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LAWRENCE HERTZEG – RECORD ON THE ATTACK AT THE DJAKOVSKA VINERY

Abstract: In the transcription and translation of an archival document from the Historical archive of Sombor the legal case of the Lawrence Hertzeg (Laurentus Hertzeg), a Jew from the city of Sombor who was attacked and beaten on the July 17th 1808, is brought to light. His case is of a great importance as it's very well documented and it shows us the procedure that was followed in the cases similar to the attack that happened to Lawrence Hertzeg. Document follows medical report, specification of the costs and testimonies of the witnesses.

Keywords: Jews, Vojvodina, violence, Sombor Non MeSH: Sombor, medical report, authorities, Lawrence Hertzeg (Laurentus Hertzeg) Jews have been living on the Balkan Peninsula for almost 2000 years. [1 p7] However, their remnants from the times of Roman and Byzantine Empires are only preserved in traces. Various archaeological finds corroborate their presence in towns on Adriatic coast; also, some surnames that remain today could be traced to those early Jewish communities, such as *Papo* or *Romano*. [1 p7] If we observe their existence on the territory of modern Vojvodina, there are no traces of larger Jewish presence before the arrival of the Ottomans. [1 p8] However, the larger influx of Jewish settlers in Vojvodina happened during the Habsburg rule (1699-1918), especially after 1726. The main reason for that was the *Familietatengesetz*, the law that allowed marriage only to one man from a Jewish family within the provinces of the Holy Roman Empire of the German Nation. Therefore, a great number of younger Jewish man and women migrated to Vojvodina, in order to escape the limitations imposed by the law. [1 p11-4]

The relation of authorities and government toward Jews in decades after 1726 was variable. It ranged from reluctant tolerance to a more repressive bearing, which encompassed relocation to specific quarters within a city as well as ban on practicing of certain trades (goldsmith, soap-making etc). However, it could be argued that their condition somewhat improved during the reign of Emperor Joseph II (1780-1790) and subsequent rulers. On the other hand, it should be noted that their position worsened during times of war, social upheavals and revolutions. [1 p21-6]

In this paper, we will present a transcription and translation of an archival document from the Historical archive of Sombor, [2] which could provide an insight into relation of non-Jewish population towards Jews and their interaction, as well as the relation and response of authorities when those interactions took a more violent turn. It should be noted that, at the present state of research, we are unable to provide the complete picture of the incident. We only know that a Jew named Lawrence Hertzeg (Laurentus Hertzeg) from the city of Sombor was attacked and beaten on the July 17th 1808 near the vinery "Djakovska", on the road connecting Sombor and Baja, by Nikola and George Fratric (Nicolaum ac Georgium ambos Fratrics), and two local men named Augustin Rados (Augustinus Radoss) and George Jozic (Georgius Jozits). From the testimony of witnesses it could only be concluded that the attack had indeed taken place, however we don't know all the circumstances. One of the witnesses (Martin Fratrićc declared that there was a verbal exchange between Hertzeg and the defendants, which was followed by violence. Hertzeg himself said before the Magistrate that he met four above mentioned men near the vinery "Djakovska"; because he was unacquainted with them, he redirected his cart on the side of the road - out of decency and to avoid any altercation. However, they started hurling insults and attacked him. The authorities decided to conduct further investigation, and senators Nikola Simic (Nicolaus Simits) and George Sljivic (Georgius Sztrilich) were tasked to examine other witnesses. Unfortunately, we don't know how the investigation was concluded. The last information in the document is dated on August 8th 1808, and it notes that the investigation is still ongoing.

The importance of this document is in the fact that the entire case is very well documented and also covered with detail medical record of the condition of the victim – Lawrence Herzog. It also gives us better idea of the legal system in Sombor but also the costs of the surgeon, attorney, traveling, value of goods etc.

