

# When Jews Could Not Marry: Forbidden Marriages in 18th- and 19th-Century Bohemia

by Jerome King Delson

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Bohemia now constitutes the western and central part of the Czech Republic and includes Prague. My grandfather, Hugo König (later King), came with his parents to the United States from Bohemia as an infant in the 1860s. My wife, Esther, and I retraced their steps and, in the process, discovered that my great-great-grandfather had bypassed a decree forbidding his marriage.

In 1744, Maria Theresa, Queen of Austria and ruler of Bohemia, expelled the Jews from Prague. Four years later, she canceled the expulsion order on condition that the Jewish population did not increase. Prior to these events, in 1726, the Familiant Law had been decreed with the avowed purpose of limiting the Jewish population in Bohemia. The Familiant Law stated that only one son in each Jewish family could obtain a marriage license, and that son could marry only after his father had died. The anointed son was called the *familiant*, and normally was the eldest son. In some circumstances, however, a familiant permit was given as a reward for military service. It may also have been possible to buy a permit from a family that had daughters but no sons.

Some Jewish men and women formed families and had children without the benefits of a legal (civil) marriage. My great-grandfather, Samuel König, was a child of such a union. Samuel's father, Moshe, was the second son of Joseph Bondi and Ludmilla Lustig, and the Familiant Law prevented Moshe from obtaining a civil marriage license. The government considered Moshe's son, Samuel, to be illegitimate, precluding Samuel from carrying his father's surname, Bondi. In fact, the government considered all of Moshe Bondi's children to be illegitimate and required them to be known by their mother's surname, König. The severity of the Familiant Law prompted some young Jewish men to leave Bohemia.

The Familiant Law also created difficulties for Bohemian rabbis. Rabbis who performed a religious wedding ceremony without a marriage license were fined or jailed—and these sanctions prompted some rabbis to emigrate. In spite of the Familiant Law, however, the Jewish population in Bohemia expanded. When the law was enacted, approximately 30,000 Jews lived in Bohemia, and 8,541 families were given familiant numbers. When the law was repealed 123 years later, in 1849, the Jewish population had grown to approximately 75,000.

Administration of the Familiant Law required documentation on each Jewish family. During World War II, the

Germans destroyed the original records, but a Czech Gentile helped save the copies held by the church. These preserved records are now quite valuable for tracing family histories.

## Searching for Family Records

I tried to obtain records about my family from the State Archive of the Czech Republic without success. Things changed for the better, however, when I contacted a Jewish genealogist, Dr. Julius Müller, who lives in Prague. Using familiant and census records, Müller found entries for my grandfather, his grandparents, and many other relatives. The records Müller found were quite specific. They included not only the name of the community, but also identified the house in which a birth, marriage, or death occurred.

When the Familiant Law was revoked in 1849, 123 years after it was enacted, the record office experienced a spurt in marriage applications from Jewish couples. Now that they were allowed to marry, they wanted their children to be considered legitimate. Although my great-grandmother Josephine was born in 1838, her parents apparently were permitted to marry only after the law was revoked. Her parents, Ludmilla Pam and Ezekiel Zuckerman, were married on May 22, 1849, in Hresihlavy. At the time, Josephine's mother, whom the marriage record lists as "single," already had five children. Josephine was the third. She and the first two siblings were given their mother's name, Pam. Ludmilla also had two other children, who were born after Josephine but before Ludmilla married Ezekiel. They carried his name, Zuckerman.

The Familiant Law certainly has made family history confusing, but its records preserve the family history. The marriage record of Josephine Pam to Samuel König states that her father's name was Zuckerman. This must mean that according to the government, both Samuel and his wife Josephine were illegitimate. Samuel, Josephine, and their infant son, Hugo, emigrated and came to the United States in the 1860s.

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*Jerry Delson's family name was previously Yudelson and before that may have been deLeon. He and his wife, Esther Harrison, have traveled to Vilnius, Lithuania, to meet Strashun relatives discovered through the JewishGen Family Finder. They also discovered and met with Reinschreiber relatives in Sheffield, England, and in Rehovot, Israel. With Julius Müller at their side, they went to the Czech villages and saw family homes going back three, four, and five generations. Delson lives in Palo Alto, California.*