

## Friedman, Joe and Kate (nee Bergman)

### And son David Friedman (left below)

#### *Father and son became Judges*



David Friedman writes: Dear Geraldine

I have been reading all of your writings about Kimberley and its various families with a great deal of interest. Funny although we started living in Durban from about 1943 and soon after that, my parents Kate and Joe Friedman had decided to make Durban our permanent home after the war in 1945, I always regarded Kimberley as my real hometown.

I was born at our then home in Kimberley – 10 Ellesmere Road – in October 1935, exactly one year prior to your brother Theodore. And of course, your father, Uncle Noel (Kretzmar) delivered me into the world.

Both of my parents **Kate Bergman** and **Joe Friedman**, were born and raised in Kimberley and all four of my grandparents died there and are buried there but that is another story of which I know less than I would have liked.

### **My Grandparents: Bergman Family from Kandau, Courland, Latvia**

**The Bergmans** were from **Kandau in Courland** – the southern strip of Latvia that formerly belonged to German Barons. By the 1880s it was under the Russian Empire, and Jewish families were keen to remove their sons before they were forced into the Russian Army – and try to find somewhere to live with better economic prospects.

So our great grandfather Osser Yitzhak, took his two teenaged sons Jacob, born 1873 and David b 1875 to Southern Africa in 1889. They seemed to have gone to what became Rhodesia for a couple of years and then settled as storekeepers in the little hamlet of Schmidtsdrift – on the Vaal river on the way from Kimberley to Campbell. He married Dika Levin from Malmo in Sweden. They had two daughters: My mother Kate, or really '**Kettie**' – a Swedish name and my Aunt **Siri**. They were first cousins of your mother **Beryl** and her three sisters **Hilda** (Hendler) **Hannah** (Frank) and **Eileen** (Sandler) – daughters of David's slightly older brother, **Jacob Bergman** and his wife **Amalie Friedlander** from Libau in Latvia. They were all **Bergman** girls'



In this this wonderful family picture, taken in Kandau, my grandparents **Dika and David Bergman** (Standing at the back in the centre) were paying a visit to their family in Latvia in about 1912 or 13. The little girl between David's parents, the patriarch **Osser Yitzhak Bergman** and his wife **Gita**, is my mother **Kate (Kettie)**. Five of David's other siblings are in the picture: **Esther (nee) Bergman** and her husband **Leib Zaidin** are both standing at the right.

We think the others are the other daughters, **Beila, Bassia** and **Ettl** (possibly extreme right, seated). The other man seated on the left may be the son, **Ellis** who remained in Kandau to mind the shop. We can't identify the other child. (**Jacob** is missing from this picture as he and family were presumably still in Schmidtsdrift – near Kimberley)

We know that our great grandfather Osser Yitzhak, took his two teenaged sons to Southern Africa in 1889. We know from the naturalisation document hereunder, sent by my brother Raymond Friedman who now lives in Woodbridge Ontario, that David Bergman was **naturalised in November 1902** at the age of 28 and that he had been in the Colony for 11 years. (the two missing years had possibly been spent we believe further North).

'COPY

**CAPE OP GOOD HOPE.**      **No. C.B. (c.g.o.-- 62**

**LETTERS op NATURALIZATION UNDER ACTS No. 2 OP 1883 AND No. 35 of 1889.**

BY      EXCELLENCY

The Honourable Sir Walter Francis Hely-Hutchinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander—in—chief of HIS Majesty's Colony of the Cape of Good Hope, and of the Territories and Dependences thereof, &c. , &e. , ,

**WHEREAS**      **DAVID BERGMANN**

**is** Native **CANDOW, KÜRLAND**, in RUSSIA.

and now residing in **SCHMIDT'S DRIFT, NEAR KIMBERLEY**, in THE COLONY OF THE CAPE OF GOOD HOPE,

Has addressed to the Colonial Secretary of the said Colony an application dated the: 27th. day of OCTOBER, 1902, getting forth that his present age **is 28** years, that he is a **GENERAL STORE-KEEPER** by occupation, that he has resided in the said Colony for Eleven years. and praying for Letters of Naturalization in terms of the Acts No. 2 of 1883 and No. 35 of 1889.

