

For many years Mrs. B. F. Marks acted as President of the Jewish Girls' Guild, and her daughter (Mrs. R. W. Solomon) now continues the good work.

In 1944 the Guild celebrated its Jubilee, and, although many of our young people are engaged in war activities and unable to devote so much of their time to the cause, it is still continuing its good work in assisting the poor and sick of Sydney.

Early Days of South Australian Jewry.*

By Rabbi Dr. A. FABIAN, Adelaide.

(Read before the Society, December 20, 1944,
by Braham L. Moses, B.Ec.)

The Jews of South Australia did not organize themselves into a proper religious body until the year 1848, when, for the first time, services on the High Holy Days were held under the auspices of the newly formed "Adelaide Hebrew Congregation." Prior to this year, however, services had been arranged occasionally, as we learn from contemporary sources. The *Royal Almanac* for 1846 states :—

That the descendants of Abraham have as yet no synagogue in the town, but a congregation is in the habit of assembling for worship according to the Jewish rites in the house of Mr. Burnett Nathan in Currie Street.

This reference is a clear indication of certain religious activities long before the actual establishment of a congregation and the building of a House of Worship. Similarly, the Rev. Blackett, in his *History of South*

*I am greatly indebted to Mr. H. J. Keyes, Acting Principal Librarian of the Public Library, Adelaide, and to Mr. G. H. Pitt, B.A., South Australian Government Archivist, for their kind assistance in the compilation of the material, as also to the Honorary Secretary of the Society for several valuable suggestions.

Australia, makes reference to an assembly place for Jewish worship even as far back as 1844, eight years after the foundation of the colony.

Additional proof for the existence of communal activities prior to the formation of the Adelaide Hebrew Congregation in 1848 comes from a story that has been preserved in connection with the granting of State aid to religious establishments. It will be necessary to outline in brief the general position in regard to the question of State aid before dealing with those aspects that concern the Jewish community in particular.

The colony of South Australia was founded in 1836 on principles antagonistic to the provision of State aid to religion. The English promoters and friends of the colony, before its foundation, agreed that religion must be definitely recognised and provided for, but their views differed as to the connection between Church and State. The view of the majority was expressed at a meeting in 1834 by the Chairman :—

We do not contemplate anything that can partake of the character of an established Church, convinced that what is called the voluntary principle will amply supply a sufficiency of means to give to everyone in our colony proper moral and religious instruction.†

The English Government, however, pressed for some provision in connection with religious offices at least, and, accordingly, in the Foundation Act of 1834, the King-in-Council was empowered

to appoint . . . such Chaplains and Clergymen of the Established Church of England or Scotland . . . as may be necessary for the peace, order, and good government of His Majesty's subjects and others within the said province.

The Rev. C. B. Howard was appointed the first Colonial Chaplain, at a stipend of £250 a year. This, however, was the only provision, which was in the nature of a grant to a religious community. Otherwise—and this in contrast to the practice in other colonies—no assistance was granted to any other religious body for the first ten years of South Australia's existence, and the voluntary principle was observed.

†*Morning Chronicle*, 1st July, 1834, as quoted by Dean Jose in the *Centenary History of South Australia*.

The subject of State aid to religion, though definitely excluded as a principle from the legislature of the colony, was, however, hotly debated among the people. Two opposite camps had formed themselves in favour of and against State support, but nothing definite was done. Only when Governor Robe assumed office in 1845, the question of State aid was taken up by him personally. In a despatch to the Secretary of State (Earl Grey), the Governor said :—

Up to the present time, although the population of South Australia exceeds 20,000 souls, the only grant from the public Treasury towards religious instruction is about £350 a year to a clergyman of the Church of England. . . .

Continuing, Robe said :—

Religious instruction had been a charge on the produce of the land from the earliest stages of the world. Whether the Mosaic proportion of one-tenth is, or is not, adapted to the present age, it was not his purpose to discuss. He thought that something ought to be done in the way of aiding religion out of the local revenues of South Australia.