Transcript

Specificatio

Cure chirurgica Judei Laurentii Hertzeg gremialis inhabitatoris, ut sequitur

· x

- 1. Pro viso reperto 2f
- 2. A 19^a Julii usque 6^{em} augusti a.c. 38 visitas ei prestiti, singulam visitam a 36x computando facit 20f
- 3. Pro necessariis medicamentis 6f 51x

Summa 28 f 51x

Sigilatum Sombor die 12ª aug. 1808

Josephus Oravecz

Ord Civitatensis chirurgus

Specificatio cure chirurgica Judei Laurentii Hertzeg

Specificum

Expensarum per infrascriptum in sui curam habitarum et quidem

33f in argentea pecunia penes se habitos qui periverunt in moderno pretio assumpti facit – 66f

Para Chyrurgo pro medicamentis soluti – 3f 4x

Pro vectura homini cuidam Zomborinum usque soluti – 2f

Tunicam brevem ex Lacerarunt et inusuabilem reddiderum pro qua computanque – 10f

Pro ternis advocationibus illos Huszaroni voluti - 3f

Chyrurgo pro cura et ad apotecam pro medicamentis soluti – 28f 51x

Cancellista pro opposite specific presenti – 1f

Summa ----- 113f 55x

Positio 1ª limita ad 33f -----33f

80f 55x

Laurentus Hertzeg, Judaus gremialis

Sigilatum Zombori 12^a Augusti 1808.

Visum repertum

Super Judao Laurentio Hertzeg inhabitatore Zomboriensi die 19ª Julii 1808. In sequenti statu valetudinario reperi; ut sequitur

- 1. Dextera pars faciei lasionem cutaneam unius, a medii pollicis longam, probabilius unguibus factam passu est.
- 2. In sinistra parte Maxilla inferioris depillatio barbe apparebat

- 3. In dextera parte colli sex ^{no} lasiones cutana sanguine suffuse, ita censeo ungvibus facta reperta sunt.
- 4. Sinister humerus luxationem passus est, preterea duo ^{no} signa contusionum cum tumore, et decussione cutis duorum pollicum in latitudine, cum tendinum lasione videbantur.
- 5. Sinistra Clavicula duo no contusiones accepit.
- 6. Supradictus patiens contra pectoris dolores, et contra grave respirium mihi conquestus.

Quod luxationem brachii sinistri ego non reposuerim, de eo sum certus veram luxationem brachii habuisse, qua per chirurgum Garensem die 17. Julii reposita est.

Qua fidedigne Amplissimo Juditio humillime refero.

Sigilatum Zomborini die 19. Julii 1808.

Josephus Oravecz

Ord. chirurgus civitatis Zombor

Visum repertum Judai Laurentii Hertzeg

Investigatio

Intuitu aggresionis ac verberationis Laurenci Herczegh Judao hujati in via Bajam ducente, non procul a Civico educilli Gacoviensi dictum, per Nicolaum ac Georgium ambos Fratrics, nec non Augustinum Radoss, atque Georgium Jozits omnes gremiales.

Die 17. Julii 1808. illata, per nos infrascriptus facta

Primus Michael Fratrics fassus est quod prenominata die cum Nicolao et Georgio Fratrics, item Augustino Radoss, nec non Georgio Jozis in educillo Gakoviensi dicto recreationis causa cum <u>liripio</u> existentes ad allodia domum dum reverses fuisset, ob immenses febres semet male valere sentiens, pro suis consociis domum ad allodia abeundo non indexit, qualiter eius consocii Judaum Laurentium Herczegh aggrediendo verberaverint; at sibi notum sit, quod ipsissime die ad vesperas et eius consociis duo quippe Nicolaus et Georgius Fratrics testem accedendo testi sequentiali his formaliter Naraverim: <u>darzi bio darzi vidio, kako izmo Cifutinu bradu iscupali (da si bio, da si video kako smo Čifutinu bradu iščupali)</u> de reliquo nihil.

Secundus Martinus Fratrics detexit, quod idem a loco agresionis non procul constitutus vident quailter Judaus proprimis pronuncinatis videlicet aggresori.... Deviaverit, illi vero eo non obstante Judaum aggradiendo telyiga.... rotas Capiendo eundem Judaum e teljiga evertare voluerint, scique luctando ad terram Detracerint, de neque Augustinus Nadoss eundem Judaum per barbam coceperit. De reliquo nihil. Testius

Species - Facti

Intuitu aggresionis ac verberationis Laurentio Herczeg Judao gremiali, in via Bajam ducente, non procul a Civico educillo Gakoviensi nuncupato, per Nicolaum et Georgium ambos Fratrics, nec non Augustinum Radoss, atque Georgium Jozits onmes gremiales, die 17. Julii 1808. Illata; et quidem:

Laurentius Herczegh intuit aggressionis, ac verberationis per Nicolaum ac Georgium Fratrics, item Augustinum Radoss, nec non Georgium Jozits eidem illato coram nobis Magistratualiter Commissionatis detexit: quod idem die 17. Julii 1808 propria teljiga ad nundines Bajenses pacifice profectus, et non procul a Civico Educillo Gakoviensi nuncupato in publice via constitutus viderit preexpositos 4 inhabitatores hujates pro tum sibi de cognominibus ignotos, Liripipio ludentes, ex parte Gakoviensis Educilli versus allodia redeuntes, praeter condecentiam ob majorem ini haustum latos, videndoque ob amorem pacis ipsis sue teljige a procul deviaverit, illi vero non considerate hacce per eundem Judaum facta deviatione, inter blasphemias primo rotas talviga capiendo telvigam invertere, ipsumque Judaum e talyiga ejicere voluerint subseque e telyiga ad terram detractum per vestem capiendo traxerint complures ictus corpora eiusdem intulerint trahendoque Manum sinistram luxaverint, imo per barbam eius barbe capillarum cum excusione coeperint, hacque occasione taliter per eosdem aggresus fecisset, idem Judaus penes se habitos in argento 32 florenos perdiderit, deniqui prenominati aggressors Judaum, du mille Zomborinum reverti coactus fecisset ac redere voluisset eatenus querelam deponendi gratia, Zomborinum redire non admiseret, verum eundem

Extractus Protocolli

Judao gremiali Laurentio Herczegh ob sui per Nicolaum et Georgium ambos Fratrics, nec non Augustinum Radoss atque Georgium Jozits in via Bajam ducente protensive faceram aggressionem et verberationem querulante

Determinatum est: Dominis senatoribus Nicolao Simits et Georgio Sztivlits pro investigatione exmissis auditis Testibus oralem Relationem prestantibus siquidem pro uberiori eruditione plures Testes exaudiendi forent incarceratos qudem erga Fidejussionales Domini senatoris Mathia Jozits, Thoma Radoss, Marci Fratrics dimitti ulteriorem vero investigationem Dominis prraeexmissis senatoribus Relationem facturis committi: In Senatu Zomboriensi dei 25 Julii 1808. Celebrato.

Extradare per Emericum Bossnyak Jur. Civitatis vicenotarius

Infrascripti penes hic sub advolutum prothocolli Extractum Magistratualiter Commissionati A. Magistratui hisce off.....referimus per nos peractam in punito verberationis gremiali Judao Herczegh illata hic sum advolutam facti speciem et sub investigationem. Zomborini 8. Avg, 1808.

Nicolaus Simits senator Georgius Sztrilich senator

Relatio Intuitu verberationis Judao Herczegh illata.

Translation

Specification

The medical care of Jew Lawrence Hertzeg, member of the community, cost this much:

For examination and findings: 2 florins

For 38 physician visits in the period from 19 July to 6 August, where each individual visit cost 36 kreutzers: a total of 20 florins

For necessary medications: 6 florins and 51 kreutzers

Total: 28 florins and 51 kreutzers

Certified in Sombor on 12 August 1808

Josef Oravec, City Surgeon

Specification of costs of medical treatment of Jew Lawrence Hertzeg

Specification of costs and damages of the undersigned

33 silver coins that he had with him, and that he lost on the occasion, worth 66 florins in modern currency

To surgeon for medications: 3 florins and 4 kreutzers

For transportation to Sombor paid to some man: 2 florins

They tore the tunic and returned it in a completely unusable state; its value is 10 florins

For three visits to attorney: 3 florins

To surgeon for medical care and to pharmacy for all medications: 28 florins and 51 kreutzers

To clerk for compiling this specification: 1 florin

Total: 113 florins and 55 kreutzers

Or, if the first item is estimated to only 33 florins: a total of 80 florins and 55 kreutzers

Lawrence Hertzeg, member of the Jewish Community

Certified in Sombor on 12 August 1808

Findings

Upon examining Jew Lawrence Hertzeg, resident of Sombor, on 19 July 1808, I have found that the aforementioned is of the following health condition:

- 1. On the right side of his face there is a scratch, half a thumb long, probably inflicted by nails.
- 2. On the left side of the lower part of his jaw his beard has been ripped out.
- 3. On the right side of his neck there are 6 scratches, with scabs, I suppose inflicted by nails.
- 4. His left shoulder was dislocated, with two other contusions followed by swelling and scratches two thumbs wide, with injured ligaments.
- 5. The left side of his collarbone has suffered two contusions.