And whereas proof has been furnished to the satisfaction of the Coronial Secretary as to the fitness of such applicant for the grant to him of Letters Of Naturalization.

And whereas the said DAVID BERGMANN has made and subscribed a Declaration of Allegiance to His Majesty the King, In the manner provided by the Sixth Section of Act No. 2. of 1883:

NOW, therefore, these presents, being Letters of Naturalization issued under the said Act, are to certify to all whom it may concern, that the said

DAVID BERGMANN

shall henceforth to all intents and purposes whatsoever, be deemed, taken, and esteemed to be entitled to all political and other rights, powers, and privileges, and be subject to all obligations to which a natural—born British subject is entitled or subject in this Colony.

Given under my hand and the public Seal of the Colony of the Cape of Good Hope, this 26th. day **in the** November in the year of our Lord One Thousand Nine Hundred and Two.



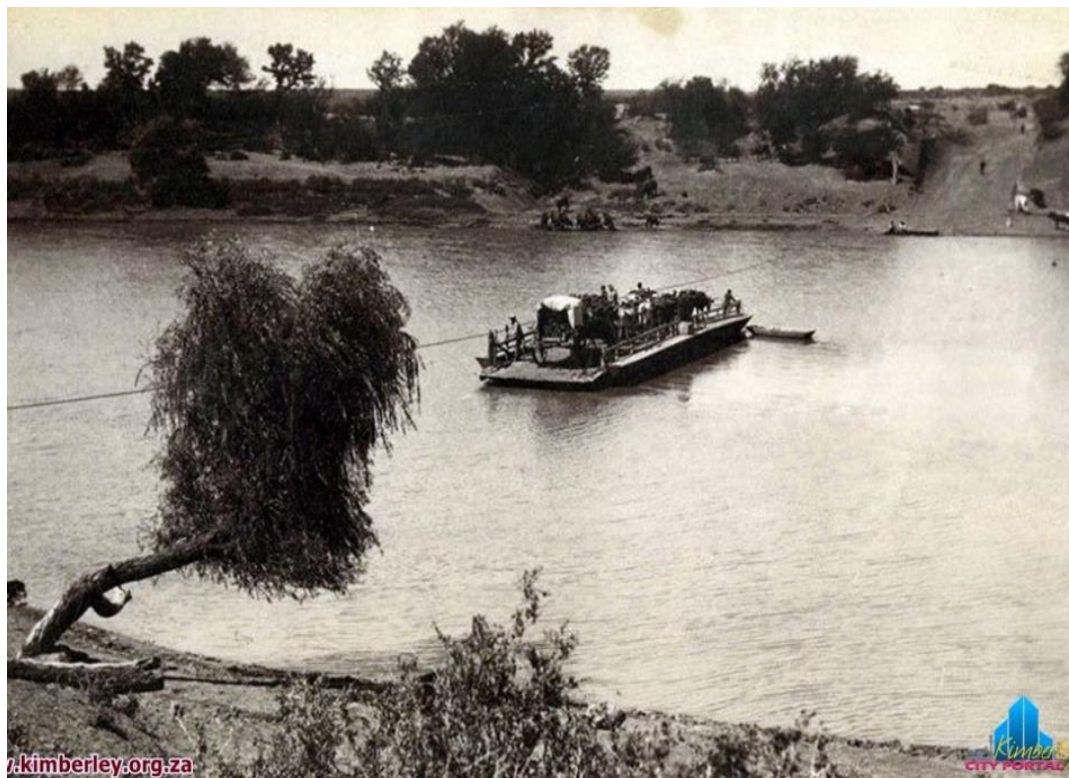
Signed:      **WALTER HELY-HUTCHINSON.**  
Governor