The Governor suggested that ten per cent. of the land revenue should be devoted to this purpose.

On June 24th, 1846, at the commencement of the legislative session, the Governor, in his opening speech, introduced the subject into the Council thus :—

The provisions heretofore made from the revenues of the province for purposes of religion and religious instruction are quite inadequate. Judging from returns lately laid before Parliament, it would appear that South Australia is one of the most backward of all the colonies of the British Empire in providing from its public resources for the means of worshipping that Being to whom we owe our existence and all the blessings we enjoy. This should not be; it is not in accordance with the spirit of the colonists themselves. Let it no longer be a reproach upon the Government and the Legislative body of the Province having control over the public finances. The members of the Church forming more than half of the entire population have lately received the benefit of two additional clergymen sent among them, but for these we are mainly indebted to the pious zeal of our friends in England. The due apportioning of Government aid among the different sects of professing Christians is a question of some difficulty, but it is not, I trust, insurmountable.†

The day after this speech, the Hon. John Morphett presented to the Council a petition, numerously signed,

†This report, as similar ones about the proceedings of the Legislative Council, is taken from the *South Australian Register*.

praying for State support to religion and education. It was the first in a series of petitions and counter-petitions which were submitted to the Council during the following months. Most important among the petitions received against the grant of State aid was the one presented by the Hon. Samuel Davenport on July 16th, 1846, with over 200 signatures by all the Non-Conformist ministers and by many respectable citizens. In fact, the whole question was now violently discussed in the press and at public meetings, and remained the most controversial subject for months and years to come.

On the following day, during the debate on the Estimates for 1847, the subject of religious endowment was officially submitted for the decision of Council, in the form of a resolution moved by the Hon. John Morphett and seconded by the Registrar-General :—

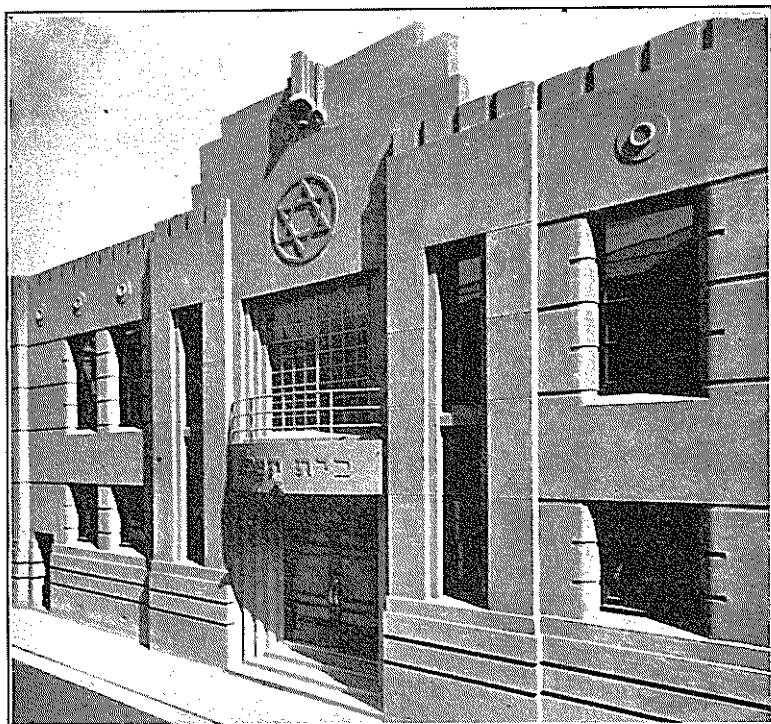
That his Excellency be requested to introduce into the Estimates for the financial year 1847, a sum of money for religious and educational purposes, to be apportioned amongst the different denominations of Christians in the Province in the ratio of their numbers according to the census returns, and to be applied by their respective bodies, either in building of places of public worship, the support of Ministers of Religion, the erection of School houses or the maintenance of schoolmasters and schoolmistresses, the sums as apportioned to be paid to, and apportioned by, a certain number of individuals in the nature of trustees, to be nominated by the respective bodies, and the trustees to furnish a report to His Excellency the Governor of their appropriation, accompanied by a proper Statement of Accounts to be laid before the Legislative Council. That His Excellency be further requested to introduce into the Supplemental Estimates for the year 1846, a sum equal to half the amount proposed to be voted for the financial year 1847, which shall be available to the respective bodies of Christians in the manner and for the purposes herein before stated.

