

HISTORICAL SKETCH

OF THE

TWO MELBOURNE SYNAGOGUES :

By MAURICE BRODZKY

TOGETHER WITH

SERMONS PREACHED

BY THE

REV. DR. DÄTTNER JACOBSON

AND THE

REV. MOSES RINTEL.

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PREFACE.

IN presenting to the Jewish public this publication, in which I attempt to give some facts relating to the formation and progress of the two Metropolitan Congregations, I deem it necessary to make a few preliminary remarks to the reader.

The sources from which I have gathered the information relating to the Melbourne Synagogues are, viz.:—"The Voice of Jacob," local newspapers, printed law books, and minute books of the two congregations. These documents, so to speak, form the *Historia scripta* of the Jews of this city. However, fortunately, there also exists a *Historia non scripta*, of which several of the early colonists are the repositories. Their information has been invaluable to me, inasmuch as it has led me to make the most searching inquiries respecting a matter which is of great importance to those who take an interest in the early history of Judaism in this great Southern city.

Some months ago the Committee of the Melbourne Hebrew Congregation had placed in an anteroom of the Synagogue a memorial stone, on which are inscribed the names of the Past Presidents, and the name of Mr. SOLOMON BENJAMIN appears thereon as having had the honor of holding the position of President at the foundation of the Synagogue. That honor is claimed for the late Mr. A. H. HART. I, however (who, as Horace would say, "*historiam scribo*") have so thoroughly investigated the matter that I am satisfied beyond all doubt as to whom that honor is due; and in order to free myself from any charge of partiality, I publish a *fac simile* of the title-page of the first law book, and extracts from other documents, which will be found to fully corroborate any statement I may have made.

Extract from First Minute Book, lately discovered.

“Minutes of proceedings according the adoption at a General Meeting of the Jewish Congregation, held at Mr. A. H. Hart's residence, on Sunday, the 12th September, 1841 :—

“Proposed by Mr. A. H. Hart, and resolved, that the Society for the relief of the poor and infirm Jews be dissolved from the present date.—Carried.

“Proposed by Mr. A. H. Hart, and seconded by Mr. M. Lyons, and finally resolved, that a Society be formed and called the ‘Jewish Congregational Society.’ The following gentlemen were then elected by a majority of voices to act as officers for the ensuing year :—

Mr. M. CASIMORE, President

Mr. S. BENJAMIN, Vice-President.

Mr. M. LAZARUS, }
,, LINCOLN, } Committee,
,, FONSAKER, }
,, H. DAVIS, }

Mr. L. DAVIS, Secretary.

Extract from page 5 of the first Law Book.

“At a General Meeting held on Sunday, the (20th day of ‘Tiveth, 5604, a.m.) 21st day of January, 1844, it was unanimously resolved—That this congregation be designated

קהל קודש שארית ישראל

“The Holy Congregation of a Remnant of Israel.”

Extract of Minutes.

“Sunday, 21st January, 5604, a.m.—1844.

“At a General Meeting held this day, at the residence of Mr. A. H. Hart, the Laws, as prepared by the Committee, were read *seriatim*, and after some verbal amendments, unanimously approved of.”

“Sunday, 28th January, 5604, a.m.—1844.

“At a General Meeting held this day, at the residence of Mr. A. H. Hart, the foregoing Laws, as amended, were read and unanimously confirmed.”

Handwritten note on the left margin: "The following is a list of the names of the members of the Society as recorded in the minutes of the first meeting held on the 12th September 1841." (written vertically)

[FAC SIMILE.]

L A W S

AND

R E G U L A T I O N S

OF THE

קהל קודש שארית ישראל

“HOLY CONGREGATION OF A REMNANT OF ISRAEL.”

MELBOURNE :

ESTABLISHED ANNO MUNDI, 5604.

(1844.)

MELBOURNE :

PRINTED BY W. CLARKE, AT THE PORT PHILLIP HERALD OFFICE.

1844.

[FAC SIMILE.]

OFFICERS AND COMMITTEE.

PRESIDENT :

MR. A. H. HART.

TREASURER :

MR. S. BENJAMIN.

COMMITTEE :

MESSRS. JOHN HART,		MESSRS. EDWARD HART,
J. L. LINCOLN,		JOHN LEVY.

HONORARY SECRETARY :

MR. M. CASHMORE.

