fought back during the war by forming some 159 Loyalists regiments, within the British Army, composed of approximately 50,000 fighting men.

The Loyalist refugees fleeing the United States were a diverse group representing many ethnic and racial groups including the Jewish community. The commonality is the persecution they endured until they finally left.

American Historians first incorrectly thought all colonial Jews were Rebels but this is far from true. This conclusion has since been debunked, having been based on limited historical evidence. Research has now shown that, like many religions and cultural groups, Jews were found in both Rebel and Loyalist camps. One challenge in researching Jewish Loyalists: Often they are not identified as Jews in historical documents. Some historians have been forced to make educated guesses based on predominantly-Jewish surnames.

Hart is a common surname among Jews of colonial America and also among those who remained loyal to the Crown during the American Revolutionary War, as evidenced in some of the examples below.

**The Hart family of Newport, Rhode Island were** Jewish Loyalists who did not survive the American Revolutionary War. Many members of this family remained loyal to the Crown during the war. When the British evacuated that city in 1779, many naturally followed the British to the New York City area. Some settled on Long Island. The Rebels later attacked this settlement. Despite a spirited defence in a makeshift fort, Isaac Hart, a merchant, was killed “with the greatest brutality by the rebels for his attachment to Great Britain.”

**Samuel Hart** was a merchant and politician who lived in Philadelphia and New York City prior to the end of the American Revolutionary War. He was part of the exodus of Loyalists who departed New York in 1785, destined for Nova Scotia. Hart set-up shop in Halifax, where his business initially prospered. He lived in a mansion on a large country estate in nearby Preston.

His biographer notes: “Not content with material success, Samuel Hart aspired to social recognition, even if that required suppression of his Jewish identity. In March 1793, he had himself baptised an Anglican and by 1801 he owned a pew in St. George’s Anglican Church in Halifax.”

By the early 19<sup>th</sup> century, however, Hart’s mercantile business failed. The stress was too much; in 1809 he was legally declared insane. He died the next year, “a pathetic figure who spent the last days of his life chained to the floor of a room in his Preston mansion.”

**Ezekiel Hart** life shows that the Jewish experience in early Canada was not always positive. Ezekiel Hart, in early 19<sup>th</sup> century Lower Canada (Quebec) encountered this first hand.

Ezekiel Hart was not a Loyalist, but rather a native of Canada, being born in Trois Rivières in 1770. He was the son of Aaron Hart, who entered British Canada in 1760, when British arms had recently defeated the French at Québec and Montréal. Aaron Hart has been called the “virtual founder of the Jewish community in Canada,” and supported the British during the Rebel invasion of Canada in 1775-1776.

Interested in local politics, Ezekiel successfully ran for his hometown seat in the Legislative Assembly of Lower Canada (Quebec) in 1807. Unfortunately, Jews in Canada had fewer rights than Christians in this period of Canadian history. Despite Hart’s attempts to simply modify the Christian components of the standard oath required of all members of the legislature, his political enemies forced the issue. Hart was ejected by a resolution of the assembly, which was upheld by the British colonial secretary, Lord Castlereagh. Jews did not obtain full rights as citizens in Lower Canada until the 1830s.

**Abraham Florentine**, a Jew of Italian origin, was a dry good merchant before the war. He had establishments in New Jersey and in New York City. He was a Loyalist, and at the end of the war he joined the migration northward, settling in Digby, Nova Scotia. He soon left for England to settle his financial claim with the government. He was unsuccessful in this regard, and returned to the United States of America where he appears to have reintegrated himself into American society, a rarity for Loyalists who were usually most unwelcome in their native colonies.

Lastly, let's look at the interesting life of one **Barrak (Baruch) Hays**, a Loyalist Jew who fled New York City in the spring of 1783 to Montréal, where he was reunited with his brother Andrew - a member of the city's resident Loyalist community.

His father, Solomon Hays had emigrated from the Netherlands to the colony of New York in the 1720s. Solomon ran a mercantile business -- **he** and his wife **Gitlah** became prominent members of New York City's Jewish community. Their eldest son, Barrak followed in his father's footsteps, establishing a business based in both New York and Newport, Rhode Island. **Andrew**, a younger son, decided to take advantage of new business opportunities in Montréal when New France became part of an expanded British Empire. He settled there sometime after 1769 and became involved in the city's thriving fur trade.

Because the colonial Jewish businessmen had a record of providing the British forces with needed provisions during the Seven Years War, they once again became suppliers with the outbreak of the revolution. Some sold military provisions to the British troops and German mercenaries in Canada as early as 1775 while others did the same within the rebellious colonies following the British occupation of New York City in August of 1776. Barrak Hays was one of those businessmen or -- as he later described himself -- an "auctioneer in the city of New York".

Some historians claim that Hays initially sided with the Patriots and served as a member of a local militia (giving him the rank of lieutenant). They are clearly unaware that Hays had taken a strong Loyalist stance by October (and again in November) of 1776 when he and 500 other New Yorkers signed their names to a petition to the British for "restoring peace in His Majesty's colonies". Hays and other leading members of the Jewish community said that they opposed the "unprovoked rebellion" even though it was at "the risk of our lives and fortunes".

