

United States Department of the Interior  
National Park Service

National Register Listed  
January 2, 2013

# National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. **Place additional certification comments, entries, and narrative items on continuation sheets if needed (NPS Form 10-900a).**

## 1. Name of Property

historic name Beni Israel Cemetery

other names/site number KHRI: 045-4240

## 2. Location

street & number 1301 E. 2100 Road  not for publication

city or town Eudora  vicinity

state Kansas code KS county Douglas code 045 zip code 66025

## 3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this x nomination     request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property x meets     does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

    national     statewide   X   local

SEE FILE

\_\_\_\_\_  
Signature of certifying official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
State or Federal agency/bureau or Tribal Government

In my opinion, the property     meets     does not meet the National Register criteria.

\_\_\_\_\_  
Signature of commenting official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
State or Federal agency/bureau or Tribal Government

## 4. National Park Service Certification

I, hereby, certify that this property is:

    entered in the National Register

    determined eligible for the National Register

    determined not eligible for the National Register

    removed from the National Register

    other (explain:) \_\_\_\_\_

\_\_\_\_\_  
Signature of the Keeper

\_\_\_\_\_  
Date of Action

**5. Classification**

**Ownership of Property**  
(Check as many boxes as apply)

<input checked="" type="checkbox"/>	private
<input type="checkbox"/>	public - Local
<input type="checkbox"/>	public - State
<input type="checkbox"/>	public - Federal

**Category of Property**  
(Check only **one** box)

<input type="checkbox"/>	building(s)
<input type="checkbox"/>	district
<input checked="" type="checkbox"/>	site
<input type="checkbox"/>	structure
<input type="checkbox"/>	object

**Number of Resources within Property**  
(Do not include previously listed resources in the count.)

Contributing	Noncontributing	
0	0	buildings
		district
1	0	site
		structure
		object
1	0	<b>Total</b>

**Name of related multiple property listing**  
(Enter "N/A" if property is not part of a multiple property listing)

N/A

**Number of contributing resources previously listed in the National Register**

N/A

**6. Function or Use**

**Historic Functions**  
(Enter categories from instructions)

Funerary: cemetery

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**Current Functions**  
(Enter categories from instructions)

Funerary: cemetery

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**7. Description**

**Architectural Classification**  
(Enter categories from instructions)

N/A

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**Materials**  
(Enter categories from instructions)

foundation: N/A

walls: N/A

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roof: N/A

other:

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## Narrative Description

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### Summary

The nominated area is an area of approximately ¼ acre located in the southeast corner of a two-acre tract now used as a fenced burial ground. The Beni Israel cemetery is located approximately one mile west and one mile south of the town center of Eudora. The cemetery is located on upland prairie surrounded by agricultural fields. However, a residential subdivision is located one half mile to the north and Kansas Highway 10 runs east and west one quarter mile to the north.

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### Elaboration

The Beni Israel cemetery is located on the northwest corner of the intersection of two gravel roads (E. 2100 and N. 1300 Road). The burial ground is protected by a steel chain link fence approximately four feet high. There is a southeast entrance gate and an entrance with paired gates to the northeast. Most of the stones are clustered in the southeast corner of the cemetery. The southeast gate and a pathway lead directly to this group of graves and markers. Headstones are arranged in rows oriented north-south with some irregular spacing and a few stones facing west. There are some family plots. Several contemporary graves have been integrated in available plots with the historic burials. In August, 2012, there were thirty-six burials in the southeast section of the cemetery, seventeen were historic burials and nineteen were contemporary burials interred after the cemetery was reactivated in 1978. There are five contemporary burials in the center section marked by the driveway. A few plots are reserved for future burials in the historic southeast section and some plots are reserved in the center section.

Every congregation member has a right to be buried in the cemetery and it is intended to serve the needs of all Jews who live in the area, including those from nearby communities such as Topeka.<sup>1</sup> The space available will serve the Jewish community for years to come. As cemetery sexton Neil Schanberg commented in 2005, “what we’re doing today will have importance decades from now.”<sup>2</sup>

In 1978 the Lawrence Jewish Community Congregation (LJCC, then known at the Lawrence Jewish Community Center) assumed responsibility for the cemetery. In 2005 the LJCC launched a capital campaign to raise \$40,000 to improve the cemetery’s appearance. A water meter for Rural Water District #4 was installed to provide a water supply for sustaining new plantings of native prairie grass, evergreens, and about forty deciduous trees. The entire cemetery is grassed with a number of small evergreen trees and bushes planted around the east and south sides of the perimeter. Other plantings and small deciduous trees border the central driveway and a few are scattered through the west and north sections of the cemetery. There are water hydrants in the southeast and northeast corners and the center section of the burial ground.