It will thus be seen that Mr. A. H. Hart was the first President of the קהל קדוש שארית ישראל Congregation.

MAURICE BRODZKY.

Melbourne Athenæum, September, 1877—5638.

PRESIDENTS AND TREASURERS

OF THE

Melbourne Hebrew Congregation,

FROM ITS FOUNDATION.



YEAR.	PRESIDENT.	TREASURER.
1843-4 ...	A. H. HART	S. BENJAMIN
1844-5 ...	A. H. HART	S. BENJAMIN
1845-6 ...	A. H. HART	S. BENJAMIN
1846-7 ...	S. BENJAMIN	M. BENJAMIN
1847-8 ...	A. H. HART	M. BENJAMIN
1848-9 ...	A. H. HART	M. BENJAMIN
1849-50 ...	A. H. HART	E. ELLIS
1850-1 ...	M. CASHMORE	M. BENJAMIN
1851-2 ...	D. BENJAMIN	S. BENJAMIN
1852-3 ...	D. BENJAMIN	‡S. BENJAMIN E. HART
1853-4, ...	*D. BENJAMIN E. COHEN	M. CASHMORE.
1854-5 ...	*A. H. HART M. CASHMORE	I. HART

* Resigned 2nd April, 1854.

* Resigned 12th Nov., 1854.

‡ Resigned 5th Dec., 1852.

YEAR.	PRESIDENT.	TREASURER.
1855-6 ...	E. COHEN	I. HART
1856-7 ...	E. COHEN	I. HART
1857-8 ...	M. CASHMORE	‡A. E. COHEN J. LEVY.
1858-9 ...	*M. CASHMORE E. ELLIS	J. LEVY
1859-60 ...	E. COHEN	I. LYONS
1860-1 ...	E. COHEN	B. BENJAMIN
1861-2 ...	I. LYONS	E. ISAACS
1862-3 ...	E. ISAACS	H. HORWITZ
1863-4 ...	H. HORWITZ	S. LAZARUS
1864-5 ...	H. HORWITZ	S. LAZARUS
1865-6 ...	S. LAZARUS	S. SOLOMON
1866-7 ...	E. COHEN	J. AARONS
1867-8 ...	E. COHEN	B. BENJAMIN
1868-9 ...	B. BENJAMIN	W. HEYMANSON
1869-70 ...	B. BENJAMIN	‡W. HEYMANSON I. JACOBS
1870-1 ...	B. BENJAMIN	H. P. HARRIS
1871-2 ...	B. BENJAMIN	H. P. HARRIS
1872-3 ...	B. BENJAMIN	S. COHEN
1873-4 ...	S. COHEN	M. MARKS
1874-5 ...	S. COHEN	M. MARKS
1875-6 ...	S. COHEN	L. M. MYERS
1876-7 ...	L. M. MYERS	B. BENJAMIN
1877-8 ...	L. M. MYERS	B. BENJAMIN

* Resigned 3rd May, 1859.

‡ Resigned 16th May, 1858.

‡ Resigned 24th Oct., 1869.

THE JEWS IN THEIR DISPERSIONS.

WHEN a nation loses its independence, one of two consequences must follow: either it is destroyed in the last struggle, or it is amalgamated with its conquerors. The nation may be preserved in its separate members; but in its collective form, its especial purpose, its nationality in fine, it exists no longer. To the existence of the Jewish race no such close was appointed, for the fulfilment of its lofty mission forbade alike its annihilation and its amalgamation with its conquerors. That race was dispersed, retaining in its dispersion its peculiar character. This dispersion was the instrument of its material salvation. Had this numerically insignificant nation remained in Palestine, it could not have retained its integrity amid the irruptions of the barbarians, the conquests of the Mahomedan Arabians, the incursions of Ghengis Khan and of the Saracens and Turcomans. That it had been conquered and dismembered by the tolerant Romans before the outbreak of these wars of devastation and of the Crusades, was a beneficent ordination of the Almighty Ruler of the Universe, and an evidence of His governing providence.

The existence of the Jewish race as a people was not necessary, says Dr. Philipson*. Indeed the accomplishment of their sacred task was far more powerfully aided by their dispersion. Through the absence of all political and municipal vitality in the numerous isolated communities, was this their task more promptly and efficiently performed. The religious idea was, by the dispersion of the Jews, freed from the trammelling influence of political and municipal life, and space and opportunity were secured to its depositaries for their own and its preservation.