The motion was carried by a majority of one. It will be noted that so far only support for the "different denominations of Christians" was contemplated. How much this question agitated the public can be seen from the report of a public meeting of the colonists held a few days after the passing of the above resolution. The meeting, called by the supporters of the measure, was asked to express its approval of State aid "for the education of the people and the worship of God." However, it ended with the adoption of a memorial to be presented to the Governor :—

Believing that no portion of the public revenue of the Colony should be applied by the Government to the support of religion, your Memorialists do therefore earnestly and respectfully solicit your Excellency to withhold the sanction of Government from the vote recently passed by the Legislative Council to place upon the Estimates a sum of money for that purpose.

A deputation waited on the Governor, but without success.

Before the matter was taken up in the Legislative Council for the final apportioning of the money, Major



FACADE OF THE PRESENT ADELAIDE SYNAGOGUE.

—(Block by courtesy of Thornquest Press.)

O'Halloran, on the 5th August, 1846, presented a petition from the members of the Jewish profession praying to be included in any Government grant for the support of religion, and at the same time gave notice that he should move that their prayer be acceded to. The petition was

read and received. It is as follows :—

Unto His Excellency Frederick Holt Robe, Esq., Lieutenant-Governor, and to the hon. the Legislative Council of the Province of South Australia.

The Petition of the undersigned members of the Jewish persuasion residing in Adelaide,

Humbly sheweth—

That your petitioners, loyal and attached subjects of Her Most Gracious Majesty, entitled by law to all the privileges enjoyed by their fellow-colonists and bearing their full share of the taxes and burdens levied upon the Community, earnestly and respectfully represent—

That in any grant by your Honourable Council, of monies for religious or educational purposes, out of the public revenues, to which they so largely contribute, a fair proportion should be allotted to your petitioners for the purpose of building places of worship and aiding the religious and moral training of the members of the Jewish faith within the province.

And your petitioners will ever pray.

This is the text of the document as reported in the *South Australian Register*. Unfortunately, it does not contain the names of the signatories. The original of this document could not be found anywhere, neither in the Government archives nor in Jewish records. It could have served otherwise as a most valuable source for the early history of the Jewish community in South Australia, as it would have disclosed the names of, at least, the leading members at the time. The petition, as it is, bears witness to the fact that the South Australian Jewish community in 1846 was already organised in some loose way, and that its members already at that stage contemplated the erection of a building and the promotion of Jewish education. As will be shown later, the Jewish settlers at the time amounted to not less than 58.

Shortly afterwards, on August 19, the matter of Church Endowment was brought before the Legislative Council for the final vote, in consequence of a motion put forward by Mr. John Morphet and seconded by the Registrar-General, who were further supported by the Colonial Secretary and the Advocate-General. The motion was as follows :—

That the sum of £1110/10/- be introduced into the Supplementary Estimates for 1846, to be divided amongst the different sects of professing Christians, in proportion to their numbers according to the census returns—such proportioned amounts to be applied for Religious or Educational purposes by trustees to be appointed in such manner as His Excellency the Lieutenant-Governor may be

pleased to direct by proclamation, subject to the proviso that such trustees shall, on the 31st March, 1847, make a report to the Governor, to be laid before the Legislative Council of the mode in which the moneys have been applied.