According to the Overall Cemetery Plan (Figure 1), the cemetery has been surveyed and organized into seven sections with 93 blocks subdivided into individual plots. In a contemporary landscape design, a driveway was laid out to the north that accesses the center of the tract, forms a squared circle, and re-connects with the driveway. The driveway eliminated several sections that had been laid out as potential gravesites. Also, a *genizah*, a depository for worn-out Hebrew-language books and papers on religious topics, is located in the southeast section of the cemetery.

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<sup>1</sup> Jim Baker, “Preserving the Past: Campaign Raises Funds to Improve Jewish Burial Ground,” Lawrence Journal-World 28 May 2005, 2E.

<sup>2</sup> Patrick Cady, “Reclaiming History,” Eudora News 23 June 2005, p. 8A.

## Integrity

Despite the contemporary improvements, the historical integrity of Beni Israel Cemetery is good. The physical characteristics of location, setting, feeling, and association vividly reflect the particular identity of this cemetery during the period of significance. Historic gravestones represent examples of historic material and workmanship. Since assuming responsibility for the cemetery in 1978, the cemetery committee of the Lawrence Jewish Community Congregation has carefully distinguished the historic southeast section of the present cemetery (the original burial ground) from the rest of the two-acre tract which has been designed to accommodate future use. In the present day, Beni Israel Cemetery resembles its historic appearance and retains physical materials and design features that convey a sense of its historic past.

There are historic, replacement, and modern grave markers. Several historic burials are marked with replacement contemporary headstones. Two of the historic gravestones are broken, but remain in place. Several historic cemetery stones have carving with images representing the priestly class (spread hands), Hebrew lettering, and Masonic symbols. Since stone carvers in nineteenth century Douglas County were unfamiliar with the Hebrew alphabet, there are a few mistakes in the lettering. At least five stones are inscribed in Hebrew.

The earliest burial is that of Yitzhak (Issac) son of Asher D. Cohn with a death date in Hebrew of September 5, 1858. The latest burial during the period of historical significance was Ben Urbansky with a death date of July 14, 1926. According to cemetery records, a child, A. Rafflelock, was buried here in 1928, but no stone for him was found during a survey in 1987. After the 1920s, Mr. and Mrs. David Passon became the informal caretakers of Beni Israel Cemetery. They compiled a brief description and list of nineteen burials in 1939 for a committee of the Douglas County Historical Society.<sup>3</sup> During the period of significance, the total number of burials was approximately twenty-one although documentation is incomplete. Historic burials were located in the southeast corner of the cemetery tract (see Block 1, Overall Cemetery Plan).

### Readable stones recorded in 1987.<sup>4</sup>

Edwards, Aaron S, November 4, 1904—August 16, 1906

Urbansky, Aaron, January 2, 1839—October 30, 1904 age 65 years (Mason)

Urbansky, Ben, June 15, 1866—July 14, 1926

Urbansky, Jennie wife of A., June 27, 1853—June 21, 1908

Urbansky, David, 1814--1874

Urbansky, In memory of Emma beloved wife of A., November 23, 1844—May 31, 1887

Urbansky, Sarah, d. November 3, 1888, aged 87 years

Frishman, Mitchel, January 19, 1865—January 26, 1915

Leib, Abraham Zvi son of Yehudan, D: January 19, 1866 [in Hebrew]

Stiefel, Fritz W. 1874-1875

Stiefel, August M. (N.F.D) [August, b. November 23, 1844—d. May 1887

Steinberg, Henriette, D: October 27, 1874

Matzenstein, Elmer Ahren, 1866—1867 [name is in Hebrew]

Levy, Emma, 18780-1870

<sup>3</sup> “Collect History of Burial Places,” Lawrence Journal-World 2 November 1937, p. 7; Mr. and Mrs. David Passon, “Record of Cemeteries of Douglas County, Kansas, Eudora Township, Benie [sic] Israel Cemeter (Jewish), 1939.

<sup>4</sup> Complete Tombstone Census of Douglas County, Kansas B. Jean Snedegar, chair. Volume II (Lawrence, KS: Douglas County Genealogical Society, 1987), 191.

Cohn, The child Yitzhak (Issac) son of Asher, D: September 5, 1858 [in Hebrew]

Cohn, Asher, b. in Loebau, Prussia June 20, 1828—February 28, 1890 (Mason)

Cohn, Sarah—his wife, March 20, 1832—November 7, 1912 [part in Hebrew]

Cohn, William, July 1, 1862—November 7, 1915

Katzenstein, Cohen, May 10, 1838—July 30, 1867 [in Hebrew]

Frischman, Samuel, 1838-1872

**8. Statement of Significance**

**Applicable National Register Criteria**

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing)

- A Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B Property is associated with the lives of persons significant in our past.
- C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D Property has yielded, or is likely to yield, information important in prehistory or history.

**Criteria Considerations**

(Mark "x" in all the boxes that apply)

Property is:

- A Owned by a religious institution or used for religious purposes.
- B removed from its original location.
- C a birthplace or grave.
- D a cemetery.
- E a reconstructed building, object, or structure.
- F a commemorative property.
- G less than 50 years old or achieving significance within the past 50 years.

