

FORGING THE FIRST AUSTRALIAN KEHILLAH:¹ 1820 TO 1832

Gary Luke

Ever since the Annual *Report* of the York Street Synagogue congregation in 1845² a burial in the year 1817 has been regarded as the initial impetus of organised Jewish congregational life in Australia, which was then fulfilled a decade later through the arrival of respectable urbane free settlers. The initial portion in the first two page history in the *Report* is riddled with dubious embellishments to serve the community's political need by placing their respectability on record in order to gain a government subsidy for construction of the Sydney Synagogue, a stipend for a minister, and to petition for education alongside Christian organisations.³

For these early beginnings, which many publications have frequently referred to as occurring in 1817, it is remarkable that our historians have not sought to discover the name of the deceased person whose burial in 1817 we memorialise, nor more importantly the participants who formed this first gathering of a congregation. Nor did the compilers of this imputed primary historical *Report* consider worthy the placing on record the names of those who established communal congregational life in this remote British colony. Now, two centuries later, we should honour these founders by name, not just as an unknown bunch of convicts, felons with faulty familiarity with Jewish prayer and ritual who were honoured by a single cursory mention a quarter century later in 1845. The problem, though, is that evidence indicates 1820 as the founding year, not 1817. Supporting this founding date there exists an unbroken continuity of communal activities from 1820 onwards, conducted by individuals we can name with reasonable certainty, with clear evidence from contemporary sources, compared to the complete absence of supporting evidence for a communal start date of 1817.

DATES AND PHASES

For the early history of the community discussed in this article, the *Report* falls into four distinct periods; the first beginning in 1817, another in 1820, the third in 1828, another in 1830. Each traces

events designed to give a sense of gradual evolution to the communal entity now housed in its own permanent architect-designed Synagogue and considered worthy of representing a responsible sector of civic society.

1817 – A BURIAL

The initial historical portion seems to be a vague memory of the events of the 1820s repeated from second or third hand rumour. After the *Report* admits it has ‘not found any very authentic records’ the text begins with ‘it appears’ while in comparison the 1820 events begin with a definitive voice, ‘in 1820’.

Your committee in what may be termed the early age of the Hebrew religion in this Colony, have not found any very authentic records, but from enquiries they have made it appears that in 1817 there were about 20 Hebrews in the Colony, but little versed in the faith of their ancestors; however they formed themselves into a Society and raised a subscription for the interment of their dead, and in that year the first Hebrew funeral took place, the body was buried in the General Burial Ground in George St, near the Police Office.⁴

The nicely rounded number 20 is reminiscent of the prayer group of approximately 30 documented in 1820 by Rev. William Cowper who wrote of,⁵ ‘20 Hebrews in the Colony’ meeting for weekly prayers. The 1845 committee would certainly have known there were over 100 Jews in Sydney in 1817.⁶

Only one burial of a Jew is known of in that year, Solomon Marks. In his 26 years in NSW Marks had no documented contact with other Jews, and on his death, no family and no property. No explanation has been offered by our historians, or in the *Report*, for a reason why the group of Jews suddenly chose to gather on short notice for this death in the hospital out at Parramatta, and not as the initial communal burial for a death before or later. A possible rationale is the general idea that Jews probably knew each other. This glosses over records which show many were ambivalent about associating with other Jews or chose to cease their personal identification as Jews. The same process had been happening in England for a century. One estimate is that a third of the Jews in London across the eighteenth century vanished from Jewish life within a generation. The London ministers of the Sephardi and the Ashkenazi Synagogues complained of their empty benches for services.⁸ An assumption that all Jews would have related to and actively consorted with other Jews should not be automatically assumed as a generalisation for the early Australian colonies.