This time the motion was carried, after a long discussion, by a majority of three, five members voting in favour and only two opposing it (Captain Bagot and Mr. Davenport).

It was immediately after the passing of the above motion that Major O'Halloran brought forward his motion in favour of the Jewish persuasion. Seconded by the Advocate-General, he moved :—

That the sum of £2/18/- be inserted in the Supplementary Estimates under consideration, as a sum voted to the Jews for Religious and Educational purposes.

In support of his motion, Major O'Halloran said that the persons professing the Jewish faith should be included in the grant. They were, as a body, highly respectable, had all the privileges of British subjects, and had been always found loyal and peaceable. They contributed largely to the revenue, and had as much right as others to participate in the grant. They worshipped the same God as ourselves, and he trusted there would be no opposition to his motion, particularly as the Registrar General and the Colonial Secretary had expressed a wish that all should equally partake of the advantages of the measure.

It seems worthwhile to report the remainder of the debate in full :—

Mr. Morphet : The amount must be altered then.

His Excellency the Lieutenant-Governor : I think the hon. member is too late; he should have moved this as an amendment, after that of Captain Bagot was lost, and before the original motion was put.

Major O'Halloran : I considered myself in order, as I had given notice of my intention some time ago.

Mr. Morphet : In point of form, the hon. member is out of order, but I should be very glad to see the principle of his suggestion carried out. He might make a substantive motion for a grant of £5/16/- for the Jews.

His Excellency : There is an objection to that, as it would be giving the Jews twice as much as the Christians. It should be £2/18/- for the half-year.

The Colonial Secretary : I must object to this. It will look so ridiculous in the Estimates, to see such a trifle as a separate item; and it cannot be of the slightest use to them.

Major O'Halloran : I only wish to establish the precedent. It is true we have but 58 Jews here at present, but we may have more.

I have a great objection to partial legislation.

Mr. Davenport concurred.

Captain Bagot : The Jews, though few, are wealthy, and probably contribute thirty times as much to the revenue as the average amount according to number. But this shows the position in which you have placed yourselves. The Jews have as much right to their share as the Christians have; and I confess I can in no manner see any way out of the difficulty.

The Colonial Secretary, not pressing his objection, the motion was carried.

His Excellency : And do you mean to propose Pagans ?

Captain Bagot : Most assuredly—all who contribute.

Major O'Halloran : Certainly. I have been in all parts of the world, and have seen much of the natives of India, and bear my testimony that more upright and honest men do not exist.

The amounts for 1847, being precisely double that for the current half-year (£2221), including the quota of £5/16/- for the Jews, were also passed later at the same meeting.

It is a noteworthy feature of the debate in the Council that even those two members who opposed the original motion of State aid were in favour of a fair allotment of the grant after it had been decided upon to all citizens, including the Jews, and that the only one whose attitude could be interpreted as disapproving of the Jewish share in the grant was the Lieutenant-Governor. It should be added at this stage that at a later occasion Governor Robe modified somewhat his remarks in the Council debate. When the Appropriation Bill for 1846-47 was before the Council in September, he took this occasion to remark upon the separate grant to members of the Jewish persuasion. He was glad, he said, it so happened. His expression during a former discussion had been misinterpreted. He was far from being disinclined to treat members of that body with every proper consideration. He had been much among them, and it had been in his power to be of no inconsiderable service to persons of the Jewish nation by protecting them from the persecutions of Mahometans. The proportionate grant was necessarily small, but in another year it might be more considerable.

The amount of £2221 and the £5/16/- passed in favour of the Jews require some explanation. Apparently the sum is arrived at on the basis of 2/- per capita of the population. South Australia had at that time a popu-

lation of over 22,000, and 2/- per head would amount to roughly the grant of £2221 decided upon. On the same basis, 58 Jewish people would be entitled to an amount of £5/16/-, which explains the remark of the Governor that £5/16/- granted to the Jews for a *half-year* would be in excess of what was allotted to the Christians. Major O'Halloran's final wording of the motion, as reported above, took this objection into account. The original suggestion of Governor Robe to set aside ten per cent. of the land revenue* was apparently not followed. The total receipts for the year ended 31st March, 1848, were £54,675, to which, or to separate items of which, the grant for religious purposes was obviously not related.