Hays not only sided with the Crown in the opening months of the American Revolution, he also came to the aid of his synagogue when he learned that the British had plans to turn it into a military hospital. The historian N. Taylor Phillips notes that Hays was one of three men who "*prevailed on the British not **{TO}** do with the synagogue as they had with most of the other churches in the city. They had turned them into hospitals, riding academies, barracks and things of that kind.*"

However, the synagogue did not escape vandalism. British soldiers broke into it, destroyed some of the furnishings, and damaged the Torah and other holy writings. This incident prompted Barrak Hays to place an advertisement in *Rivington's Royal Gazette* in which he offered a reward of five guineas for the "*return of two sets of Hebrew parchment rolls taken out of the synagogue*" on September 10, 1782.

To its credit, the British army publicly whipped the vandals who desecrated the synagogue. Centuries later, the holy books that had been damaged by the soldiers still bear the "marks of desecration".

In addition to his business connections with the British army, Hays was employed as an "officer of guides", receiving five shillings a day for his services. This position may have drawn **UPON** Hays' knowledge of trade routes and business contacts within the rebelling colonies, a resource that would be invaluable to British officers in their pursuit of rebel forces in unfamiliar terrain. Hays fulfilled this role up until June of 1783.

Hays sensed the inevitable victory of the Patriots so in August 1782, he posted an advertisement in New York's Loyalist newspaper saying that he planned to sail for Europe and wanted to "settle accounts and dispose of his wares".

However, he didn't go to Europe in 1782, **BUT** decided to go to Montréal **INSTEAD**. In April 1783, Hays wrote to Sir Guy Carleton, the British commander-in-chief, asking for assistance in leaving New York City. He had "with others" purchased "a small vessel to go to Quebec" although he did not know "what line of business there to pursue". Hays needed six months of back pay as "an extra guide" to help finance his flight to safety. He also hoped that Carleton would write him a recommendation to Frederick Haldimand, the Governor of Canada.

Four months later, Hays was in Montréal where he wrote directly to Haldimand to outline his situation. The Jewish merchant recounted his "loyalty to the best of sovereigns" and how he "was obliged to leave New York and retire to some place where he might remain in quietness with his family". Although he did not give a precise number, Hays described himself as "having a very large family to support" and hoped that the governor could either continue to pay him as an officer of guides or give him an appointment in Montreal. If a government position was unavailable, Hays asked Haldimand to "grant him a commission as an auctioneer in the city of Montreal".

Unfortunately, we do not know how Haldimand responded to Barrak Hays' request. But we do know that Hays stayed in Canada for at least a decade and that his brother Andrew was near at hand.

Upon his arrival in Montreal sometime after 1769, **Andrew Hays** joined the local Jewish congregation, becoming one of its leading members. In 1777, Montreal's Jews felt they were able to build and support a synagogue, Shearith Israel Congregation -- the first in Canada.

By the time that Barrak arrived in Montreal, Andrew and his wife Abigail were able to provide Barrak and family with both a place to stay and a synagogue in which to worship. Montreal's Jewish community -- which now included Loyalist refugees as well as those who remained loyal throughout the revolution-- was made up of businessmen, fur traders, and army personnel. It is estimated that 10% of Montreal's merchants were Jewish. Most were Sephardim, having left Spain and Portugal to settle in North America and were designated as "Sephardim" by other Jews. Andrew Hays' son, **Moses Judah Hays**, would later become a municipal leader, serving as Montreal's chief commissioner of police and organizing the city's first water-works.

Details about the lives of the Loyalists, Barrak and Andrew Hays, begin to peter out after the massive refugee resettlement that followed in the wake of the American Revolution. The fate of Barrak Hays, is uncertain. Described by one historian as a "stormy and controversial" man, Hays may only have stayed in Montreal for a decade before moving on to other opportunities. A list of 113 members of a Masonic Lodge in Newport, Rhode Island "previous to the 24th of June, 1791" includes Barrak Hays' name. Given

that there was a large Jewish community in Rhode Island and that Hays once had a business in Newport, did the Loyalist move there in the hope of establishing a new life in a more promising economic climate?

A number of genealogies for the Hays family make reference to the death of a **Baruch Hays** in the West Indies on April 13, 1845. This British colony had a fairly large community of Jewish businessmen, so -- once again-- it would make sense for the New York Loyalist to have settled in the West Indies.

It may well be that Barrak Hays moved from New York to Montreal to Rhode Island and then to the West Indies before the conclusion of a tumultuous life.

**David Franks** was a merchant from Philadelphia who spent the American Revolutionary War walking the tightrope between Loyalist and Rebel worlds. He spent the war supplying troops with provisions, both Rebel and British. He eventually became known as a Tory, a derisive term applied to Loyalists. Around this time his socialite daughter named Phila eloped with Oliver Delancey, the famous Loyalist who established a three-battalion regiment that operated out of New York City. Phila converted to Christianity at the time of her marriage.

During the war Franks migrated to Montréal, joining an established Jewish community in the city, which included his relative Abraham Franks. David Franks contributed financially to a construction fund for Montréal's first synagogue. His sojourn there was short-lived; he soon travelled to England in an attempt to receive compensation for losses sustained during the war, including unpaid bills for supplying British and Loyalist troops. He died there in 1793 or 1794, still suffering financially. A key biographer claims: "David Franks deserves to be numbered among Loyal Americans who suffered greatly during the American Revolution, and his story is an example of the tribulations that could befall a civilian Loyalist in those difficult times.

David Franks is not known to be a direct relative of Major David Salisbury Franks, who was associated with General Benedict Arnold prior to his allegiance switch to the British in 1780.

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