**Period of Significance (justification)**

The period of significance (1858-1928) begins with the formal organization of the Beni Israel Society with trustees for the administration of the Jewish cemetery in the vicinity of Eudora and the last known burial during the historical period.

**Criteria Considerations (justification)**

This site meets the registration requirements for *Criteria Consideration A: Religious Properties* because it derives its primary significance from its historic associations with the development of Eudora and the local

**Areas of Significance**

(Enter categories from instructions)

- Social history
- Exploration/settlement

**Period of Significance**

1858-1928

**Significant Dates**

1858, 1869

**Significant Person**

(Complete only if Criterion B is marked above)

**Cultural Affiliation**

N/A

**Architect/Builder**

N/A

Jewish community. The property does not derive its primary significance from associations with religious doctrine.

The site meets the registration requirements for *Criteria Consideration D: Cemeteries* because of its age in the context of Kansas history and its association with significant historical events in social history—the establishment and development of the Jewish community in Eudora and Lawrence, Douglas County, Kansas. Pioneer Jewish settlers were significant in the early settlement and development of Douglas County.

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## **Narrative Statement of Significance**

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### **Summary**

Established in 1858, the Beni Israel Cemetery, Eudora, Kansas, is historically significant as the principal site representing the collective history of Jewish-Americans in Douglas County during the late nineteenth and early twentieth century. The cemetery derives its significance according to Criterion A in the area of social history from its association with the lives and careers of Jewish-Americans who made a distinctive contribution to the community development of Eudora and neighboring Lawrence, Kansas. This contribution has been relatively undocumented and interpreted in local and state history. Since the earliest gravestone dates to 1858, the cemetery is associated with the settlement of Eudora and Douglas County during the territorial period. Moreover, the cemetery is the only surviving property associated with the Jewish community in Eudora which flourished briefly (1857-c. 1867) and then moved to Lawrence.

Over time, the cemetery continued to represent the Jewish community in Lawrence and Douglas County. It was used through the 1920s and then burials ceased for several decades. In 1978, the Lawrence Jewish Community Center (now Lawrence Jewish Community Congregation) accepted ownership and began using the property as its community cemetery. Because of its historical associations, the Beni Israel Cemetery is a primary expression of the religious and ethnic identity of the Jewish-American community in Douglas County.

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### **Elaboration**

Early in the summer of 1856, Germans in Chicago, Illinois, organized an association, Neuer Ansiedlungs Verein, to found a settlement in the West. Organizing with fifty members, the association grew rapidly to include over 600 stockholders. In March, 1857, the organization chose a location committee of H. Heimann, F. Barteldes, and C. Schleifer to go West and find a suitable town site. After looking in Missouri and Kansas Territory, they selected the present site of Eudora. The committee bought a tract of 800 acres from the Shawnee Indians through one of their leaders, Paschal Fish, who received every alternate lot. The site was surveyed and named “Eudora,” in honor of Fish’s daughter.<sup>5</sup>

After the committee reported, the Chicago association decided to establish a town on the site. Sixteen members representing different trades and professions were sent to Kansas Territory under the leadership of P. Hartig. Seven other members came out with the party, but paid their own travel expenses. They arrived on April 18, 1857 and began erecting log buildings on the townsite. Fred Deichmann, a German-speaking Jew, was a member of the first group of sixteen settlers who established Eudora in 1857. During the summer, the Eudora post office was established and the first store was opened. Abraham Summerfield, a German-speaking Jew, was the first postmaster and storekeeper.<sup>6</sup>

In the spring of 1858, Fred Deichmann celebrated Eudora’s first marriage with a widow, Henrietta Harbolt (Kuffman). Both became active members of the Lawrence Jewish community in later years. Deichmann was a

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<sup>5</sup> William G. Cutler, *History of the State of Kansas* (Chicago, IL: A. T. Andreas, 1883), accessed online 5/21/2012 at <http://www.kancoll.org/books/cutler/douglas/douglas-co-p32.html>

<sup>6</sup> Cutler, *History of the State of Kansas*, Douglas County, part 32.

successful butcher, first in Eudora, then in Lawrence. He and his wife operated a large stock farm in Eudora Township for decades and his name was associated with Deichmann Crossing and Deichman Bridge on the Wakarusa River.<sup>7</sup>

Eudora was incorporated as a city, under territorial laws, on February 8, 1859. At the first regular election held in March, 1859, the settlers elected a mayor and five council members as well as a justice of the peace, marshal, treasurer, and clerk. Abraham Summerfield was one of the first council members.<sup>8</sup>