No researcher of our history has named possible participants apart from the assumption that Joseph Marcus, the *Yeshivah* trained emancipist, must have led the religious service. If Marcus did, it is remarkable that Rev William Cowper who took a special interest in Marcus⁹ made no mention of this in any of his dispatches to London. Even more notable is the complete absence of any mention of Marcus among those named in the 1845 *Report*. Others, those whose records of contact with other Jews, or who became Synagogue committee members after 1832, which makes them likely candidates, were indisposed in October 1817. For instance, Joseph Raphael¹⁰ and Isaac 'Bull' Simmons,¹¹ who were assisted in their petitions to the Colonial Secretary by Rev William Cowper in late 1817 which shows that Cowper certainly had friendly and supportive contact with Jews in the exact period, were both in Newcastle serving extra time for misdemeanours. Abraham Levy was in servitude at Appin in 1817; Solomon Levey, Simeon Lear, Abraham Elias and James Simmons were in Windsor serving their sentences.

Why mention the 'General Burial Ground in George St, near the Police Office' when the whole congregation would have known where the burial ground was situated. It was only a short two minute walk from the Synagogue, which itself was directly opposite the Police Office in York Street? The state of the cemetery's neglect, and of cemeteries in general, were subjects of much public discussion in newspapers and the Legislative Assembly in the mid-1840s. This superfluous detail reinforces an impression of this tale being a rumour repeated with an insistence on being quoted verbatim with no questioning. It could not have been from direct knowledge as none of the congregational members in 1845 was present in Sydney for a burial in 1817. One possible contender, known for his overbearing character, may have been Joseph Raphael.¹²

The cemetery was marked out by Governor Phillip in September 1792. At least four Jews are known to have been buried there before 1817 and two in 1818. Earlier burials of a few Jews were at graveyards near the Rocks. Other burials since the 1790s had been in the church cemeteries at Parramatta and Windsor and at Norfolk Island and Hobart Town. The year 1817 is definitely not the year of the first funeral of a Jew.

From that year to 1820 the Society continued in operation meeting occasionally to regulate their financial affairs.¹³

The carefully phrased language of the *Report* does not mention prayers or a *minyan*¹⁴ for the funeral in 1817. The *Report* states, 'the Society ... raised a subscription for the interment of their dead' and

met 'occasionally to regulate their financial affairs'. Fees for grave digging and funeral services, charged to 'free persons only', were announced in an official notice in the Gazette in December 1810¹⁵ and repeated in 1815.¹⁶ Convicted persons did not pay for provision of these as felons were considered in some ways to be legal property of the government.¹⁷ Only two Jewish free settlers were in New South Wales by 1817, Rosanna Abrahams, the daughter born in Newgate Prison to Esther Abrahams, and Esther Isaacs, wife of the convict Jacob Isaacs. No other free arrival Jew was in the colony until after 1820. Raising a subscription to finance burials of Jews who were convicts or emancipists would not have been necessary during those years.

This part of the history in the politically charged *Report* was drafted from second hand knowledge a quarter century after the rumoured event of 1817. It contains a known error and peculiar details for location and about finances, but no mention of actual Jewish burial practices. No further details have been discovered with the passing of two centuries. Is this really a believable foundation of our national communal history?

1820 – THE EMANCIPIST CONGREGATION

At the beginning of the *Report*, its author explicitly stated that the Committee 'in what may be termed the early age of the Hebrew religion in this Colony, have not found any very authentic records'. Details for the second and later periods however do have genuine authenticity, verified by secondary sources.

In 1820, a person of the name of Joel Joseph died, and on application of Mr Abraham Levy to the Rev. Dr Cowper, the right hand corner of the Christian Burial Ground was allotted to the Hebrews as a place of interment for their dead; and prayers were read, for the first time, morning and evening, during the 7 days of mourning at the residence of his brother.¹⁸

This second part would have been retold from direct personal knowledge by the primary instigator of the event, Abraham Levy. Joel Moses Joseph definitely died in October 1820.¹⁹ One of his brothers applied for permission to come to Sydney for prayers for the days of *Shiva*.²⁰ His wife, children and brothers were inheritors of his assets and properties.²¹ His headstone carved by the stonemason Thomas Glover was still extant in the 1890s;²² Glover's descendants reported that 'he cut the Hebrew characters on the first tombstone erected in the old Jewish Cemetery which stood at the side of the Morgue in Belmore Road'.²³

