

Special Feature: BETH JACOB TURNS 80!—Part 3

by Alan Kaufman

Showdown between Mayor James Boutwell and the Jews of Montpelier

In Nov. 1993, I spent several days scanning reels of microfilm in the darkened back room of the State Library in Montpelier in search of local newspaper articles in my efforts to document Jewish life in Montpelier at the turn of the century. At home I would review the copied articles, listen to oral history tapes, and slowly piece together the fascinating history of Montpelier's Jewish pioneers.

In studying the oral histories, I often heard an interviewer ask, "How did the Jews get along with their non-Jewish neighbors?" Time and time again, there would be the same reply—"We just got along fine." An account of a community crisis did surface, however, in the July 1, 1914 *Montpelier Evening Argus*, during one of my microfilm marathons at the library. Before we delve into the actual contents of the article some background might be useful.

The events I am about to illustrate occurred in Montpelier in 1914. On the world stage: Archduke Francis Ferdinand, heir to the Austrian empire, was assassinated on June 28—an event that would soon usher in World War I; Burroughs' *Tarzan of the Apes* and Joyce's *The Dubliners* had just arrived on the shelves of the local booksellers; and Chaplin's silents *Making a Living* and *Tillie's Punctured Romance* were on the theatre marquees.

A fairly sizeable Jewish community lived in Montpelier in 1914—130 men, women and children, all living within a quarter mile of the building at 10 Harrison Ave. that would be sold in the late autumn of that year by Oughtney Jangraw, a local hairdresser, to three Jewish businessmen of Montpelier and would thereafter be used as a synagogue, taking on the name of the community that acquired it: Beth Jacob.

A few Jewish residents were in the clothing trade—either as merchants, with businesses downtown, or as tailors—but the majority were

peddlers or junk dealers. The 1914 *Montpelier Directory* lists these under the title Junk Dealers:

Feen, Aaron, 17 Harrison Street

Fertel, Moses, 223 Main

Granite City Paper Stock Co, L. Gould, prop.
26 Northfield

Heindleman, Issac, 6 Cross

Montpelier Iron and Metal Co. off Berlin and
School Av.

Udelasky, Jacob, 209 Main

(Montpelier Iron and Metal was run by the Carr family. Feen, Fertel, Gould, Heindleman, Carr and Udelasky were all Jews.)

Now, back to the July 1, 1914, Here is the *Evening Argus* article that caught my eye:

VIOLATION OF SUNDAY LAW**Mayor Stops Junk Dealers Breaking The Sabbath**

Mayor Boutwell has received so many complaints about junk teams running on Sunday and their dealers showing no regard for the religious scruples of others that he has decided to take a very firm stand in the matter and unless the dealers stop all unnecessary work on that day he will take summary legal action against them at once. The mayor issued a warning to save legal complications and expense. He has been striving by peaceful means to bring this about and thought he had succeeded, but if he has not he finds that there is law enough to stop the leaded teams racing around as much on Sunday as they do on any other day in the week. Not all the dealers are violators of the Sunday law in this respect; some are willing to abide by the request of the mayor but others are not inclined to observe the law and it is these undoubtedly who will be brought to court when the proceedings are started.

Probably a test will be made next Sunday, or any Sunday following when the dealers proceed to engage in the occupation which appears to be just as active on Sunday as it is on a weekday. The proposed action on the part of the mayor will be heartily approved throughout the city and especially in the section where the dealers have their junkyards. While the mayor does not want to prevent any necessary work on the part of anybody, he feels that the people who want to

observe Sunday should have their rights respected.

I searched forward on the microfilm for any references to this incident or legal proceeding. On July 5, P. J. Templeton, editor of the *Evening Argus* had this to say in his paper:

Sundays while the automobiles are chug-chugging their fortunate and happy occupants away into out beautiful country places, and we less fortunate are perhaps driving out with our families and a well filled hamper to some quiet orderly nook to spend a few hours, I see the city of Montpelier still may be disturbed by noise and turmoil. This disturbance, as I infer, is anticipated from the Jews who are very liable unless they heed warnings given them to be arrested for loading their lumber wagons on their own premises and driving their work teams across the city to unload.

I wish to briefly remark that there are in our land no people more devout and religious than the Jews. Their observance of the Sabbath is most elaborate where their circumstances will possibly admit of it. As in early New England history it begins at sunset the previous day and ends at sunset of the Sabbath. Labor ceases, the scriptures are read and the custom of centuries still prevails. Their wedding ceremonies are probably the same as when Joseph and Mary were married and the Christian era was dawning; and the same may be said of all their ceremonies: The Unleavened Bread, The Feast of the Passover and many others of which I know nothing.

The Junk dealers so far as I know all have children who have attended or will attend our public school. Beside that schooling most are taught to read and write Hebrew. They pay their bills, pay their taxes and are no burden on the town. It seems to me we should credit them with one sabbath observance and unless intentional and unnecessary noise is produced, be glad that our sensitive nervous system can permit them to give the rest of the week to honest labor.

I was in the Vermont Historical Society library tracking down references to P. J. Templeton, when I noticed that in 1915, the house standing at 4 Harrison Ave. (next door to the synagogue) was owned by an H. Lee Templeton.

Could this be P. J. Templeton's family? Perhaps he was the son of H. Lee Templeton. This may explain his familiarity and admiration for the Jews. He might very well have lived in the neighborhood. I found no further references in the newspapers to any legal action taken against the junk dealers.

The laws Mayor Boutwell claimed the junk dealers were violating, known commonly as the "blue laws," can be found under the heading *Sabbath Breaking* in §7097 of the *General Laws of Vermont* (1918):

A person who between twelve o'clock Saturday morning and twelve o'clock the following Sunday night, exercises any business or employment, except works of necessity or charity, or holds or resorts to a ball or dance, or uses or exercises a game, sport or play, or resorts to a house of entertainment for amusement or recreation shall be fined not more than two dollars.

The blue laws were not amended to include exemptions, based on an alternative day of rest for Jews, until 1981. This amendment can be found in Act No. 107 of the 1981 Special Session:

§3354a. Alternative Day of Rest

The prohibition against doing business or laboring on Sunday shall not apply to: any natural person who in good faith observes a day other than Sunday as the Sabbath, if he refrains from engaging in or conducting business or labor for profit and closes his place of business on that day....

By that time, Yitzchok Heindleman, Moshe Fertil, Yaakov Udelasky, Louis Gould, Louis Carr, and Aharon Feen were long gone. It surely would have made their lives easier if they could have gone about their business on Sunday without fear of being brought into court.

What we do know from the above clippings is that there was considerable tension in 1914 between the mayor and the junk dealers. And a Mr. Templeton, editor of the *Evening Argus*, was bothered enough by this incident to speak in defence of the Jewish community.

In 1983, the "Blue Laws" were repealed.

Comments on the above can be sent to: Alan Kaufman, 76 East State St., Montpelier Vt 05602.