Research by Professor David Katzman has documented the Jewish-American presence in Eudora. The 1859 territorial census recorded when early settlers came to the new settlement. Of the twenty-nine heads of families who arrived in Eudora in 1857, seven (approximately 25%) were known to be Jewish. The Jewish settlers included Abraham Summerfield and his son Elias, Fred and Henrietta Deichmann, three Philips men, E. L. and Rosalia Kohn, Asher and Sarah Cohn and their eight children. J. H. Jacobs was not recorded in the census but he gave 1857 as the date when he settled in Eudora. In 1859 and 1860, Jacobs operated a store in DeSoto. Other Jewish settlers followed the earliest pioneers to Eudora. Adolphus and Eustice Erb and their five children came to Eudora in 1859 and another son and daughter were born there. Isadore Bernstein and his family also came in 1859. His mother Hannah and sister Minna arrived in 1860. Samuel Frishman came to the area about 1860.<sup>9</sup>

Aaron Urbansky, the Deichmanns, the Summerfields, the Cohns, the Philips, and probably the Erbs were members of the German-American town association. Urbansky helped survey the townsite with his step-brother Asher Cohn, then returned to Illinois, and came back to Kansas in 1862. Later, he moved to Lawrence and eventually became a prominent businessman and community leader in St. Marys, Kansas. A number of children were born in Eudora. Jacob and Carrie Erb were born in Eudora as well as Alfred Deichmann, Louis Cohn, and Benjamin Jacobs, son of J. H. Jacobs and his wife, Minna Summerfield. Among the 350 or so residents of Eudora in this period, probably fifteen percent were Jewish.<sup>10</sup>

Establishment of a Jewish cemetery in Eudora dates back to the territorial period in Kansas history. According to the minutes of the Eudora city council from September 26, 1859, "since there is a Jewish community here and since this community does not have a cemetery of their own, and since furthermore the Jewish religion does not allow to bury Jewish people within the fence in which Christians are interred, it is moved that the City give the Jewish Community one of the ten lots destined to be used as a cemetery."<sup>11</sup> Local lore, as yet undocumented, suggests that the town lot was traded for the tract eventually used as the cemetery. In fact, it appears that four community members, Asher and Sarah Cohen and Isidor and Sarah Bernstein bought the two-acre tract in 1858 and began using it as a cemetery.

Jews in Eudora established a formal congregation calling themselves Beni Israel in 1859.<sup>12</sup> The origins were documented by Katzman's research in Die Deborah, a German-language Jewish newspaper, and the Israelite, a weekly Jewish newspaper published in Cincinnati, Ohio, with a Midwestern audience. News items and letters in these publications outlined the early presence and development of the Eudora community. An announcement on July 20, 1860 commented, "Eudora Kansas. Here, a new community/congregation has formed under the *Borsisse* of Mr. Issac Bernstein; we wish [this congregation] all the success possible."<sup>13</sup> A few weeks later, another announcement reported, "Eudora Kansas. The local Israelites have done all possible to organize their community. The first steps were taken last winter. Mr. Summerfield was chosen president and Mr. H. Philips was chosen treasurer."<sup>14</sup> Finally, young Marcus Sommerfeld [sic] wrote to the Israelite

<sup>7</sup> David Katzman, "An Ephemeral Jewish Cemetery, Eudora, Kansas, 1857-1865," unpub. mss in author's possession, 2.

<sup>8</sup> Cutler, History of the State of Kansas, Douglas County, part 32.

<sup>9</sup> Katzman, "Ephemeral Jewish Community," 2.

<sup>10</sup> Katzman, "Ephemeral Jewish Community," 3.

<sup>11</sup> Eudora Lions Club, "Eudora Centennial Magazine," Eudora News (1957), p.8.

<sup>12</sup> The name is a common transliteration of the Hebrew (children of Israel) into German-accented English.

<sup>13</sup> Translated from Die Deborah 20 July 1860, 6:3, p. 11.

<sup>14</sup> Translated from Die Deborah 10 August 1860, 6, p. 23.

editor from Eudora on November 13, 1860. His letter was published on November 30. "There is not much congregational news here; the Israelites have bought two acres of land for a Burial ground. The annual election resulted in the following. Mr. Isidor Bernstein was unanimously reelected Parnass, Mr. Harris Philips, Treasurer, and Mr. Ellis Philips Secretary instead of Mr Sommerfeld [sic] resigned. Next Wednesday we will have a Brith meeting through the son of Mr. A. L. Cohn."<sup>15</sup>

The Eudora Jewish community advertised in the August 14, 1863 issue of the Israelite. "Eudora, Kans. WANTED—*Immediately* by the congregation of this city, a young man to officiate as Shochat; one who is capable of acting as Hazan on the high festivals. For particulars, address immediately. A. Summerfield. Eudora, Douglas Co., Kans." They advertised again in February 12, 1864 and the notice ran through April 22.

