EARLY MODERN WORKSHOP: Jewish History Resources

Volume 7: Jewish Community and Identity in the Early Modern Period, 2010, Wesleyan University, Middletown, CT

The Struggle to Transcend Differences and Conflicts Among Early American Jewry

Eli Faber, Emeritus, John Jay College (CUNY), USA

ABSTRACT: Exploration of two contrary tendencies among colonial American Jews to achieve consensus within their religious fellowship. In one case, they relied upon European precedent by attempting to recreate the kehilla in America, while in the other they rejected European precedents that forbade commonality among Ashkenazim and Sepharadim. The outcome was a new kind of community: the voluntary one.

This presentation is for the following text(s):

- Minute Book of the Congregation Shearith Israel in New York (1730-1760)

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Pinkas of Congregation Shearith Israel in New York City

Minute Book of the Congregation Shearith Israel in New York (1730-1760)

1730-1760

Prepared by Eli Faber, Emeritus, John Jay College (CUNY), USA

The following, with one exception, are from the eighteenth-century minute books of Congregation Shearith Israel in New York City, published in *Publications of the American Jewish Historical Society*, vol. 21 (1913). The exception, item #2, is among Shearith Israel's papers, and was published in David De Sola Pool, *The Mill Street Synagogue (1730-1817) of the Congregation: Shearith Israel* (New York: N.p., 1930), 49.

I.

Whereas on or about the Year 5466 certain wholesome Rules and Restrictions have been made By the then Elders of our Holy Congregation, to Preserve Peace, tranquility and good Government amongst ym and those after them, and as they have Been neglected to be put in due force for some time past, wee now meet with common consent and Resolve to Revive the same with some amendments and additions, which are as follows

Ftly There shall be elected a Parnaz and Two Hatanim, wch shall Like wise serve as assistants for ye good Government of our Holy Congregation, & in order to wch we have now this this [sic] Year of 5489 Elected Mr. Mosees Gomez for Parnaz To whom we gave Power that he might Elect Two Hatanims and as assistants for this present year. & accordingly he did elect Mr. Daniel Gomez for Hatan Torah & first assistant, and Mr. Binjn Mendez Pacheco as Hatan Bereshit and Second assistant; & for the future the Parnaz and his assistants then in Being has Power to chuse another Parnaz and assistants in their Roome Yearly.

2ndly We give authority to the Gentm That shall be elected yearly as, is, Customary in the Jewish Congregations that with the fear of God they may act as their Conscience shall dictate them for the well Governing of our Said Congregation.

3dly If any person or persons whatsoever shall offer to give any affront or abuse, Either by words or action to any person or persons within the said Sinagog, he or they so offending shall be obliged to pay to the Parnaz then in Being the Sum of Twenty Shillings, if it be adjudged By the Said Parnaz and assistants that he or they have offended, which money shall be applyd for the use of the Sinagog. & if refus'd to pay the said fine the whole Congregation shall assist the said Parnaz and assistants to recover the same.

4thly Whoever shall be elected Parnaz and refuse to serve shall pay the sum of three Pounds, also those Hatanims that shall be elected and refuse to act in the sd post shall pay a fine of Forty Shillings each one which sums shall be apply'd as in the 3d article is specified

5thly In Case any disputes may arise so that the Parnaz and his assistants cannot agree, an Indifferent person whom they shall chuse shall decide the difference between them

6thly No unmarried man shall be elected Parnaz, nor a married man before he has served eitheir for Hatan Torah or Hatan Bereshith.

7thly If any poor person should happen to come to this place and should want the assistance of the Sinagog the Parnaz is hereby impowerd to allow every poor person for his maintainance the sum of Eight Shillings pr Week and no more Not Exceeding the term of twelve weeks. And the Parnaz is also to use his utmost endeavours to dispatch them to sum othere place as soon as Possible assisting them with necessarys, for their Voyage, that is for a single person fourty Shillings, but if it be a family then the parnaz shall call his assistance and consult with them both for their maintainance whilst ashore and also for their necessarys when they depart; those poor of this Congregation that shall apply for Sedaca shall be assisted with as much as the Parnaz and his assistants shall think fit.