6. The undermentioned patient has complained that he feels chest pain and has difficulties breathing.

I did not reduce the dislocation of his left shoulder, but I am certain that it had indeed been dislocated, since it was reduced by another surgeon on 17 July.

I humbly present all of this as credible to the honourable Court.

Certified in Sombor on 19 July 1808

Josef Oravec

City of Sombor Surgeon

Findings for Jew Lawrence Hertzeg,

Investigation

The case of the attack and beating suffered by Jew Lawrence Hertzeg, resident of Sombor, on his way to Baja, not far from a winery named *Đakovska*, peformed by Nikola and George Fratric, Augustin Rados, and George Jozic, members of the community.

The attack took place on 17 July 1808, and the investigation has been carried out by us, the undersigned.

Firstly, Michael Fratric has stated that on the said day he, together with Nikola and George Fratric, Augustin Rados, and George Jozic, stayed in winery *Djakovska* for amusement, but that he went home earlier, since he had high fever and did not feel well, and therefore did not witness the attack by his friends and acquaintances on Jew Lawrence Hertzeg, However, he knows that Nikola and George Fratrić, in front of him and other witnesses, in the evening of the same day, said the following, 'If you had been there, to see how we ripped out the *Chifutin*'s beard!' That is all he knows.

On the other hand, the second witness, Martin Fratric, has stated that, standing close to the scene of the incident, he saw that the Jew, approaching with his wagon, firstly spoke to the attackers, and that then he went off the road, but that they grabbed the wagon by its wheels and tried to overturn it, and that after that they knocked the Jew to the ground, and that Augustin Rados grabbed his beard. That is all he knows.

Facts as they seem so far

Regarding the attack and beating suffered by Jew Lawrence Hertzeg, resident of Sombor, on his way to Baja, not far from a winery named *Djakovska*, peformed by Nikola and George Fratric, Augustin Rados, and George Jozic, members of the community, on 17 July 1808.

Lawrence Hertzeg, who was attacked and beaten by Nikola and George Fratric, Avgustin Rados, and George Jozic, officially summoned before the Magistracy, has stated the following: that on 17 July 1808 he was travelling peacefully to a fair in Baja, and that he, not far from winery *Djakovska* saw the four aforementioned men coming back home from the direction of the winery; that they were wearing hoods, that he did not know them by their name, and that he therefore on purpose directed

his wagon off the road – out of decency, and in order to avoid any argument; that they, despite that, were swearing, they grabbed the wagon by its wheels and tried to overturn it; that they pulled him out of the wagon, knocked him to the ground, pulled his clothes, beat him, dislocated his left arm and pulled his beard; that he on the occasion lost 33 silver florins he had with him, and that he was forced to come back to Sombor after the incident.

Protocol excerpt

To the member of the Jewish Community, Lawrence Hertzeg, who has complained that he was attacked and beaten by Nikola and George Fratric, Augustin Rados, and Georgen Jozic on his way to Baja.

It has been decided that gentlemen Senators Nikola Simic and George Sljivic, who already heard the oral statements of the witnesses, in order to be better acquainted with the case, interrogate additional credible witnesses: Matthaeus Jozic, Toma Rados, Marko Fratric, in order to conduct further investigation. In the City of Sombor Senate, on 25 July 1808.

Emerik Bosnjak, City of Sombor Vice Notary

We, the undersigned of the protocol excerpt, hereby inform the much respected Magistracy about the steps we have taken regarding the investigation of the case of beating of Lawrence Hertzeg, member of the Jewish Community, which is still ongoing. In Sombor, on 8 August 1808.