By 1866, however, most of the Jews in Eudora had moved away. Many moved to Lawrence and the Beni Israel community reformed there. Rebuilding the town after Quantrill's raid in 1863, the completion of a transcontinental railroad branch to Lawrence in 1864, and the end of the Civil War all contributed to a notable, but short-lived boom. An influx of settlers increased the population from 1,645 in 1860 to 8,320 in 1870. Most of this increase occurred in the last five years of the decade. After the panic of 1873 cut short this period of prosperity, the town never experienced anything like this population growth until after 1945.<sup>16</sup>

Encouraged by commercial prospects in Lawrence, leaders of the Jewish community organized and invested in the Beni Israel cemetery. On October 28, 1868, seven trustees—A. Summerfield, J. House, A. Katzenstein, S. Steinberg, S. Goldsteidt, Charles Levi, and J. Epstein—filed to form a corporation for the Society of Beny Yisrael [sic] of the city of Lawrence in the county of Douglas, State of Kansas. Besides forming a legal entity, the purpose of the corporation was intended "to purchase lots of lands and erect such building thereon as may be required by them for a house of Religious worship." The corporation also intended to "secure and promote the interests of the Jewish Church in said place." The incorporation document was recorded by the county clerk on November 12, 1868.<sup>17</sup> The corporation never built a building for a house of worship, but the trustees did take responsibility for the Beni Israel cemetery. On January 19, 1869, Isidor and Sarah Bernstein, who were then living in Johnson County, sold the two-acre cemetery tract to "Charles Levi, D. Urbansky, and S. Frishman, Trustees of the corporation known as Beni Israel of Lawrence... for the use of said corporation and unto their successors in office." The conveyance was recorded on February 23.

The Jewish community advertised again in the April 16, 1869 issue of the Israelite, "Lawrence, Kansas. WANTED—By the Congregation Bene [sic] Israel, of this city, a Shochet, who is also capable of serving as Hazan and Teacher. Salary \$500 per annum. The instruction of children will be paid for extra.—For further particulars apply to A. KATZENSTEIN, Sec'y." In the same issue, the newspaper commented, "LAWRENCE, KANSAS.—Only a very short time since a congregation has sprung up in this young and rising city, situated on the Kaw River, some thirty miles west of the Missouri line, and on the Pacific Railway, and made memorable during the convulsions of the Kansas struggle between the free and slave State parties, and during the late war, by the fearful massacre of Quantrell and his men... We can not refrain from offering an amendment, however, to the advertisement of our friends of the Lawrence Congregation, to wit: Instead of advertising "Wanted a Shochet who can occasionally teach," they should advertise for *a teacher who can occasionally Schecht*; the point is not so obscure that we need elucidate the same, but we congratulate the Israelites of Lawrence upon being able and active enough to establish a congregation."

From the 1860s to the end of the century, the number of Jewish residents at one time in Lawrence never exceeded 150 in number at one time. Yet over the decades of the late nineteenth century, an estimated 750 to

<sup>15</sup> "The College," Israelite 30 November 1860, vol. 7, p. 174, cols. 2-3.

<sup>16</sup> Deon Wolfenbarger and Dale Nimz, "Historic Resources of Lawrence, Douglas County, Kansas," National Register Multiple Property Document Form (12 September 1997), E-7.

<sup>17</sup> American Jewish Archives, Small Collections SC-6666. This collection includes a letter of 12 December 1949 from Heim Wolberg to Rabbi Samuel Mayerberg, describing "a photographed copy of an original deed which we secured from Mrs. Rachel Passon of 638 New Hampshire, Lawrence, Kansas... Mrs. Passon also submitted a copy of incorporation papers dated Oct. 28, 1868, and filed with the Secretary of State, of Kansas, for "The Society of Beni Israel [sic] of City of Lawrence."

1,000 or more Jews lived in Lawrence. According to Professor Katzman, these small-town merchants formed both a stable community of residents who stayed at least ten years and a transient community that turned over many times.<sup>18</sup> Conventional interpretations of local history concluded that the German-Jewish residents disappeared through assimilation. In fact, some early settlers as well as the few who remained in the towns intermarried, but in the overwhelming majority of families, children often went away to school, married Jews from metropolitan areas and moved there.<sup>19</sup> As Katzman concluded, ambition and marriage led “the families to New York. Others moved to Kansas City, St. Louis, Chicago, Minneapolis, Cincinnati, Denver, Tulsa, and other places with flourishing Jewish communities. By World War I, only a handful of Lawrence-born descendants of German-speaking families remained in Lawrence.”<sup>20</sup>

Professor Katzman has speculated that, except in Leavenworth, none of the Jewish-American communities in the small towns of Kansas and Missouri built synagogues because they chose to put their capital into their businesses rather than building permanent communal structures. Many communities, however, established Jewish cemeteries, --Leavenworth and Eudora in 1859 and Topeka and Fort Scott within ten years. Even though Jews had access to public cemeteries, they sought separate burial grounds. Thus, the cemeteries became the tangible representation of Jewish communities in the region.<sup>21</sup>

