



# Jacob L. Morewitz, Eleanor Roosevelt, and the Steamship *Quanza*

by Frank Overton Brown Jr.

In May and June of 1940, more than three hundred thousand British and French soldiers had been evacuated to England from the European continent at Dunkirk, barely escaping in a motley flotilla of watercraft. By this time, Germany had invaded Austria, Belgium, Czechoslovakia, France, Holland, Luxembourg, and Poland. Europe was awash with refugees. Officially, Portugal was a neutral noncombatant.

In 1940, Jacob L. Morewitz was a forty-four-year-old successful, highly respected admiralty lawyer, who practiced in the firm of Morewitz and Morewitz in Newport News. He had graduated in 1916 from Richmond College (now the University of Richmond), which at that time had a law department, in which a professorship of law had been endowed in 1890 by the family of the late T.C. Williams Sr.

Morewitz had passed the bar in his junior year of college. He practiced law with his wife, Sallie Rome Morewitz. Eleanor Roosevelt, a significant public figure in her own right, was the fifty-five-year-old wife of Franklin Delano Roosevelt, who was in the last two months of his reelection bid for an unprecedented third term as president of the United States, which in 1940 had a decidedly isolationist point of view regarding the war in Europe. The SS

*Quanza* was an eleven-year-old, 6,636-ton, coal-fired ship that measured 418 by 53 feet, with twin screws. She usually sailed from Lisbon, Portugal, to ports in South Africa. The trans-Atlantic voyage was unusual for her.

Three hundred seventeen refugees—most of them Jewish—had chartered the *Quanza* to transport them from Lisbon, Portugal, to New York and Vera Cruz, Mexico. All had obtained what they believed to be the proper documentation for their entry or transit.

In her autobiography, *Beyond the Chestnut Trees*, Maria Bauer, one of the *Quanza's* passengers, who was traveling to New York with her parents and her new husband, described the ship's departure from Lisbon to New York. It sailed on a sunny morning, August 8, 1940. It was hurricane season in the Atlantic, and for many of the passengers on the *Quanza*, there were stormy seas ahead.

Passengers recalled a diet of sardines and days of constant seasickness. Accommodations were stifling and spare. But there was relief in escaping from war-torn Europe and hope for new lives in freedom. One of the passengers, Malvina Schamroth—an eleven-year-old girl traveling to New York with her mother, her sister, and her aunt—described sleeping

on the deck at night to escape the oppressive conditions below. They were to meet her father, who had gone on ahead, in New York.

Amid great fanfare, the *Quanza* arrived in New York on August 19. There were excited family members and friends there to greet the ship, and great interest by news organizations. There were celebrities on board the ship who received a lot of press attention. In all, on August 20, 1940, just under two hundred passengers were permitted to disembark in New York, including Maria Bauer and her family. But Malvina Schamroth, her mother, her sister, and her aunt were not permitted to leave the ship, although Mr. Schamroth was permitted to come onto the ship once to bring food and clothing to them.

The *Quanza* left New York on August 21, bound for Vera Cruz with one hundred twenty one passengers, all of whom hoped to disembark there. Before departure, kindly crew members rigged a chair and pulley system to lower Malvina's three-year-old sister down to where she could be kissed goodbye by her father. Malvina recalls today how her little sister cried.

As the *Quanza* made its way down the East Coast in transit to Vera Cruz, there was a flurry of activity on the part of private citizens and refugee advocates and organizations requesting that the Mexican government admit the remaining one hundred twenty one passengers to Mexico.

When the ship reached Vera Cruz, the Mexican government admitted thirty-five of the refugees, but denied entry to eighty-six, because it found that their visas, which had been issued by the Mexican consul in

A detailed model of the SS *Quanza*, which features miniature lifeboats, light fixtures, coils of rope on the deck, and anchors, is part of the collection at the University of Richmond's William Taylor Muse Law Library. The model was built by Martin Meyer of Chicago, Illinois, and given to the library in July 2006, where it is on display along with an explanation of the steamship's significance in legal and political history. Special thanks to Timothy L. Coggins, associate dean for library and information services and professor of law, for granting the photographer access to the *Quanza* model.