Rev William Cowper's report of February 1820 to London provides evidence of Jews regularly holding services. He wrote that 'about

thirty of whom have lately agreed to meet together once or twice a week to have their own prayers and the Scriptures read to them'.²⁴ Cowper further reported in 1823²⁵ that Marcus had refused a request by Jews to conduct a funeral because the deceased did not demonstrate religious convictions, indicating the continuing expectation amongst the Jews for conducting their own burial services. It is estimated that up to eight burials were conducted in the area Cowper had permitted between 1820 and the grant of a cemetery in 1831. Three of these headstones still stand in the Pioneer Memorial Park at Botany Cemetery.²⁶



1891 photograph of the Devonshire Street Jewish burial ground permitted within the Anglican cemetery in 1820.²⁷

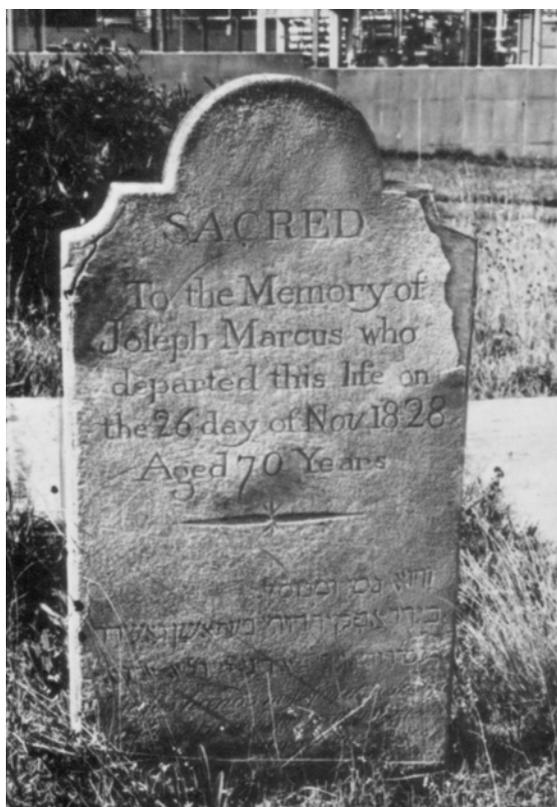
We can also be far more sure of naming individuals who may have taken part in these prayer and burial services. The particular Jewish convicts who took active roles on Synagogue committees after the establishment in 1832, by the 1820s were able to travel more freely through being granted Tickets of Leave or Pardons. These include Abraham Elias, Abraham Levy, Solomon Levey, Simeon Lear, Eleazar Lazarus, Abraham Polack, Vaiben Solomon, and James Simmons.

From that year to 1828 the Society became extinct, and no attempt was made to revive it except when a death occurred; this did not happen above five times during that period.²⁸

It is unlikely that the Reverend Cowper, answerable to the authority of both his Church and the Governor, would allow a special burial area for Jews if there was not a recognisable responsible group with a semblance of permanency. Burials continued throughout the

1820s, including five adults and at least two infants. Headstones were erected. Two burials in 1828 would definitely have been remembered years later, those of Walter Jacob Levi and Joseph Marcus, two influential communal persons not mentioned in the 1845 *Report*. Compared to the reported 'financial' purposes for ongoing activity for the 1817 period, Cowper's reports of the gatherings in this period for burials and services demonstrate a greater sensitivity by the rudimentary congregation for the importance of the rites of Judaism.

The upper part of the headstone inscription for Joseph Marcus was carved professionally. Scratched into the lower area by an amateur hand is the final verse in Hebrew of *Adon Olam*, the rousing and very meaningful prayer sung at the end of the Sabbath service. This addition on the headstone is possibly a tribute by one of the Jews who gained solace from attending the 'once or twice a week' services reported by Cowper, suggesting that 'From that year [1820] to 1828 the Society became extinct' is not the whole tale.