* Die Entwicklung der religiösen Idee von Dr. Ludwig Philipson. Magdeburg, 1847.

But for this end, it was also necessary that the Jews should be placed in a position which would prevent their amalgamation with the dominant nation in whose centre they from time to time dwelt. On this point we are anxious to avoid misapprehension. We would, therefore, observe that we here refer exclusively to the times at which nations were specifically ruled by the two new Churches, in part antagonistic to the religious idea, viz., Christianity and Moslemism—then in their most dogmatic stage of development—an era at which the political amalgamation of the Hebrew race would have been inevitably combined with an absorption of the religious idea into the forms of Christianity and Islamism; an age, as will be admitted, wholly different in its character from the present time, and necessitating, consequently, wholly different conditions of existence.

That the Jewish race should assume in their dispersions a distinctive and isolating mental costume and character, which should place them in strong contrast to the dominant Churches, and that their temporal position should be exclusive in its tendency, so as to render them wholly dependent on themselves and their own resources, was a historical necessity. Both conditions were indispensable to the preservation of the Jewish race in its integrity, and both were fulfilled. It may be objected, and with truth, if the material fact be alone considered, that the social position of the Jews, and the oppression and suffering to which they were exposed, were virtually brought about by the peculiarities to which the race so pertinaciously adhered. But if the Jews had not, both from choice and necessity, preserved their individuality, their fusion with the other dominant creeds would have been inevitable; and true it certainly is, that had they forsaken Judaism, they would have had nothing to endure. The service of the *Religious Idea* rendered this immunity impossible. Nor does this afford to the dominant Churches the slightest justification for the tyranny and cruelty exercised by them towards the Hebrew race. The peculiarity of our fellow-man, as long as it does no injury to society, in no way gives us the right to injure him in life, property and honor; nor to beat him to death, either morally or physically. And the preservation of this peculiarity was the only

reproach cast upon the Jews after they had been degraded to the very lowest social position by their oppressors. However, for this condition of things there existed a historical necessity. To the Jewish race it was given to preserve within itself the *Religious Idea*, unscathed by the antagonisms of the dominant Christian and Mahomedan Churches. The only means by which this could be carried out was the adoption of a peculiar external form of *religious life*. So soon as the dominant Churches came to comprehend the antagonisms to their own systems inherent in Judaism, they naturally sought to annihilate Judaism, or to thrust aside and supplant it. The necessary consequences of this animosity were the constant persecutions of the Jews, and their political and municipal expulsion, whether as communities or as individuals.

Another historical feature of the Middle Ages was the feudal system. Its most marked tendency was the subdivision of the State into guilds or companies. Feudalism split up the aggregate of society into many separate bodies, and assigned to each a particular position and constitution, and individual rights and privileges. Instead of erecting the State on the universal basis of equal and general rights; instead of comprehending each and every portion of society as constituting an integral part of the whole social fabric; instead of recognising the people collectively to be one body politic, feudalism divides and subdivides them, according to a certain fixed scheme, from the monarch down to the serf, into classes, guilds, corporations, and arranges them in orders, companies, &c., that stand to each other in the relative positions of inferior and superior.

What post was appointed to the Jew in this feudal state? What rank was he to hold in this scheme? Neither amid the nobles, nor the guilds of the towns, nor the serfdom of the peasant, would it concede a place to the Hebrew. Feudalism compelled the Jew to remain a foreign excrescence, an outcast from them all. By feudalism the Jews were considered to be but appendages of the monarch, who in his gracious clemency tolerated their presence as imperial or royal menials. They paid tribute to the sovereign, were under his immediate protection, which he could grant, or rather sell to them or withhold from them, at his royal pleasure. They were

thus denied all rights, were compelled to dwell in separate quarters of the towns; were forbidden to hold land, and to pursue any trade. But one alternative was allowed, but one dark retreat afforded them, whence their fellow-men shrunk in disgust. Permission was accorded them to wander as hawkers, pedlars, and money-lenders, footsore and weary, from place to place. How true were then the poet's words:—

“The wild dove hath her nest, the fox his cave,
Mankind their country, Israel but the grave.”