Lisbon, were not in order. Rabbi Stephen S. Wise, president of the American Jewish Congress in New York and a member of President Roosevelt's Advisory Committee on Political Refugees, met with Secretary of State Cordell Hull and Assistant Secretary of State Breckenridge Long and contacted his friend, Josephus Daniels, U.S. Ambassador to Mexico to seek help for the *Quanza* refugees.

Ambassador Daniels, who was sympathetic to the plight of the refugees, wrote to Rabbi Wise on September 6: "I took matter up with authorities but could do nothing. They are adamant. Ship with passengers has gone to Nicaragua where it is reported but not officially that passengers will be received."

On the same date, Hull sent a telegram to the American Legation in Managua, Nicaragua, informing that the *Quanza* was en route to a Nicaraguan port with eighty-one or eighty-two Jewish refugees who had been denied admission to Mexico. Hull concluded his telegram with the request: "Please telegraph tonight if possible a report on the facts in the case in order that the Department may inform Rabbi Wise who has inquired regarding the matter." In fact, the *Quanza* was not en route to Nicaragua, but was en route to Norfolk, Virginia, to take on coal before heading back to Europe.

The *Quanza* arrived at Norfolk on Wednesday, September 11, to take on coal, which would take about eleven hours, and then would be on her way. A meeting between Jacob L. Morewitz, Esquire, and the SS *Quanza* was about to take place.

The Richmond College yearbook of 1916 said of Jacob L. Morewitz: "Keen of brain he is always ready to get into an argument on some mooted question of law. He is never bluffed by a Prof. and sometimes in his arguments with them he comes out on top. He is possessed of a nineteen-carat brain and that invaluable ability to sit

down and stick to it. Passed the State bar at the end of his Junior year and before long we expect to hear of him winning some cases in Newport News. He can talk on any subject, and with a fluency of speech and earnestness of manner that those who listen believe he really does know something of what he says."

These qualities are evident as one reads the court reporter's transcripts in the case.

### **"If I do not stop to help this man, what will happen to him?"**

In the language of admiralty law, Morewitz, who had been contacted by a New York business associate of one of the families on board, filed on behalf of four of the *Quanza's* passengers, a libel against the ship itself in the U.S. District Court in Norfolk.

A libel is somewhat analogous in admiralty to a motion for judgment in a civil action. In this case, it had the effect of attaching the ship, and it prevented the ship from leaving the jurisdiction unless a bond set by the presiding judge was posted. The basis of the claim was that there had been a breach of contract in that the four passengers had not been delivered to Vera Cruz in accordance with their contract. The amount of the suit was one hundred thousand dollars. U.S. District Judge Luther B. Way set the bond at five thousand dollars, for which the ship's agent had to wire to Lisbon to obtain approval.

According to historian Doris Kearns Goodwin in her book *No Ordinary Time — Franklin and Eleanor Roosevelt: The Home Front in World War II*, Eleanor Roosevelt was at the presidential retreat at Hyde Park, New York, when she learned of the refugee situation with the *Quanza*. She used her considerable powers of persuasion with her husband to convince him to intervene.

In 1938, Pres. Roosevelt had established the President's Advisory Committee on

Political Refugees, and James Grover McDonald was its chair. Roosevelt authorized Solicitor General Francis Biddle, Assistant U.S. Attorney Henry M. Hart Jr., and Edward Prichard Jr., special assistant to the U.S. Attorney General, to evaluate the legal status of the *Quanza* and its passengers. They opined that, in accordance with executive orders issued in June 1940, the passengers had the right to apply for visas in the usual way. Roosevelt then authorized Long to develop a plan in consultation with James Grover McDonald of the advisory committee and Marshall Field III of the U.S. Committee for the Care of European Children (of which Eleanor Roosevelt was honorary head).