*Original headstone of Joseph Marcus, photographed 1969 by Terry Newman at Botany Cemetery.*²⁹

1828 – THE DIVISION

We have come to the third part of the history where, according to the *Report*, the civic status of the Jews of the Colony is admirably raised by the grace of the arrival of respectable free settlers, and the prior faulty religious practices are able to be guided and corrected:

In the years 1827 and 1828 the worldly conditions of the Hebrews in this colony had considerably improved from various causes; the influx of respectable merchants during those years coupled with other circumstances had raised the Hebrews in the estimation of their fellow colonists, and it was then thought advisable meetings for prayers should be held regularly.³⁰

Small news items in the *Monitor*³¹ in August 1828 advised that the Jews in the Colony had resolved to form a congregation to meet for Shabbat services at each other's houses and had been promised land grants from Governor Darling for a Synagogue and for burials. Also in August, in time for the start of the High Holidays, with Joseph Marcus ill and having only two months to live, emancipist Abraham Polack submitted a request for use of the recently vacated government court office in Elizabeth Street 'wherein Divine Service can be celebrated.' Governor Darling rejected Polack's request with a pointed comment about his disreputable character, expressing his disdain with his refusal to even send a reply. The rejection was dated 8 September, *Erev Rosh Hashanah* (Evening at the start of the Jewish New Year).³²

The news snippets show that the subject was being canvassed among Jewish free and emancipist businessmen, with non-Jews of influence, and with the awareness of the Governor. It is unlikely for Polack to have taken this upon himself without discussion and argument. Darling's words in response to Polack's request were, 'It is hard if they cannot procure some other representative. Put away.' The comment is purely about the choice of Polack rather than one of 'the respectable Hebrews'.³³ The request may have been successful if it had been submitted by one of the free settlers such as Phillip Joseph Cohen, Lawrence Spyer, or perhaps even by one of the well-regarded emancipists Abraham Elias, Solomon Levey or James Simmons. The recently arrived solicitor, David Poole, had been admitted to the courts as a barrister. Michael Phillips had arrived eight months earlier with substantial funds and a letter of introduction from Earl Bathurst, the Secretary of State for the Colonies. Considering the substantial public support and potential for official approval, why did 'they' not take part in this petition? Why were there no counter signatures as usually practised for petitions by groups, or a single signature of one of the prestigious Jews as their representative?

The divisions in the community between the two factions – the free settlers and the emancipists – can be read between the lines in news items for the subsequent couple of years. They are referred to explicitly in the 1845 *Report*.

Mr. P. J. Cohen having offered the use of his house, Divine Service was for the first time in this Colony, according to the Hebrew form, performed there every Sabbath and Holidays; from some difference of opinion then existing amongst the members of the faith, Divine Service was occasionally performed in a room hired by Messrs. A. Elias and James Simmons.³⁴

Two items in this section are worth noting. Firstly, two persons are named for the nominally less important secondary group, Elias and Simmons, who would have been involved in the 1820s prayer and burial services before the migration wave of free settlers. Secondly, the statement referring to P.J. Cohen 'Divine Service ... for the first time' points to the period when Polack attempted to regularise a pre-existent informal practice. The 'difference of opinion' was played out over a couple of years with the continuing emancipist convict community being sidelined in reports generated by the free settler class, as occurred in this same period among the general society of the Colony. In May 1840, an Act in Britain removed New South Wales from the places to which convicts could be sent. The Colony wished to develop amnesia about its convict past to gain a fresh national identity. How else could it compete in trade with the Home Country during the 1840s financial depression against the freely settled township centres established in the previous decade at Port Philip, Swan River, and Wakefield's Adelaide? The stress on the role of the free settlers can be understood in the light of these concerns.