So abject was the plight to which the feudal system had reduced the sons of Israel—those who in Palestine had been a free and agricultural people; in Rome, Roman citizens—were now condemned to be hirelings and menials, earning their exiles' bread in the land of their birth by hawking and usury. Princes and emperors pledged their right to the tenure of Jews, sometimes to towns, sometimes to feudal lords of higher or lower degree. For other instances they conceded their claim to the servitude of the Jews for payment; or in compliance with petitions or threats, to certain districts and towns. From this arbitrary and lawless rule to which they were subjected, other and serious evils resulted to the Jews. The callings they were permitted to pursue acted prejudicially on their moral condition. It may with truth be asserted that the highest credit redounds to the Jewish race that under the pressure of circumstances so degrading, they not only were not wholly demoralised, but preserved a freshness of spirit and a strength of character which they mainly derived from the peculiar constitution of their spiritual and religious life. In other instances, again, these pursuits brought them constantly into collision with great and small. The borrower hates the lender; the more deeply he is indebted, the more entirely he is in the power of his creditor, and the more anxious is he to set him aside by physical force particularly in an age when might made right, and when that lender was without arms and without legal defence. Thus the longer the Jews remained in any one locality, the more imminent and certain were their persecution and expulsion; simply because the number of those whose interest it was to effect their removal was greater.

A third and necessary consequence was, that just as the snail ever seeks shelter within its shelly tenement from the bruising heel of the passer-by, so the persecuted Jew ever withdrew deeper and deeper into intellectual seclusion. All spiritual connection with other nations gradually ceased. An attachment to scientific pursuits, which endured to a much later period among the Jews than among the Arabians and Christians, expired at length amid the universal persecutions to which they were subjected, particularly those which accompanied their expulsion from Spain. At the era when the taste for classical studies was revived, and when the other European peoples gladly shook off their long intellectual lethargy no ray of morning light could penetrate into the dark Ghetto, or Jews' quarter, and dawn on the mental vision of the crouching and hopefallen son of Abraham. Even religious speculation was arrested in the crushed spirits that were only permanently saved from entire paralysation by the exciting study of the Talmud whetting the edge of intellectual subtlety, though this was limited to the analytical disquisitions of casuistry. Of this the result is manifest; the ecclesiastical system of the Middle Ages sought, in its spirit of exclusiveness, to annihilate the Jews, since in Judaism was included the most uncompromising antagonism to that exclusiveness—the *Religious Idea*. Where they could not succeed in extirpating, they tried to expel them from municipal society. Feudalism, amid its divisions, and subdivisions, that virtually denied the equality of human rights, had no place for the outcast of the Church—the rejected Hebrews. It placed them without the pale of law and right, and as it transformed the peasantry into the bondmen of the nobles, so it made the Jews to be the bondmen of the monarch. Yet, as compared with the Church, the feudal system was the salvation of Judaism. From the personal influence of the monarch they often derived protection: seeing that, as occasion might be, the sovereigns either thought more tolerantly, or felt more humanely than the petty tyrants, their subjects; or they needed the gold of the Jews, their loans, the purchase-money of protection; or they were impelled to uphold them by a spirit of opposition to the Church, which spirit was not unfrequently rife in Christendom.

And the Jews, in truth, required nought, save according to the necessities of the hour, a few spots of earth on which to exist, to weather the storm, and to outlive the days of menaced extermination.

If we have now made clear the historical necessity for the position of the Jews in the Middle Ages, as also the conditions by which it was attained, let us proceed briefly to review the facts as they arose :—

After the final conflicts with the pagan Romans, the Jews had obtained the full rights of Roman citizenship, and during its enjoyment, gained a considerable degree of prosperity, and possessed entire civil and religious freedom, in so far as the former anywhere existed. The first Roman Emperors who adopted the Christian religion were compelled to exercise their rule tolerantly in their half-heathen, half-Christian dominions. So soon, however as the Christian Church obtained temporal sway, it began to oppose the Jews, even in their very existence. Bishops who were held to be shining lights among the Church Fathers, such as the holy Ambrosius, Cyril, and others, hurled anathemas and excited the populace against the Jews. Synagogues were reduced to ashes, whole communities compelled by means of murder and plunder to self-expatriation. The councils having found that the Jews were not to be won over to Christianity in the mass, zealously opposed all peaceful social intercourse with them. Marriages between Jews and Christians were interdicted; the Christians were forbidden even to eat with the Jew; the Jews to have Christian servants, while the Christians were allowed to employ Jews in this capacity. Under such influence, the emperors issued successive decrees, by which the municipal condition of the Jews became more and more fettered; they were expelled from the army, excluded from the civil service, and were at length deprived of all offices of honor in the municipalities, till, under the Emperors Honorius and Arcadius, in the year 430, they were wholly despoiled of all civil rights, and degraded to the very lowest class among the people. It is here worthy of special note, that these very decrees (preserved to us in the *Codex Theodosianus*) declare the Jews to be innocent, and thus