Nikola Simic, Senator George Sljivic, Senator Report on the case of beating of Jew Hertzeg,

Rezime

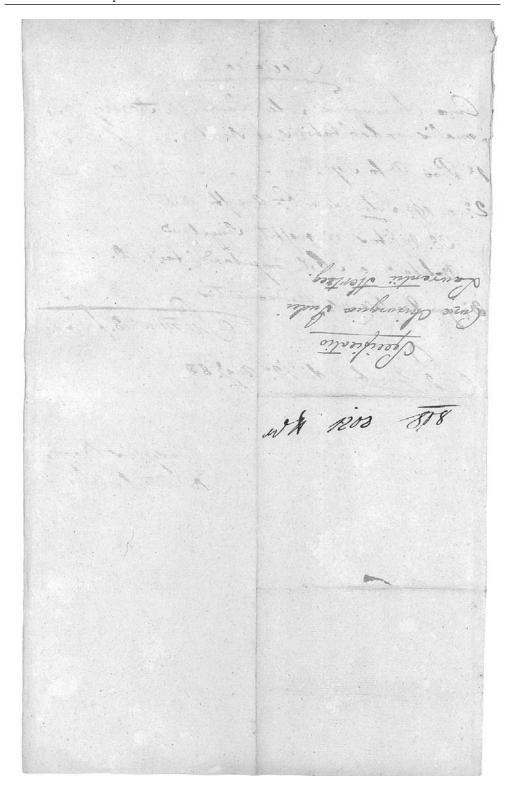
U radu se daje transkript i prevod arhivskog dokumenta, koji se čuva u Istorijskom arhivu Sombora, a koji se odnosi na slučaj prebijanja Lavrentija Hercega, Jevrejina iz Sombora. Ovaj istorijski izvor je važan, jer je slučaj dobro dokumentovan, a osim toga pruža uvid u proceduru koja se sprovodila u takvim situacijama. Dokument sadrži lekarski izveštaj, specifikaciju troškova i izjave svedoka.

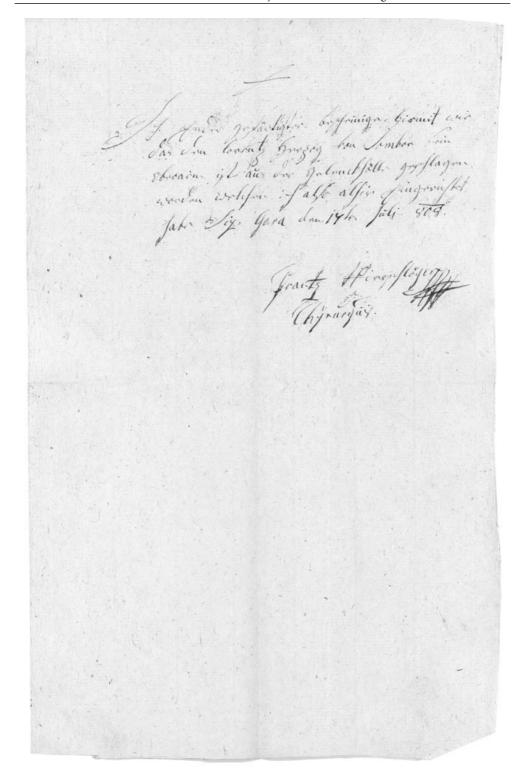
References

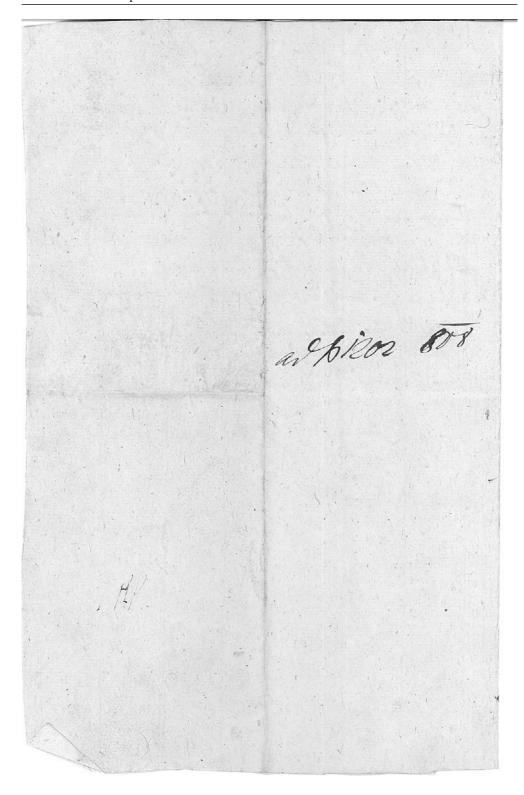
- 1. Шосбергер П. Јевреји у Војводини. Кратак преглед историје војвођанских Јевреја [Jews in Vojvodina. A short overview of history of Vojvodina Jews]. Нови Сад: Прометеј; 1998.
- 2. Historical Archive of Sombor, Magistrate of the City of Sombor, 1202/1808