By Command of His Excellency the Governor in Council



## Schmidtsdrift

Schmidtsdrift was on the Vaal river on a major route from Kimberley to Campbell and Griquatown. So they also operated the only crossing which was on a 'pont' – a platform pulled across the river on chains (similar to that pictured below). Jacob also bought a farm in the area which he called 'Bergman's Hope'. In Schmidtsdrift, the Bergman boys, not even out of their teens, were able to establish a trading store and a hotel with an off-licence which became a hub of camaraderie for commercial travellers, prospectors and farmers from far and wide.



Jacob, and possibly David too, became specialists in alluvial diamonds (which, as Geraldine found out recently, were to be found along the river in Schmidtsdrift. I wonder if they knew?) They became respected aluvial diamond

buyers and exporters of diamonds They had family connections and business partners in Amsterdam and Antwerp whom they would visit regularly.

(You can read more about Kimberley's hinterland in Dan Jacobson's book, 'The Electronic Elephant' where Dan wonderfully describes his travels on the road from Kimberley to all these places and reveals their history).

You can read the story of Jacob and Amalie Bergman and their four daughters that Geraldine wrote, here [Bergman, Jacob and Amalie \(nee Friedlander\)](#)

## David succumbs to the 1918 flu epidemic

Very sadly, my grandfather **David Bergman** was caught up in the in 1918 pandemic of the Spanish flu, and on 20 October 1918, he died at the age of just 44. He was buried in Kimberley, the funeral conducted by the long serving and much loved Reverend Harris Isaacs. These funeral cards below seem to have been printed in Germany?





Dika thereafter went back to Sweden with their daughters.



## My Father: Joseph J Friedman

My Dad, Joe was a bright child, but his parents could not afford to send him to University and needed themselves to be supported. Joe won a crossword competition in the Cape Times and a wealthy uncle of his, by name of **Abraham Nurick** who lived in **Upington** was so impressed that he offered to supplement the scholarships he had been able to get and also to pay for his parents upkeep while Joe was studying. (See the story of the Jewish Community in Upington [Upington](#))





Just for some context – Abraham Nurick was married to Sally Goldberger whose one sister **Dora Goldberger** had married my grandfather Friedman and whose other sister Julie had married **Adolph Friedlander** the brother of Jacob's wife Amalie. So, we were all somewhat related.

These three Goldberger sisters were the daughters of Benjamin Goldberger after whom no doubt Bennie Friedlander was named. Incidentally they were also either the nieces or cousins of one **Joseph Goldberger**, a very famous research doctor in America who is credited with finding the cure for Pellagra and has been the subject of many books.

But to revert to the Joe Friedman narrative: Because of his lack of means Joe was, by reason of being granted a special exemption, allowed to do his LLB without an undergraduate degree, supposedly the last person in SA to be granted this favour. He qualified in four years instead of the usual five and had to wait from December to February until he had turned 21 to be admitted to the bar.

After he qualified, **Abraham Nurick** presented him with a detailed bill of what he had spent on my dad and my grandparents less an allowance for the vacations my dad had spent working at his store in Upington. Joe then set up shop as an advocate in Kimberley from 1928 until he signed up for the army in 1940.

**Joe married Kate Bergman in Kimberley on 11 December 1932.**

In the pages we have reproduced at the end, from the wedding register, we see that the long serving Secretary of the Kimberley Synagogue at that time was Sam Levine, And the witnesses were **William Sagar** (who was the President of the Griqualand West Hebrew Congregation for 25 or more years) and **Jack Frank** (an attorney in Kimberley who married your aunt Hannah Bergman).

I (David Friedman) was born in October 1935 in Kimberley.

In the picture below, I am, still in Kimberley in 1938 with my Bergman cousins.