testify that they were issued on religious grounds only. For these decrees, while successively depriving the Jews of one right after the other, contain consolatory and laudatory expressions, and refer to such remnants of civil liberty as were preserved, till the final stroke was put to this cruel spoliation. Thus the Church had deprived the Jews of all legal rights, had excluded them from all civil society, long before feudalism had come into existence.

When Moslemism subdued and overspread the Eastern world, it assumed, politically only, an attitude hostile to the Jews. Islamism sought but empire, and never practised religious persecution against the Israelites. When excluding the Jews from public functions (those connected with the financial administration excepted) and even when depriving them of privileges enjoyed by true believers, as their right, Mahomedanism granted to the Israelites religious toleration; but when the East early relapsed into a state of stagnation and non-progress, when the elements of despotism developed themselves more and more in Mahomedan rule, the Jews participated in this degeneracy, and became an ignorant, motionless, spiritless mass.

In Gaul and Spain, the Jews enjoyed under the Goths the full rights of citizenship. This rendered it the more natural that the Catholic Franks should regard them as adversaries, should deprive them of their legal immunities, and in obedience to the behests of the clergy, should interfere with the freedom of their religious worship, encroach upon their possessions, and coerce them to accept baptism. In Spain, therefore, the Jews hailed the advent of the Moors as that of deliverers, who ensured to them renewed security and peace.

In the extensive dominions of Charles the Great, at the time when feudalism began to prevail, the Jews were of infinite service in the State. Their frequent journeys, their wide-spreading connections, their acquaintance with all parts of the empire, their dexterity, tact and activity, singularly qualified them for the performance of business of various kinds; in circumstances, too, where the ignorance of the great, and even of the ecclesiastics, and the abject condition of the people, would have given rise to considerable embarrassment. On these accounts, favor was shown

them ; permission to hold landed property, and protection against encroachment and oppression were granted them. The weaker, however, the royal rule of Charles' and Louis' successors became, the more enmity the clergy and councils showed towards the Jews ; the more the feudal system developed itself, the deeper sank the Jewish race ; demands upon them for money became more and more numerous ; taxes on beds, parchments and kitchens, taxes for comings-in and goings-out, followed in rapid succession, and formed at least one source of the interest entertained by the monarch in the presence of Jews in his dominions. Scarcely, however, had the feudal system assigned to the Israelites a position which, though denying them all rights, was yet determined by law, when the Church, to whose power the Crusades had given a fresh impulse, reintroduced in an extended form the persecution of the Jews throughout Europe. The first outbreak of the Crusades reached the Jews, and the flames spread from its birthplace, Treves, over the whole empire. Metz, Cologne, Worms, Mayence, Speyer, prepared destruction and death to the proscribed sons of Israel. They fled to Moravia, Silesia and Poland. After the close of the Crusades, the revival of the accusations against them of purloining the host and of drinking the blood of Christian children, excited the people to frenzy and to deeds of blood, and thousands of Jews without distinction of age or sex, were mercilessly sacrificed. The carnage began on this occasion in Switzerland and extended to the borders of Poland. These abominations did not cease till the years of the Reformation ; and even then were occasionally revived ; while in their social position they were even the more enslaved ; they were denied all connection with human society, they were excluded from all participation in the world's movements. They paid tribute for their very bodies, like the beasts of the field.

While often exposed to murderous violence on the blood-stained soil of Germany, but allowed to exist as a race, they were repeatedly expelled from Spain, France, and England. From Spain, where under the Moorish rule the Jews had attained a high, social, literary and scientific position, they were in the year 1492 wholly expelled by Ferdinand, the expeller of the Moors. Three