8thly The offerings shall be Gather'd every three months by the Parnaz; as Likewise it not being convenient the selling of Misvots. Its Resolved for the future that in Lieu thereof the Parnaz with his assistants shall tax the mens Seats in the Sinagog, as they are now seated But not exceeding Fifteen Shillings each Seat per annum, nor less than five Shillings, and

the Misvots shall Be given out by the Parnaz as the whole year.
9thly We now present and that that shall hereafter be admitted as Yechidims into this Congregation do & shall submit to the foregoing articles.
10thly The Prnaz shall be obliged twice a year to cause these articles to be read in the Sinagog both in Portugues & English.
Sign'd In New yorck in the Kl Ks of Sheerit Israell ye 12 of Tisry @ 5489 [September 15, 1728].

*

2. The Haham of Curacao to the officers of Shearith Israel in New York, transmitting a contribution toward the building of the latter's first synagogue structure in 1729:
I must tell you that the Members of this Holy Congregation Whom devoutly Contributed to Wards this Benefaction, as they know that the (asquenazum) or Germans, are more in Number than Wee there, they desire of you not to Consent, not Withstanding they are the most, to Let them have any More Votes nor Authority then they have had hitherto and for the performance of which you are to Get them to Signe and [sic] agreement of the Same by all of them, and that one Copy Of the Sayd agreement Remain in the Hands of Mr. Luis Gomez as the Eldest Member, and Another to be Sent to me for the Treasurer of this Congregation to Keep in his Books; and as this request is funded [sic] in Solesiting the Peace and Unety of that Holy Congregation, I hope that you as well as the Asquinazim, Whom all I wish God may bless Will Comply With this my Petition.
*

3.
On Sabbath the 9th of Ellul in the year 5489, [September 3, 1729], the Parnass Mr. Moses Gomez ordered the following read in public:
To the most noble audience and the holy Congregation Shearith Israel, whom God may increase,
Illustrious Gentlemen
Almighty God having permitted us to reach this so anxiously awaited moment, when we can begin to carry out our intention, so long the object of our desire, let us now fulfill our duty (and as He knows all things from their inception to their completion) let us now prepare for the foundations. The foundation should be good indeed for the house to be consecrated and dedicated to our blessed God, by whom we hope our prayers will be accepted. Let us therefore first implore our Lord, the Creator of all things, who is himself the beginning and origins of all that is good, to grant us His divine help.
It is hereby made known to you all that the foundation stones are now for sale, with the exception of the first stone, which is to remain unsold for the present, awaiting the decision of Mr. Abraham de Mucata of London to whom it has been offered. But in order not to delay this holy work, it might be well that you designate some one to lay this first stone, such name not to be entered in the record, until we learn the decision referred to. The stones now offered for sale are Nos. 2, 3, and 4. In case of refusal, stone No. 1 will also be sold in public and the name of the purchaser entered on the record. It should be borne in mind that the gentlemen who buy said stones should pay their contribution so as to enable us to advance to the builders the amounts agreed upon. . . .
The sale was as follows:
Sabbath 9th of Ellul, 5489 [September 3, 1729]
No. 2---Second stone---Mosseh Br Michaell . . .
No. 3---Third stone---Binjamin mendez Pacheco. . .
No. 4---Fourth stone---Jahacob Bar Naphtaly Francks. . . .
On Sabbath the 19th of Iyyar 5490 [May 6, 1730], it was resolved by the Parnas Presidente Mr. Jacob bar Naphtaly [Franks] and his assistants Messrs. Mordy Gomez and David Lopez to sell in public on the Sabbath day the first stone of the building of the holy synagogue, which stone had been kept unsold because it had been offered to Mr. Abraham de Mucata of London, and his answer as to whether he accepted was pending, and as he did not accept, it was sold in public, as above mentioned, and was bought by Mr. Mosseh Bar Michaell for three pistoles. . . .