I am on the left nearly three, Herbert Hendler (centre) aged two, son of Jacob's elder daughter Hilda Bergman and Nate Hendler, and Theodore Kretzmar, nearly two (son of Jacob's second daughter Beryl and Noel Kretzmar). We



are probably at Alexandersfontein with a peacock and the lake in the background. I loved visiting Kimberley regularly after we settled in Durban until our mutual cousin Herbert sold the Hendler Farm, Bergman's Hope and moved to Johannesburg

(Read Geraldine's story of Alexandersfontein – Kimberley's fashionable resort, [Alexandersfontein](#))

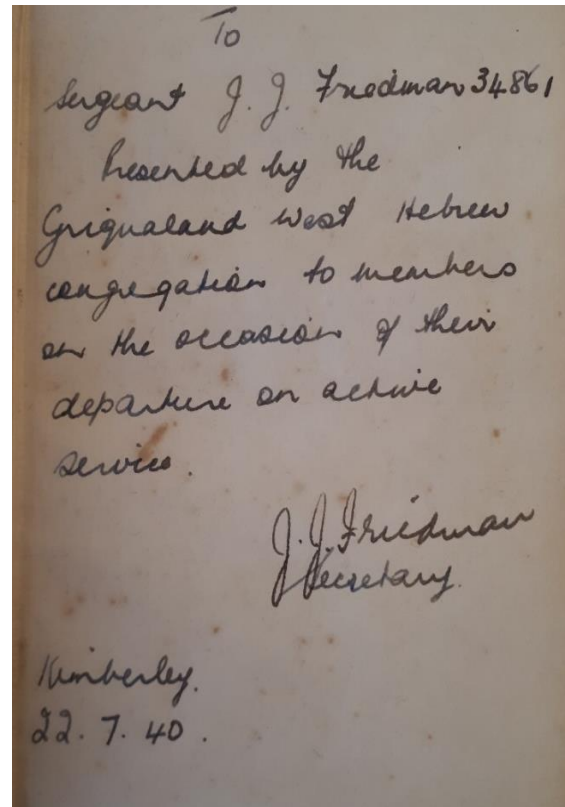
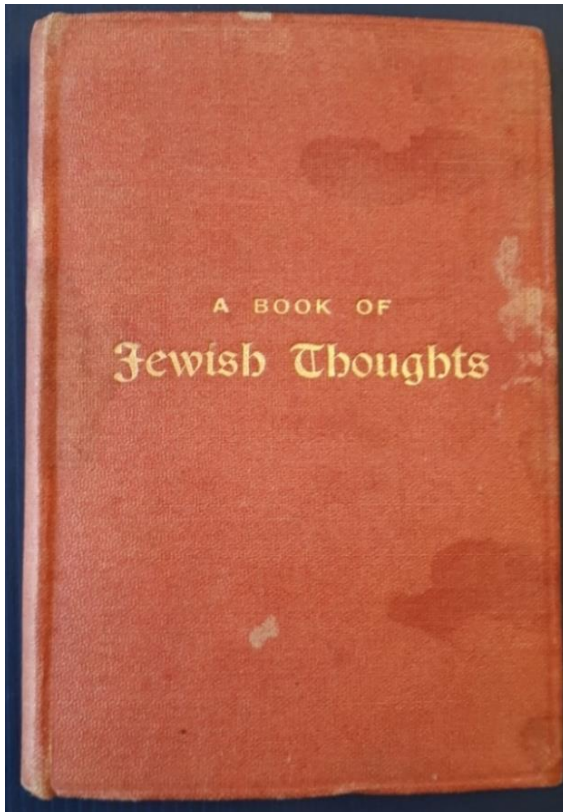
## Joe Friedman and World War Two

David writes: Notwithstanding the financial sacrifices involved, Joe enlisted with the **Kimberley Regiment** the day after South Africa joined the war. I believe that **Jack Frank** did so on the same day and with him.