The plan, which was summarized in a memorandum dated September 12, 1940, from Lemuel B. Schofield, special assistant to the attorney general, to Irving Wixon, deputy commissioner of the Bureau of Immigration and Naturalization, stated: "The Honorable Breckinridge Long, Assistant Secretary of State, has today informed the Department of Justice (Mr. Prichard) that the State Department will waive visas for aliens aboard the SS 'Quanza' in the following cases: 1. Children; 2. Aliens holding valid visas for other countries than the United States; 3. Bona fide political refugees whom the President's Advisory Committee on Political Refugees will certify for admission. (This certification can be by telephone, to be confirmed by telegram.)"

The plan required that a representative of the advisory committee go to Norfolk for purposes of the certifications regarding political refugees. George L. Warren, executive director of the committee, designated staff member Patrick Murphy Malin as the committee's representative. In addition, Malin was asked by the U.S. Committee for the Care of European Children to act as its representative at Norfolk.

In his after-action memorandum to Warren dated September 27, Malin reported on the process by which the Board of Special

Inquiry had conducted the examinations of the passengers on board the *Quanza* September 12–14. At the conclusion of each examination, the Board of Special Inquiry reported to Malin the name of the passenger, the country issuing his or her passport, and the details of the visa. Malin then telephoned this information to Elliott B. Coulter, acting chief of the Visa Division of the Department of State, at his office in Washington, D.C., for Coulter's inquiry to the appropriate embassy or consulate regarding the "confirmability" of the visas.

Malin reported:

In one way or another—by Mr. Long's original memorandum, Mr. Coulter's telephone conversation with me in Washington, or Mr. Coulter's reports over the phone to me at Norfolk—the visas of thirty-five persons were confirmed.

It does not follow that the remaining forty-six persons held invalid visas, but simply that as of the time when the examinations were occurring aboard the QUANZA [sic] those other visas could not be confirmed. Of the remaining forty-six persons, five were named by me as coming properly under the procedure of the U.S. Committee for the Care of European Children, which had also asked me to represent it in Norfolk.

The remaining forty-one persons were all, much to my surprise, found by the examination under oath before the immigration inspectors to come within the President's Advisory Committee procedure, according to the terms of its administration included in the original exchange of letters between the Committee and the Department of State and Justice and the circular instructions concerning the procedure issued by the Department of State to American diplomatic and consular offices abroad.

On receiving this information from the immigration inspectors concerning the forty-one persons not admissible as the holders of confirmed visas or as persons covered by the United States Committee for the Care of European Children, I formally certified them for the President's Advisory Committee on Political Refugees, and the immigration inspectors granted them admission also.

Malin reported that of the total of eighty-one passengers admitted on September 14, 1940, "Of the 35 persons admitted as holders of confirmed visas, 18 were men over 18, 1 was an unattached woman, 4 were children under sixteen, 2 were children 16 and 17, and 10 were wives, daughters, etc. Of the 5 persons admitted under the United States Committee for the Care of European Children, 3 were children under 16 and 2 were mothers. Of the 41 persons admitted under the President's Advisory Committee Procedure, 20 were men over 18, 3 were unattached women, 3 were children under 16, 2 were children 16 and 17, and 13 were wives, daughters, etc. Of the total of 81 passengers admitted, therefore, 38 were men over 18, 4 were unattached women, 10 were children under 16, 4 were children 16 and 17, and 25 were wives, daughters, etc."

On February 5, 2008, I spoke by telephone with the former Malvina Schamroth, who is now seventy-nine years old and lives in New York. She recalled disembarking from the *Quanza* on September 14, 1940: "It was around midnight when my mother,

my aunt, my sister, and I got off the ship. We were the last ones. I remember that my first impulse was to kiss the ground, but I didn't do it. I'm not sure why I didn't kiss the ground, but when I think about it, I still get goose bumps. I still feel that feeling today."

Eleanor Roosevelt died in 1962. The SS *Quanza* was scrapped in 1968. Jacob L. Morewitz died in 1983.

Memory is vital in learning the values taught by the conduct of those who have gone before us, because their examples enable us to set our own courses in life—courses that affect the lives of many people.