During the late nineteenth century, German-Jewish settlers in the Midwest were less concerned about living in a Jewish community than seeking economic opportunity. With the building of canals and railroads during the decades from the 1820s to the 1850s opened up new areas to settlement in the Midwest, many Americans including Jews moved westward. In the new territories and states of Missouri, Arkansas, Iowa, and Kansas, and later Oklahoma, Jews could open businesses when the towns were founded. Smaller markets required less capital and offered less risk since newcomers did not have to compete with well-established businesses. Many pioneer merchants in small Midwestern towns began with no more capital than the typical peddler.<sup>22</sup>

In the small towns of Missouri and Kansas, Katzman found evidence that Jewish family networks were important in business. In more than ninety percent of all partnerships, partners were blood relations or related through marriage. Retailers tended to have kinship ties to their wholesalers who also provided credit. The German-Jewish small-town merchants were significant in the early development of these towns. They dominated the business of dry goods, notions, and men’s and women’s clothing throughout the region. Because their stores sold the basic needs of life, these small-town merchants were the “backbone of main streets.”<sup>23</sup>

Although many were successful and moved on to larger towns, not all Jewish merchants improved their economic status. Nearly every small-town clothing and dry goods merchants, except those with the largest capital, experienced or narrowly escaped bankruptcy. There was at least one major recession in each decade of the nineteenth century and small town businesses were vulnerable in these economic crises. With much of their inventory furnished by wholesalers, or manufacturers, merchants frequently faced cash flow trouble during the business cycle fluctuations. Many of the once-successful proprietors in Kansas and Missouri towns finished their careers as commercial travelers (traveling salesmen) working for wholesalers or manufacturers.<sup>24</sup>

Some Jewish women were merchants and there is evidence that women were silent partners in the notions and dry goods and clothing stores or worked regularly in the businesses. As Katzman pointed out, the ease and speed with which women took over the family businesses after a husband’s death and the frequency with which bankrupt firms reappeared in similar form operated by the wives in their own names. Many firms were

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<sup>18</sup> David Katzman, “Lost From Memory: 19<sup>th</sup>-century Midwestern Small-town Jewish Merchant Communities,” unpub. mss in possession of author (2011), 3.

<sup>19</sup> Katzman, “Lost From Memory,” 4.

<sup>20</sup> Katzman, “Lost From Memory,” 5.

<sup>21</sup> Katzman, “Lost From Memory,” 5.

<sup>22</sup> Katzman, “Lost From Memory,” 8-9.

<sup>23</sup> Katzman, “Lost From Memory,” 10.

<sup>24</sup> Katzman, “Lost From Memory,” 11-12.

family-run with the wives as partners.<sup>25</sup> This relationship also was expressed in land ownership. When the Cohns and Bernsteins purchased land for the Eudora Jewish cemetery, the deed listed both husbands and wives—Asher and Sarah Cohn and Isador and Sarah Bernstein (Sarah Cohn and Isador Bernstein were siblings). Nine years later, the Bernsteins signed over the cemetery tract to the trustees of the Lawrence Jewish community and both husband and wife signed the document.<sup>26</sup>

The earliest burial recorded in the Beni Israel cemetery is the child Yitzhak (Issac) Cohn, the son of Asher and Sarah Cohn, who died September 5, 1858. His stone is inscribed in Hebrew. Ben Urbansky, who died on July 14, 1926, has the last stone in the cemetery for several decades until 1980.<sup>27</sup> By the 1880s, most Lawrence Jews did not use the Eudora cemetery except when a child died. For example, when Abraham Summerfield, a pioneer Eudora settler and later the informal head of the Lawrence Jewish community, died in 1880, he was buried in Leavenworth's Jewish cemetery. A number of families with ties to St. Louis had bodies shipped and buried there. In 1882, when Charles Levi died, he was buried in a Jewish cemetery in St. Louis even though he was one of the trustees of the Beni Israel cemetery. The Steinbergs of Lawrence also were buried in St. Louis.<sup>28</sup>

During the 1930s, it appears that David and Rachel Cohn Passon, became the informal caretakers of Beni Israel Cemetery. David Passon was a merchant on Massachusetts Street in Lawrence for fifty years. He and Rachel were active in Jewish affairs in the town. Of the twenty-four graves in the cemetery at the time, they were both related to at least fifteen of the persons buried there. The first burial in 1858 was Rachel's brother and both of her parents and another brother were buried there. David Passon was Rachel's cousin so his relatives also were buried in the cemetery. Both David and Rachel Passon were related to the Urbansky family, who comprised the largest family buried in Beni Israel.<sup>29</sup>