Many professional people who enlisted later achieved an officer rank almost immediately but Joe because of his early start enjoyed no such advantage. He started as a Private, and actually went through every army rank with the exception of Sergeant Major and on his eventual discharge had achieved the rank of Major.

The congregation gave all those going on active service a book of 'Jewish Thoughts'. Joe was Secretary of the Congregation. He has inscribed one of these Jewish Thoughts booklets to himself as Sergeant, when he signed up in July 1940.





He was originally posted to Roberts Heights – now Voortrekker Hoogte near Pretoria – and we went to live in Johannesburg. After about nine months Joe was called up for active duty – to go ‘up North’ as it was termed – but failed his final medical because of hypertension.

He was then transferred to what was called the Indian Malay Corps at what I think was called Tempe outside Bloemfontein. We then moved to that Free State City, where we lived for about 18 months during the course of which Joe took a so called ‘officers’ course’ and then became an officer.

After we had been there for about 18 months, Joe was again called up for active duty in what would have been North Africa. At that point, my mother Kate and I returned to Kimberley for a short while. However, he again failed his final medical because of hypertension. Then the army decided to transfer Joe to Durban where he became and had the position of Judge Advocate for Natal – which meant that he would then preside over all Courts Martial in Natal - and it carried with it the rank of Major.

Kate and I then joined him in Durban. When he was discharged in 1945, I was all set to return to Kimberley, but to my dismay at the time Joe decided that once he had to start practice again he would take his chances in the big city and not return to Kimberley. So, forthwith, Durban became our home and my brother Raymond was born in Durban later that year.

Joe eventually paid off Abraham Nurick with funds he got from the government upon his discharge from the army. I mention this story to indicate that when war broke out my Dad had just succeeded in establishing himself as a successful advocate in Kimberley and therefore his joining up undoubtedly involved a tremendous sacrifice.



As a postscript, Joe had the remarkable achievement of starting from scratch as an unknown advocate in Durban upon his discharge from the army and by 1949 had achieved sufficient success in Durban to then be appointed a KC as it then a QC and then a Judge.

## Judges Father and Son



This is quoted from a journal that featured an article on fathers and sons on the Bench: October 1994

### **The Friedmans: Joseph, kind to juniors**

Mr Justice Joseph Jacob Friedman was born in Kimberley in 1905. He attended Christian Brothers College in Kimberley and then the University of Cape Town where he gained the LLB degree at the end of 1928. In 1929, he joined the Kimberley Bar where he practised until 1940. He left Kimberley with the **Kimberley Regiment** in 1940, later being transferred to Durban as Judge Advocate for Natal in 1943. He left the army as a major, in 1946, and immediately began to practise in Durban. He took Silk in 1949. It is said of him that, as an advocate, he was not easily satisfied that all stones had been turned, so that he was long in research, that his library, maintained by his

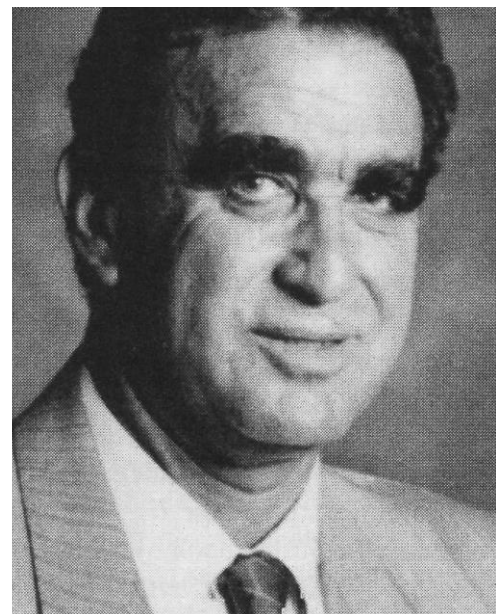
spinster sister, was always fully annotated, that he had sound judgement and that he was kind to junior members of the Bar. From 1951 to 1953 he was President of the Council of the Natal Jewry and Vice President of the South African Jewish Board of Deputies. He was the Chairman of the Society of Advocates of Natal in 1963 and 1964. He acted as a Judge on the Natal Bench in 1956, 1959 and 1963. He was appointed permanently to the Bench in 1964. On the bench, possibly because of his extensive earlier researches, he was quick and to the point, but also a good listener who was courteous. He retired in 1974.