Received: 27/11/2019 Reviewed: 13/12/2019 Accepted: 23/12/2019 The scanned copy of the document that is being kept in the Historical archive of Sombor, fund of the Magistrate of the City of Sombor, signature 1202/1808

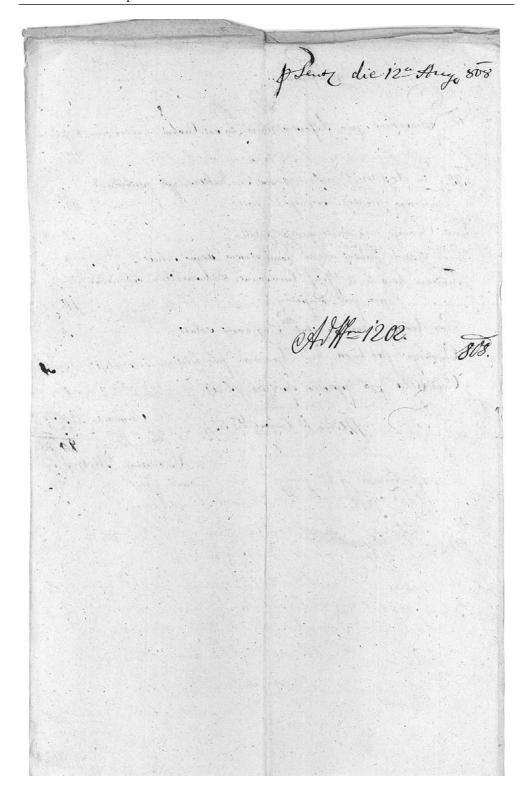
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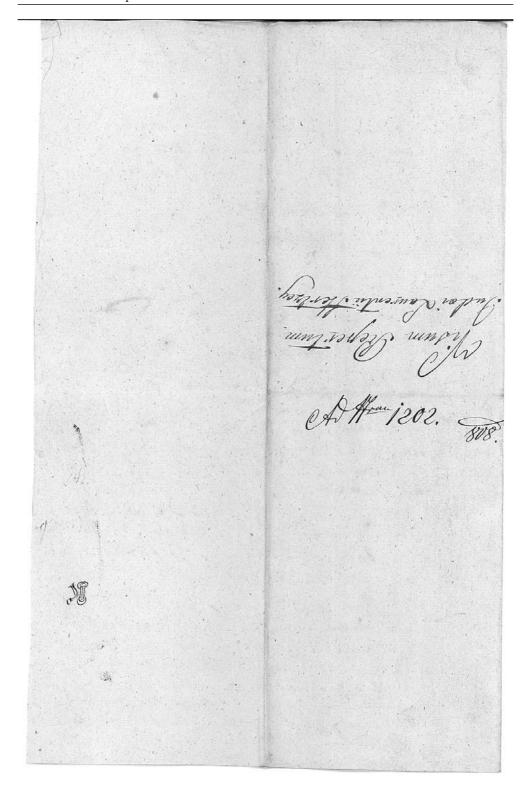