In 1937, the Passons provided information about the Beni Israel cemetery to a committee of the Douglas County Historical Society that collected the histories of rural cemeteries of the county. Dr. Edward Bumgardner also assisted David Passon with the history of the "Eudora Jewish cemetery" as it was called.<sup>30</sup> The Passons compiled a brief history of the cemetery and a list of burials to the Douglas County Historical Society in 1939 and to the Kansas State Historical Society.<sup>31</sup> David Passon died in 1942 and Rachel Passon died in 1961. As Professor Katzman has pointed out, despite their deep connection to the Jewish community, the Passons themselves chose to be buried in Oak Hill Cemetery, a secular cemetery in Lawrence. Even the Passons did not consider Beni Israel to be an active cemetery after the 1920s.<sup>32</sup>

Without visitors and regular maintenance, the Beni Israel cemetery was neglected until the Beth Horon Lodge of B'nai B'rith led by Rabbi Samuel S. Mayerberg and lodge president Heim Wolberg "restored" the cemetery in 1952. The lodge erected a fence and placed a bronze plaque on the entrance gate. Upon its completion, Rabbi Marshall Miller conducted a service of re-dedication. The lodge continued to provide care for the cemetery for several years.<sup>33</sup> By 1972, however, the cemetery again was neglected. In 1976 the Lawrence Jewish Community filed a quiet title suit against the original trustees of the Beni Israel Corporation and

<sup>25</sup> Katzman, "Lost From Memory," 15.

<sup>26</sup> Katzman, "Lost From Memory," 15-16.

<sup>27</sup> According to a 1942 newspaper article, A. Raffleclock, a child, was buried there in 1928, see "A Jewish Cemetery," Lawrence Daily Journal-World 9 April 1943, 3. That grave was unmarked in 1987 when the cemetery was recorded by the Douglas County Genealogical Society.

<sup>28</sup> Katzman, "The Early Lawrence Community," Presentation, Lawrence Jewish Community Congregation (25 February 2012), 3.

<sup>29</sup> Katzman, "The Early Lawrence Community," 1-2.

<sup>30</sup> "Collect History of Burial Places," Lawrence Daily Journal-World 2 November 1937, 7.

<sup>31</sup> Mr. and Mrs. David Passon, "Record of Cemeteries of Douglas County, Kansas, Eudora Township, Benie [sic] Israel Cemetery (Jewish), 1939; Miss Edith Clarke for the Colonial Dames of America, "Benie [sic] Israel Cemetery in Douglas County, Kansas," compiled by Mr. and Mrs. David Passon, Kansas State Historical Society (1944).

<sup>32</sup> Katzman, "The Early Lawrence Community," 5.

<sup>33</sup> Frank J. Adler, "Historian Gives Up-to-date Cemetery Report," Letter to the Editor. Kansas City Jewish Chronicle 8 September 1972, 12A.

assumed ownership. The cemetery was reactivated in 1978. Beni Israel Cemetery was vandalized in June, 1995. Two historic gravestones were broken and another larger stone was knocked over.<sup>34</sup> By 2005 the Lawrence Jewish Community Congregation began fund-raising for the cemetery and implemented a number of physical improvements.<sup>35</sup>

Most often, local history has been told through the stories of those individuals and families who have persisted in the community. In towns like Eudora and Lawrence, the German-speaking Jews who helped build those communities in the nineteenth century tended to move on. Although their identity and experiences have been overlooked, the Beni Israel cemetery is a tangible reminder of that history. Today the Lawrence Jewish community is reclaiming that history and beginning a new chapter. Established in a pastoral landscape of farms and fields, the context of Beni Israel Cemetery is being changed today by suburban development, the location of a new Eudora High School, and commercial development along Highway 10. Listing the cemetery on the National Register will provide public recognition of its historical significance and consideration in future local and state planning.

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<sup>34</sup> Vickie Hull, "Jewish Cemetery Vandalized," Eudora News 21 June 1995.

<sup>35</sup> Mary Erickson, "Jewish Community Revives Burial Place," Lawrence Journal-World 17 June 1979, 3A; Jim Baker, "Preserving the Past: Campaign Raises Funds to Improve Jewish Burial Ground," Lawrence Journal-World 28 May 2005, 1-2E ; Kevin Anderson, "Interest Revives in Eudora's Jewish Cemetery," Lawrence Journal-World 31 May 2010.

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## 9. Major Bibliographical References

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### Books

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**Manuscripts**

Katzman, David. "An Ephemeral Jewish Community: Eudora, Kansas, 1857-1865," presentation, Eudora Historical Society (Spring, 2011).

---- "The Early Lawrence [Jewish] Community," presentation, Lawrence Jewish Community Congregation (February 26, 2012).

---- "Lost From Memory: 19<sup>th</sup>-century Midwestern Small-town Jewish Merchant Communities," unpub. mss in possession author.

---- Research files: Jewish-Americans in Eudora and Lawrence, Kansas.

**Other**

Lawrence Jewish Community, Inc. Notice of service by publication. Case #30543, Division II, Douglas County District Court, 24 November 1976.