In June 1829, the *Australian*³⁵ reported on 'a Jewish sabbath', erroneously describing the first circumcision by newly arrived Michael Hyam. Immediately the next day the *Gazette*³⁶ called attention to the error in the *Australian*, adding, 'the respectable Jews of the Colony are anxious to form a congregation that they may observe the solemnities of their own Sabbath; but many difficulties are in their way'. 'Respectable' was a code word of the period – a euphemism for those who arrived as free settlers, rather than as a convict. Not to be outdone, three days later the *Australian*,³⁷ made a further correction, noting that the event was postponed from the Friday to Sunday and held with great ceremony with assistance from the firm of Cohen and Spyer, with an attendance of between thirty and forty. Once again, the report mentioned that the subject of building a Synagogue was canvassed at the gathering.

In October 1829, the *Australian*³⁸ reported on the Jewish Passover held on 28 September, mistaking *Rosh Hashanah* for the Passover, but at least demonstrating their ongoing support in their continuing interest in Jewish affairs. They followed it a week later with the report of a second circumcision by Michael Hyam, for the infant son of Joseph Aarons.³⁹

As *Pesach* approached the following year the two newspapers once again highlighted the two sides of a divided community. The *Gazette*⁴⁰ made multiple announcements in one article. The third circumcision by Michael Hyam for a son of Vaiben Solomon was to be conducted the following Sunday. 'The respectable members of that persuasion' (that 'respectable' phrase again) will celebrate the 'ancient solemnity' of their Passover next Wednesday, with unleavened bread baked by Mr Moses, and Mr Simmons had offered land for a Synagogue, but 'no decisive step has been taken by his brother Israelites'. A week later the *Gazette*⁴¹ advised that services would be held at the large rooms of Cohen and Spyers' outfitted as a temporary Synagogue for 'all the Jews of Sydney and many from the country'. The *Australian*⁴² followed the next day with a similar notice. The *Monitor*⁴³ printed a letter from 'A Hebrew', an anonymous letter writer, correcting the error of the starting day in the *Gazette* report, and advising that the whole of the congregation met in three locations, the other two being those of James Simmons and of V & E Solomon's. This 'Hebrew' claimed that Simmons' banquet measured up well against those the writer had experienced in London, Liverpool, Gibraltar and the United States. This worldly Jewish traveller seemed to imply that the emancipist convict faction measured up well according to international standards and against the free settlers.

Public interest in freedom of religious practices was in part due to news reports of the Jewish Emancipation Bill being tabled in the English parliament following on the success of a related Act for Catholic emancipation.⁴⁴ Votes on the first reading were reported in *The Tasmanian* of Hobart, demonstrating great support with the words chosen for their summary, 'For the Jews: 115, For the Bigots: 97'.⁴⁵ On the second reading it was lost, 228 to 165.⁴⁶ The colonies of the southern hemisphere were bustling modern outposts of Britain with related enlightenment era interests.

1830 - CONCILIATION

Regarding the 'difference of opinion', the 1845 *Report* states: 'Everything connected with the Jewish religion remained in this state until 1830'. In late December 1830 Aaron Levy, the *Dayan* from the *Beth Din*,⁴⁷ arrived in Sydney to arrange a divorce for the wife in London of a transported convict,⁴⁸ remaining for five months until his return to London in early May 1831. The *Report* spends over a

dozen lines noting his correction of errors and the purchase from him of a *Sefer Torah* by a subscription raised by the Sydney Jews. Aaron Levy should also be acknowledged for his part in merging the disputing factions. News reports from Levy's time in Sydney onwards demonstrate that a single congregation had been established.

The *Monitor*⁴⁹ took up the Passover reports again for the year 1831 with a notice that on Monday evening 28 March in the previous week 'the different members ... met to celebrate the anniversary of their forefather's' deliverance', and again extolled the 'splendid manner' of James Simmons feast, laid on for the poor as well as the wealthy. 'The different members' was an inclusive code phrase replacing the use of 'the respected Hebrews', which implied some were not classed among the respectable. A second report in the same issue⁵⁰ noted that the following Saturday 'a meeting of the Hebrew Colonists' (another inclusive code phrase) 'took place for the purpose of establishing a fund to build a Synagogue in Sydney'. The meeting was held at the Crown and Anchor Tavern, which was licensed to George Morris, rather than at one of the taverns or business premises of the prominent Jews in Sydney, perhaps as an effort to find a neutral ground for compromise. This *Seder* and the Crown and Anchor meeting were during the month before the departure of Aaron Levy, the *Dayan* from the London *Beth Din*, which can give credence to his influence as a mediator.