### **David: almost always right**

The younger Friedman, Mr Justice David Bertil Friedman was born in Kimberley in 1935.

Moving to Durban with his family, he attended Durban High School, where he was in the debating team, and then Cape Town and Natal Universities. He qualified in 1957 and, in 1958, went to the Bar, taking Silk in 1971.

As Counsel, he was generally recognised to have been almost always right. He is said not to have been a Counsel who wasted his clients' money, in that he was able to judge a proper settlement accurately.



A very large man with a dark complexion, Grecian features and huge black eyebrows, he had a massive bass voice. For this, he was first named "the Golden Greek" and later was known by his colleagues as "Stavros".

**David Friedman** was a very quick worker. He was appointed to the Bench in 1977. One of his colleagues on the Bench, described him as being able to reduce the most complicated problem to a simple question, usually of fact. It may be added that he did this in double quick time. While he could be impatient with Counsel who argued what he thought was the wrong point, his instinct was to assist litigants to resolve their problems. Thus, his Motion Court usually lasted a very short time, the bulk of the orders being granted, any problems raised being substantial and fatal, and he disposed of cases very quickly. One of the questions frequently heard in his Court at the end of a submission was a massive, bass 'So what?', thus demolishing the submission as a non-sequitur. He had a special interest in tax and presided in the Tax Court. In 1988, he resigned from the Natal Bench saying publicly that it was for personal reasons and that he did not wish to elaborate. He now lives in Beverley Hills, in Los Angeles, works for a group which owns properties throughout the world, which group he advises on the acquisition, management and disposal of the properties and tax, being knowledgeable about the taxation systems of a number of countries. His departure from the Natal Bench is reckoned, amongst practitioners, to have been the loss of a valuable member of it.

| GRIQUALAND WEST JEWISH CONGREGATION |                              |                           |     |        |            |
|-------------------------------------|------------------------------|---------------------------|-----|--------|------------|
| No.                                 | When Married                 | Names and Surnames        | Age | Race   | Conditions |
| 261.                                | 11 <sup>th</sup><br>December | Joseph Jacob<br>Friedman. | 24  | Hebrew | Backet     |
|                                     | 1932.                        | Katie Lizzie<br>Bergman.  | 23. | Hebrew | Spinkster  |

Married at the Synagogue. Memorial Road. Kimberley. C.

This Marriage was Solemnized between us Joseph Jacob Friedman  
Katie Lizzie Bergman.

I, the undersigned duly authorized Marriage Officer, do hereby certify that the above  
the Eleventh Day of December, 1932, and  
Dated at Kimberley the 11<sup>th</sup> day of December

Attested by me,  
[Signature] Secretary,  
Griqualand West Jewish Congregation



# THE HEBREW CONGREGATION. MARRIAGE REGISTER.

| Occupation or Calling. | Residence. | After Banns or Licence. | Consent by whom given, or by Judge's Order. |
|------------------------|------------|-------------------------|---|
| Advocate               | Kimberley  | Banns                   | Jafe  |
| —                      | Kimberley  | Banns.                  | Jafe.                                       |

the Province.

In the presence  
of

William Eugene J.P.  
Jack. L. R.

Witnesses.

Marriage was contracted by the parties thereto, according to the Jewish Laws and Ceremonies, on the presence of the persons who have signed their names as Witnesses.

, 1932.



*[Signature]*  
Marriage Officer.

m.