Passon, Mr. & Mrs. David. "Record of Cemeteries of Douglas County, Kansas: Benie [sic] Israel Cemetery (Jewish), 1939.

Passon, Rachel. Photographed copy of original deed, Beni Israel Cemetery, dated 19 January 1869, recorded 23 February 1869.

---- Incorporation document, "The Society of Beni Israel of City of Lawrence," 26 October 1868.

Plat of Survey—Cemetery [sic] Beni Israel, Rogers Surveying, Perry, KS

Shanberg, Neil. "Overall Cemetery Plan." Lawrence Jewish Community.

**Previous documentation on file (NPS):**

preliminary determination of individual listing (36 CFR 67 has been Requested)  
 previously listed in the National Register  
 previously determined eligible by the National Register  
 designated a National Historic Landmark  
 recorded by Historic American Buildings Survey # \_\_\_\_\_  
 recorded by Historic American Engineering Record # \_\_\_\_\_

**Primary location of additional data:**

State Historic Preservation Office  
 Other State agency  
 Federal agency  
 Local government  
 University  
 Other

Name of repository: **Kansas Historical Society**

Historic Resources Survey Number (if assigned):   N/A  

**10. Geographical Data**

**Acreeage of Property**   0.25 acre  

(Do not include previously listed resource acreage)

**UTM References (NAD 27)**

(Place additional UTM references on a continuation sheet)

1   15     4310920     316700    
Zone Easting Northing

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Zone Easting Northing

2                                   
Zone Easting Northing

4                                   
Zone Easting Northing

**Verbal Boundary Description** (describe the boundaries of the property)

The nominated property consists of an area of approximately ¼ acre located in the southeast corner of the present two-acre tract at the southeast corner of Section 7, Township 13, Range 21, in Eudora Township, Douglas County. This area is identified as section 1 in the Overall Cemetery Plan. The whole property is described as two acres beginning at the southeast corner of said section then north 18 rods to stake, then west 18 rods to stake, then south 18 rods to stake, then east 18 rods to point of beginning.

**Boundary Justification** (explain why the boundaries were selected)

The nominated property includes the historic burial ground located in the corner of a cemetery tract described as the property of the Beni Israel Corporation on October 28, 1868 when the corporation organized for religious purposes. Since only the southeast corner of the tract was used for burials during the period of significance, the nominated property is limited to this area although the entire tract has historical associations with the Jewish community in Douglas County.

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**11. Form Prepared By**

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name/title Dale E. Nimz, Historic Preservation Consultant  
organization For the Lawrence Preservation Alliance Date August 20, 2012  
street & number P. O. Box 1046 telephone 785-856-1299  
city or town Lawrence KS zip code 66044  
e-mail [dnimz@sunflower.com](mailto:dnimz@sunflower.com)

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**Additional Documentation**

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Submit the following items with the completed form:

- **Maps:** A **USGS map** (7.5 or 15 minute series) indicating the property's location.  
A **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.
- **Continuation Sheets**
- **Additional items:** (Historic images, maps, etc.)

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**Photographs:**

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Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map.

Name of Property: Beni Israel Cemetery  
City or Vicinity: Eudora vicinity  
County/State: Douglas County, Kansas  
Photographer: Dale Nimz  
Date of Photos: May 9 and August 17, 2012

Description of Photograph(s) and number:

- 1 of 11. Beni Israel Cemetery, view from east, 5/09/12
- 2 of 11. Beni Israel Cemetery, plaque on fence, view from east, 5/09/12
- 3 of 11. Beni Israel Cemetery, intersection, view from southeast, 5/09/12
- 4 of 11. Beni Israel Cemetery, gravestones, southeast section, view from south, 5/09/12
- 5 of 11. Beni Israel Cemetery, gravestones, view from east, 5/09/12

Beni Israel Cemetery  
Name of Property

Douglas County, KS  
County and State

- 6 of 11. Beni Israel Cemetery, Asher Conn gravestone, view from east northeast, 5/09/12
- 7 of 11. Beni Israel Cemetery, southwest section of cemetery, view from northeast, 5/09/12
- 8 of 11. Beni Israel Cemetery, southeast section of cemetery, view from northeast, 8/17/12
- 9 of 11. Beni Israel Cemetery, Gravestone, view from northeast, 8/17/12
- 10 of 11 Beni Israel Cemetery, driveway, center section of cemetery, view from south, 8/17/12
- 11 of 11 Beni Israel Cemetery, driveway, view from east northeast, 8/17/12

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**Property Owner:**

(complete this item at the request of the SHPO or FPO)

---

name Lawrence Jewish Community Congregation  
street & number 917 Highland telephone 785-841-7636  
city or town Lawrence state KS zip code 66044

**Paperwork Reduction Act Statement:** This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C.460 et seq.).

**Estimated Burden Statement:** Public reporting burden for this form is estimated to average 18 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.

Figure 1: Overall Cemetery Plan