In June 1831, the officially allotted Jewish cemetery on Devonshire Street was announced in two news items, first by the *Gazette*⁵¹ reporting 'a separate burial ground was some time since set apart for the exclusive use of the Hebrew persuasion'. A week later the *Australian*⁵² announced in almost the same words, 'a separate burial ground has been set apart in Sydney for the exclusive use of the Hebrew persuasion'. Incidentally, although our histories state the ground was allotted in 1832 the first burial took place in April 1831,⁵³ these announcements were made two months later, and the official Deed of Grant not issued until July 1835.⁵⁴

In time for the High Holidays the *Gazette*⁵⁵ announced that 'a synagogue, for the performance of Divine Worship, according to the Hebrew rites, is about to be fitted up in one of the houses lately built by Mr Simmons, in George Street'. The following year in September 1832 the *Monitor*⁵⁶ announced:

The New Year's Eve and Day of the Sons of Abraham

The Jews of the Colony assembled at the Jews' Synagogue, held over Mr Rowell's shop in George Street (which is elegantly fitted up as such), on Monday evening, being the last night of the year according to the ancient chronology of the tribe of Judah, when

prayers were said. On Tuesday morning, and again in the evening, other meetings took place, and worship was again performed.

It is clear that by this time the Jews of Sydney had successfully consolidated into a single communal congregation, holding services in one location, a room fitted out as a Synagogue, and with a committee and Rules which came into force from the first day of Pesach 1833.

1837 – AN ECHO OF THE DIVISION

As quoted in Macle hose's *Guide to Sydney* (1839), J. B. Montefiore had 'implored his brethren in faith to organise some plan for the erection of a place of worship, but owing to a variety of circumstances, his plan was defeated by a *cabal*.⁵⁷ In 1836 and 1837 there was a complete change of committee members when five emancipists of the 'cabal' were installed. This was in contrast to the previous committees, which had included none of the emancipists, apart from Abraham Elias. The 'cabal' committee recognised the changing circumstances of the community and updated the Rules. They contracted a carpenter to outfit a leased building in Bridge Street as a Synagogue, began registration of births, circumcisions, burials and marriages, the recording of formal committee minutes, appointed a finance committee, and obtained a replacement from England for their faulty *Sefer Torah* (which questions the 'quality' of the Torah purchased from Aaron Levy in 1831).⁵⁸ No records have been discovered of previous committees, no minutes, vital event registers, nor financial records; nor is there any mention of their existence in later records. It seems the 'cabal' handled affairs with greatly improved responsible governance. Phillip Joseph Cohen and Abraham Polack, one a free settler the other an emancipist, leading lights of the two earlier factions, were both granted permanent honorary membership, a further indication of the reconciliation with the 'cabal'.

CONCLUSION

For political purposes, the *Report* of 1845 presented the evolution of the community beginning with a nebulous tale of a burial in 1817. This was followed by sporadic gatherings of religiously uneducated convicts. According to the *Report*, this continued until 'respectable' free settler merchants established a well-regulated *Kehillah* in 1832 with a burial ground and Synagogue, despite interfering disagreements with a few rebellious emancipated convicts.

Instead, as this investigation of contemporary sources indicates, a rudimentary congregation with a burial ground was formed from 1820 onwards by convicted transportees, who conducted burials and held fairly regular services. In 1832, with the merging of the later free settler group which had initially vied with them, the first Synagogue based communal congregation was established in Australia.