*

4.
5507 Tisri 19th NEW YORK September 22d 1746.
Whereas it is agreed by the Yahidim of this Congregation that certain good and wholesome Laws shall be made by Mr. Abraham Rodrigues Rivera, Parnass, Mr. Isaac Seixas & Mr. Naphtaly Hart Myers Adjuntos with the assistance of Mr. Mordecaye Gomes & Mr. Jacob Franks, and when so made and approved of by the Congregation to be in force. As said

Laws will take some time to finish, and finding it necessary for the peace of our said Congregation that something must immediately be done, wee the Subscribers of this Instrument in writing in behalf of ourselves and all the Congregation agree and resolve, that if any person or persons shall any ways disturb the devotion and quiet of our holy worship in any manner or way whatever in our Synagogue, the Sd Parnass and adjuntos or any of them shall order the Samas to acquaint said disturber or disturbers to go out of Sd Synagogue and not to return 'till they pay such fine as shall be judged by the parnass and his assistants not to exceed five Pounds. If he or they shou'd refuse to go by the Parnass or adjuntos message wee all covenant promise and unanimously agree to turn him or them the aggressors out of the Synagogue without respect to persons, and that wee may all submit to this agreement or Law, wee do by these presents Impower the said Parnass and adjuntos to put this in execution as Law against any one of is if wee do not behave well, as well as against all and every person or persons that comes to the Synagogue and misbehaves.
Wee do hereby promise covenant and oblidge ourselves in the Penal Sum on Ten Pounds New York currency to be recover'd from us or any of us, Separately in any court of record or equity, to stand maintain and abide to the preceeding agreement, the said money to be recover'd from any person or persons that misbehaves within the walls of our Sd Synagogue, as well as of any of us by the said parnass Mr. Abraham Rodrigues Rivera and his adjuntos, or any succeeding Parnass and his assistants legally chosen, for the use of our Sd Synagogue. If each of us do not assist all in our power to put this agreement or Law in execution against any disturber of the peace within the precinct of our Sd Synagogue as witness our hands.
[47 signatures follow]

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5.
Kaal Kados Seherit Israel Yiar 6th 5507 [April 16, 1747]. Att a junto of the Kaal held this day its agreed by the Mejority of the Jehidim here present that for the better soporting this Congregation a certain sum be raised by a Tax for eighteen months from the first of Nisan last past for the servis of the said Congregation, to be paid by every person that congregates with us, Leving either in town or countery that is capeable of paying the same, which tax every one shall be oblige to pay by quarterly payments to the Parnass for the time being and on his refuseing to pay the same for four successive quarters his name shall be Rased out of the Book of offerings and the person so refuseing shall not be call'd to Sepher, have any misvoth nor be Loock't upon as a Member of this Congregation. . . .
Each person's Name to be Enter'd in a Book with the Sum he's Taxed with against his name, that the same may at all times appear clear.
Each person so paying his respective Tax shall be intiteled to a Siat in the Sinagog on his aplecation for it which the Parnass or his ajuntos for the time being shall be oblige to provide for him, his name shall be enter'd in the book of Jehidim and he shall Injoy all the rights of a Jehid and be capeable of serving for Parnass or ajunto---while he behaves with decency quietly and peasefuly and Duly pays what he's taxt with. But on his at any time Refuseing to pay his Tax for four quarters successively being call'd upon and admonished, so to do either by work or Letter from the Parnass for the time being shall then loose the benifet of being any more a Yahid as aforesaid and Salom all Israell
[52 names and the assessment for each follow]

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6.
KK Seerith Israel the 30 Tisry 5509 [October 22, 1748]
As there has frequent disturbances happened on the Festival of Ros-asanah occasioned by the Parnas then Elected his refusing to serve, to prevent such disorders for the future We the subscribers do of our own free will & accord, offer, agree and oblige ourselves in the strictest manner to accept of and officiate in said post of Parnas under the following regulations.
1st That wee will each of regularly and without dispute accept the Parnaship to officiate as Parnas in our proper place & turn, that is the first Subscriber to be parnas first, (after this year) the second subscriber to succeed the first, and so on, the Hattanim to be elected as usual, and in case any of the Subscribing members should be absent or deem's unable to serve in their turn by the Majority of sd Members, then the next person subscribed shall be obliged to officiate in said post of Parnas if required.
. . .
3d Upon any occasion or necessity for calling an adjunta with the consent of all the Congregation present, wee the Subscribers are and do oblige ourselves to meet with the Parnas and his adjuntos and consult and act in the best manner wee can for the ease and benefit of the while without calling the Congregation together unless it be for the Electing of

some officer such as Hazan, Sochet, or Samas or any emergency sd persons selected shall see cause to summon the Congregation together as customary to wch they shall all give due attendance as usuall on penalty of 20/ according to a former article in this book.