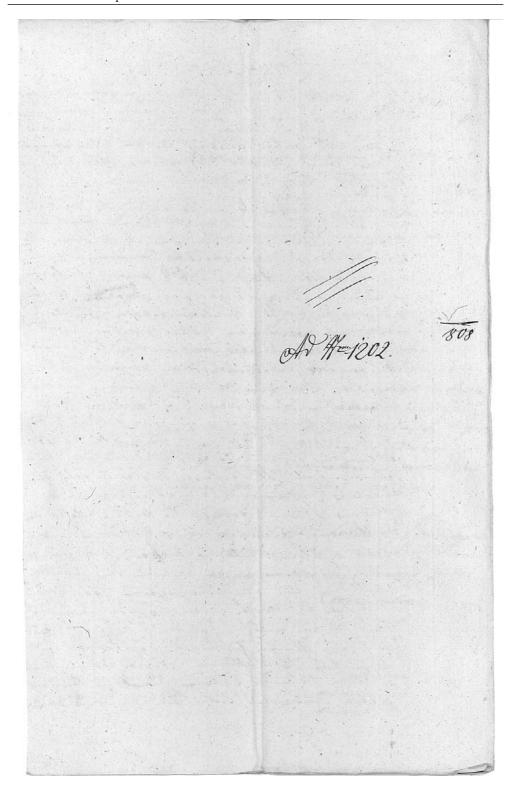
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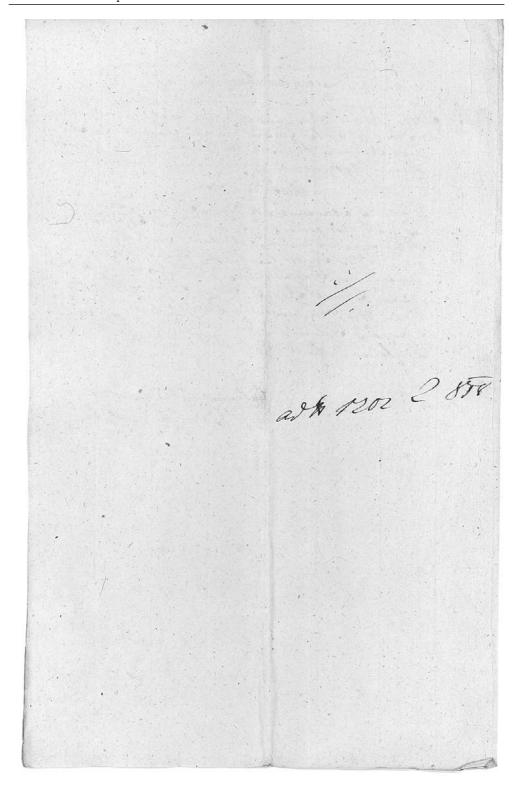
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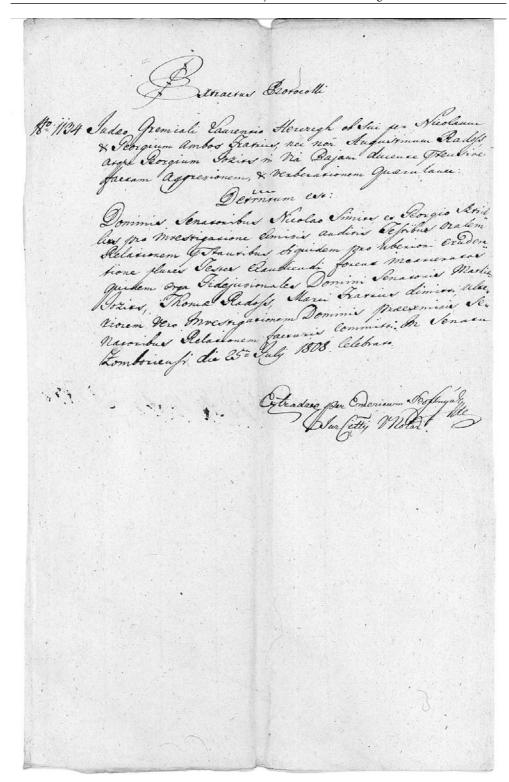


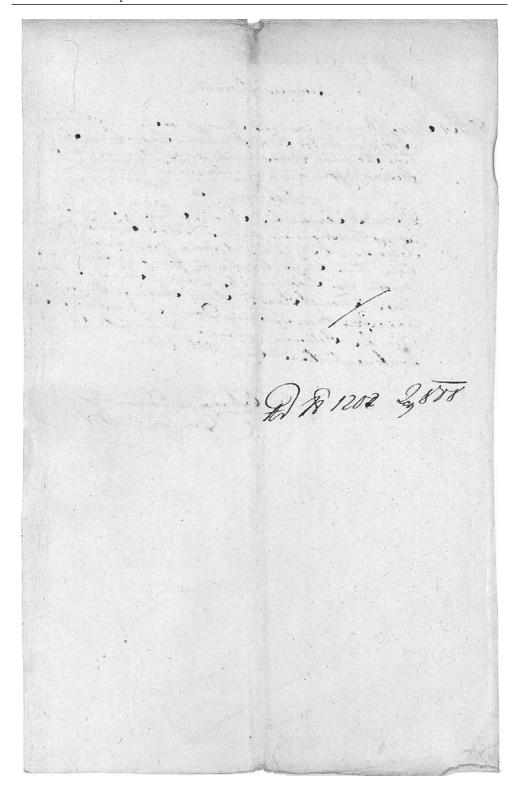
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Magiskalualiter Commission