As discussed in the introduction, the *Report* delivered in 1845 in the first year of the newly constructed Synagogue, included ingredients designed to impart the perception of a Jewish community worthy of partaking in civic affairs as an equal with Christian denominations. Some of the details within their historical narrative have been accepted as factual accounts for many more years than they deserve.

ENDNOTES

1. A group of people who have come together with a shared purpose in fellowship as Jews.
2. *Report of the Committee of the York Street (Sydney) Synagogue, 1845-5605*, Reprinted for the *Australian Jewish Historical Society Journal*, 1944; approx 1986.
3. Raymond Apple; 'The 1845 Report Re-visited', *AJHS Journal*, vol.XI, part.4, 1992, pp.633-43.
4. *Ibid.*
5. Quoted in John S. Levi & G.F.J. Bergman, *Australian Genesis; Jewish Convicts & Settlers, 1788-1860*, 2nd ed., (Melbourne: MUP, 2002), p.150.
6. Apple, p.635.
7. John S Levi, *These Are The Names; Jewish Lives in Australia, 1788-1850*, 2nd ed., (Melbourne: Miegunyah Press, 2013), p.560.
8. Todd M. Endelman, *The Jews of Georgian England 1714-1830, Tradition and Change in a Liberal Society*, (Michigan USA: Ann Arbor, 1999), p.133, and Chapter 8, 'Integration and Inter-marriage', pp.248-71.
9. John S Levi, 'The Tale of Australia's First "Rabbi" Joseph Marcus 1767-1828', *AJHS Journal*, vol.VIII, part.2, November 1975, pp.29-35.
10. 'Joseph Raphael per *Calcutta* 1803; 1817 Dec 1, Of Hobart. Petition for mitigation of sentence', *State Records NSW; Colonial Secretary Index, 1788-1825*.
11. 'Isaac Simmons per *Glatton* 1803; 1817 Dec 8, Petition for mitigation of sentence', *State Records NSW; Colonial Secretary Index, 1788-1825*.
12. Levi, *These Are The Names*, pp.704-06. Note: this is not Joseph George Raphael, who arrived in 1839 as a free settler.
13. *1845 Report*, p.7.
14. Quorum, traditionally of ten men, to conduct a communal divine service.
15. 'Government and General Orders', *Sydney Gazette and NSW Advertiser*, 22 December 1810, p.2.

16. 'At the request of Rev Mr Cowper ...', *Sydney Gazette and NSW Advertiser*, 18 November 1815, p.2.
17. Under English laws of Felony Attaint a transported convict was in many ways the legal property of the Crown. Application of the rules of Felony Attaint varied in the Australian colonies during the first half century, at times causing inconsistent court decisions due to financial consequences of trade and property transactions between free and emancipated dealers. In this particular period, Church functionaries were not permitted to charge convicted persons for services for burials and other life events including baptisms & marriages.
18. 1845 *Report*, p.7.
19. 'Joel Joseph per *Indian* 1810; 1820 Oct. Deceased; brother of Abraham Moses', *State Records NSW; Colonial Secretary Index, 1788-1825*.
20. 'Abraham Moses per *Surrey* 1814; 1820. Prisoner at Newcastle; brother of the late Joel Joseph. Petition for mitigation of sentence.', *State Records NSW; Colonial Secretary Index, 1788-1825*.
21. Levi *These Are The Names*, pp.391-92.
22. Old Chum, 'Devonshire Street Cemetery, Some Early Hebrew Colonists', *Truth*, 14 July 1901, p.3.
23. Old Chum, 'Old Sydney, The Rocks', *Truth*, 27 July 1902, p.7.
24. John S. Levi, 'The Tale of Australia's First "Rabbi" Joseph Marcus', p.31.
25. *Ibid*, p.32.
26. Samuel Solomon (d.1827), Walter Jacob Levi (d.1828), Joseph Marcus (d.1828).
27. Foster collection of photographs of Devonshire Street Cemetery, Mitchell Library; MSS ML ON 146, Image No.484. City of Sydney Archives *Correspondence: Metropolitan Water and Sewerage Board*, 13 and 23 March 1891. The burial area was near the Dental Hospital in Chalmers Street. The building in the background of the photograph is the Aurora Hotel on the corner of Elizabeth and Kippax Streets.
28. 1845 *Report*, p.7.
29. The headstone of Joseph Marcus is one of three headstones relocated to Botany Cemetery in 1901 which were originally in the permitted Jewish section of the Anglican Cemetery at Devonshire Street. Due to spalling of the sandstone it was replaced by a copy which still stands in the Pioneer Park at the Botany Cemetery.
30. 1845 *Report*, p.7.
31. *Sydney Monitor and Commercial Advertiser*, 1828, 2 August, p.8, 9 August, p.2, and 16 August, p.5.
32. George F. J. Bergman, 'Abraham Polack (1797-1873), Rise and Fall of a Jewish Emancipist', *AJHS Journal*, vol.VII, part.5, November 1973, p.371.
33. Contrary to this interpretation Darling's comment is usually accepted as an example of his known antisemitism and bigotry. Levi, *Australian Genesis*, p.152.
34. 1845 *Report*, p.7.
35. 'Yesterday, we hear, there was a Jewish sabbath', *Australian*, 19 June 1829, p.3.
36. 'A New Sabbath!', *Sydney Gazette and NSW Advertiser*, 20 June 1829, p.2.