One of the aspects of taking any action is that the results of the action are realized prospectively and evaluated in retrospect. So we remember the family of T.C. Williams Sr., who, in 1890, endowed the professorship of law at Richmond College that provided Jacob L. Morewitz with the opportunity for the legal education that honed his considerable intellectual gifts. And we remember Jacob L. Morewitz, who used his experience, legal skills, creativity, and concern for others through the law of admiralty in the U.S. District Court for the Eastern District of Virginia—Norfolk Division to hold the *Quanza* in Norfolk long enough to enable the refugees to be given the chance to receive visas and to be admitted to this country.

*Quanza* continued on page 35



Olan Mills

**Frank Overton Brown Jr.**'s private Richmond practice concentrates on estate and trust planning, estate and trust administration, and related tax matters. He is the editor of the Virginia State Bar *Senior Lawyer News*, past chair of the VSB Senior Lawyers Conference, and a former member of the VSB Council. Brown is a fellow of the American College of Trust and Estate Counsel and the Virginia Law Foundation, a charter member of the University of Richmond Estate Planning Advisory Council, and cofounder of the University of Richmond Estate Planning Seminar. He authored the *Virginia Probate Handbook* and holds bachelor's, master's, and juris doctor degrees from the University of Richmond.

It is in this retrospect that we remember Eleanor Roosevelt, who used her conscience, tenacity, and influence to encourage her husband to cause the machinery of government bureaucracy to examine the plight of the *Quanza* refugees and to save them from being returned to Europe and a possible grim fate. The Williams family, Jacob L. Morewitz, Eleanor Roosevelt, and many others in this story certainly loved their neighbors.

It is a life-altering experience to have saved the life of one person; how much more rewarding an experience it is to have given the chance of new lives to more than eighty people. ♪

#### References

- Bauer, Maria. *Beyond the Chestnut Trees*. New York: 1984.
- Buckley, Cara. "Fleeing Hitler and Meeting A Reluctant Miss Liberty." *New York Times* 8 Jul. 2007.
- Crews, Edward R. "Sanctuary: Admiralty Lawyer J.L. Morewitz, L'16, Helped Save Refugees from Nazism." *Richmond Law: Summer 1997*.
- "Empreza Nacional de Navegacao." <http://www.theshipslst.com/ships/lines/POenn.htm>.
- Goodwin, Doris Kearns. *No Ordinary Time—Franklin and Eleanor Roosevelt: The Home Front in World War II*. New York: 1994.
- "Hurricane of Legal Action Stops Sailing of Ship with 83 Refugees as Passengers." *Newport News Daily Press* 12 Sep. 1940 (reproduced at the Virginia Historical Society).
- "Refugees Take Legal Action to Stay Here." *Richmond Times Dispatch* 12 Sep. 1940 (reproduced at the Virginia Historical Society).
- Morewitz, Stephen J. and Lieberman, Susan B.. "The Saving of the S.S. *Quanza* in Hampton Roads, Virginia, on September 14, 1940: A Prelude to the Nazi Holocaust" (reproduced at the Virginia Historical Society).

Morewitz, Stephen J. "The Saving Of The S.S. *Quanza*." *William and Mary Magazine: Summer 1991*.

Petropolous, Jonathan. "Co-Opting Nazi Germany: Neutrality in Europe During World War II." *Dimensions*, Vol. 14, No. 1, A Journal of Holocaust Studies.

*Spider, The: Yearbook of Richmond College*, Volume 14 —1916.

"Saving of the *Quanza* Refugees: A Prelude to the Holocaust." Austin Owen Symposium And Lecture, April 12, 1999 (7th: 1999), University of Richmond Law School Special Collection Videotape.

"S.S. *Quanza* Exhibit File." Virginia Historical Society Archives, Richmond, Virginia.

#### Thanks

The author thanks the following persons who were of help to him in his research: Dr. Stephen J. Morewitz; Dean Kristine M. Henderson, Gail Zwirner, and Carl Hamm of the University of Richmond Law School; John M. McClure of the Virginia Historical Society; and Tim Hensley of the Virginia Holocaust Museum.

**Visit the Senior Lawyers Conference website at**  
**<http://www.vsb.org/slc>**