*

7.
24 Elul 5511 [September 14, 1751]
At a meeting of the adjunto & Elders of this K.K.
No. 4 It is unanimously agreed that for the future there shall be on the First day of Ros-a-sanah an Election of two Parnasim to officiate in this Congregation; one to officiate from Ros-asanah to Pesah & the other from Pesah to Ros-asanah according to the custom of the Congregation & whosever shall be elected & refuses to serve shall be liable to a Fine of L10. For the use of the Congregation.
No. 5 Whereas severall persons have publickly declared that they would accept not of Hatan Torah & resolvd by the Elders aforesaid that for the future the Hatan Torah & Hatan Beresith shall not sit in the Banca. But in everything conform themselves to Rules observd in all other Congregations & on refusing to serve on such terms shall be subject to a penalty of L5. Each for the use of the Congregation.
And it is further agreed that in case that any of them Refuses to serve & no person to the satisfaction of the Elders offers to serve, then the Parnasim shall be obliged to stand & officiate as Hatan Tora & Hatan Beresith; that is to say, the first Parnas to serve in the room of Hatan Tora & the Second Parnas in the room of the Hatan Beresith. . . . & the Parnasim that refuses to serve shall pay the sum of L3, each for the use aforesaid. . . .
Salom aal Israel.

*

8.
K.K. Sherith Israel the 26th day Nissan 5512 [April 10, 1752]
No 6 At a meeting of the Elders of this Congregation, it was unanimously agreed that for the future every Parnas for the time being shall deliver his accots in a Book provided for that purpose. Entering on one side thereof the articles of his Expenses & on the other side every Sum of mony by him receiv'd and from whom
No. 7 That every Person that Congregates with us shall do all the Mizvoths & goe to the Sepher whenever he is order'd so to do by the Parnas & any Person that refuses to do either of them shall be subject to a fine of Twenty Shills for the use of this Congregation for every such offence.
No. 8 In order to discountenance all manner of discord & Division amongst the members of this K.K. the Elders aforesd have unanimously agreed that on the demise of any person, that in his life time absented himself from the Sinagogue, or was no ways a benefactor to the Congregation, His Corps or the Corps of his wife or Children under thirteen years of age shall not be laid & Burried within the walls of our Burrying Ground without leave and Licence first had and obtain'd from the Elders for the time being. . . to wch Resolution and Order the Hazan and Samas for the time being shall pay due Regard & Obedience & the rest of the Congregation are hereby Strictly charged & Request'd to aid & assist the Elders & officers in due execution thereof.

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9.
The eve of New Year 5518 [September 14, 1757]
In the Name of the God of Israel
The Parnasim & Elders having received undouted Testimony That severall of our Bretheren, that reside in the Country have and do dayly violate the principles of our holy religion, such as Trading on the Sabath, Eating of forbidden Meats & other Henious Crimes, and as our Holy law injoins us to reprove one Another agreeable to the Commandments in Liviticus *Hocheach tocheeach et 'ameetecha* thou shalt surely reprove thy Neighbour and not suffer sin upon him, the consideration of this Divine Precept has Induced the Parnasim & Elders to come to the following resolution in order to check the above growing evil & as our *Hachamim* observe *En 'onshin ela mazhero* That is no one is to be Punished unless First admonished, therefore whosoever for the future continues to act contrary to our Holy Law by breacking any of the principles command [sic] will not be deem'd a member of our Congregation, have none of the Mitzote of the Sinagoge Confered on him & when Dead will not be buried according to the manner of our brethren. But like Nehemiah who treated those of old that transgressed In the same manner he ordered the gates to be shut against Them, so with the Gates of our Community be shut intirely Against such offenders, but those that repent & obey the precepts of the Almighty, We beseech the Divine goodness to open to them the Gates of Mercy, & all their Enterprizes be attended with

the Blessing of Haven. *Vechol hashomeang yabo elav beracha*.
At the meeting of the Parnasim & Elders of the Congration [sic] it was unanimously agreed that the foregoing should be read on the Holly day of Kipoor 5518. which was accordingly done in the Sinagog."

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