37. 'Jewish Baptism', *Australian*, 23 June 1829, p.3.
38. 'The 28th September, being the Jewish Passover ...', *Australian*, 2 October 1829, p.4.
39. '... the rite of Circumcision ...', *Australian*, 16 October 1829, p.2.
40. 'Jewish Rites', *Sydney Gazette and NSW Advertiser*, 1 April 1830, p.3.
41. 'This day commences the Jewish grand feast of the Passover ...', *Sydney Gazette and NSW Advertiser*, 8 April 1830, p.3.
42. 'Yesterday commenced the feast of the Jewish passover ...', *Australian*, 9 April 1830, p.2.
43. 'On Wednesday evening (not Thursday as the Gazette states) ...', *Sydney Monitor and Commercial Advertiser*, 10 April 1830, p.3.
44. 'The Jews intend applying for relief ...', *Colonial Times (Hobart)*, 18 September 1829, p.3.
45. 'The Jews' Emancipation Bill', *The Tasmanian (Hobart)*, 13 August 1830, p.6.
46. 'The Act for the Relief of the Jew was lost ...', *The Tasmanian (Hobart)*, 24 September 1830, p.3.
47. A religious judge from the rabbinic court of London.
48. Jeremy I. Pfeffer, *From One End of the Earth to the Other, The London Beth Din, 1805-1855, and the Jewish Convicts Transported to Australia*, (Portland USA: Sussex Academic Press, 2008), Chapter 9, pp.280-308.
49. 'On Monday evening week was the commencement of the Jews Passover ...', *Sydney Monitor and Commercial Advertiser*, 6 April 1831, p.4.
50. *Ibid.*
51. 'A separate burial ground was ... set apart ...', *Sydney Gazette and NSW Advertiser*, 11 June 1831, p.3.
52. 'A separate burial ground has been set apart ...', *Australian*, 17 June 1831, p.4.
53. John Meredith, Plan of Devonshire Street Jewish cemetery, 1844.
54. 'Sydney Burial Ground', *The Voice of Jacob*, 5 September 1842.
55. 'A Synagogue for the performance of Divine Worship ...', *Sydney Gazette and NSW Advertiser*, 30 June 1831, p.2.
56. 'The New Year's Eve and Day of the Sons of Abraham', *Sydney Monitor and Commercial Advertiser*, 26 September 1832, p.3.
57. J. Macle hose, *The Picture of Sydney and Strangers' Guide in New South Wales for 1839*, reprint (Sydney: John Ferguson, 1977), p.103.
58. Pfeffer, *From One End of the Earth to the Other*, pp.290-01.