The reception of this measure by the public was anything but friendly. A "South Australian League for the Maintenance of Religious Freedom in the Province" was formed, and some very representative citizens acted on its committee. Later, a petition against State aid to religion was forwarded to the Queen, who, however, approved of the measure. For weeks and months on end the columns of the *Register* were filled with leaders, letters to the editor, and reports of meetings, mostly disapproving of the grant.

On the day of the debate in the Council, the *Register* carried the following sub-leader, which must be understood against the background of that paper's violent opposition to the principle of State aid in general :—

What our Jewish fellow-colonists will do with the money granted to them by their Christian rulers for the propagation of their creed is matter for curious speculation. It is conjectured that they will give tithe of the fifty-eight shillings to the Rev. Mr. Woodcock,† in the form of a "shoulder and breast" of mutton, and build a wurley-synagogue with the remainder. Whether or not Mr. Woodcock will officiate at the opening, as temporary High-Priest, has not transpired.

In consequence of the motion passed at the meeting of the Legislative Council, the amounts of £2/18/- and £5/16/- were entered on the Supplementary Estimates for 1846 and the Estimates for 1847 respectively. However, as can be seen from the Statement of Receipts and Expenditure for the year 1847, the amount of £5/16/- was

*See the *South Australian Register*.

†Who was the foremost clerical supporter of State aid.

not paid to the Jewish community, neither is there any evidence for the receipt of the first £2/18/- granted in the Supplementary Estimates for 1846. There is nothing in the Jewish records to throw light on this matter, as there was no congregation in existence until September, 1848. But it will become clear from the further course of events that the entering of the sums on the Estimates was not identical with the actual allotment of the grant, as prior to its receipt certain conditions had to be complied with which were contained in later Ordinances and Proclamations.

On September 2nd two Ordinances were promulgated, No. 13 of 1846 for the "Further Appropriation of the Revenue for the Year 1846" and No. 14 for the "General Appropriation of the Revenue for the Year 1847." In the Ordinance mentioned first, the following clause is of relevance :—

Fifthly — For defraying the following allowances in aid of Religion and Education in this Province, for the said year 1846, the sum of £1113/8/- =

For Christian Denominations	£1110	10	0
For the Jewish Persuasion	£2	18	0

Section III. of the same Ordinance runs as follows :—

And with respect to the sum of £2/18/- to be applied for the use of the Jewish Persuasion : Be it enacted, that the same shall be paid to such Trustees as may be appointed by or on behalf of the said Persuasion in such manner as may be directed by the Governor by Proclamation published as aforesaid : Upon trust, that the said Trustees shall duly apply the moneys so paid, in promoting Religion or Education, as they may deem most just and beneficial, having regard to the wants of particular localities, and on condition, that the said Trustees shall, on or before the 31st day of March next, report to the Governor full and true statements and accounts of the due outlay of the moneys, such statements and accounts to be by the Governor laid before the Legislative Council as soon as may be after the then assembling thereof.

Corresponding references with regard to the amount of £5/16/- for 1847 are made in the Ordinance No. 14.

It should be stressed here that Section III. of the above Ordinance contemplated a further Proclamation by the Governor, in which he would direct the manner of appointment of the trustees, who alone should be entitled to receive the grant on behalf of the Jewish community. A similar clause was contained in those sections of the

Ordinance which referred to Christian denominations.

The next step to carry the new measure into effect was taken by the Governor in a Proclamation on September 17th, in which he referred to that particular clause for the appointment of trustees, and then directed the manner of their appointment and the exercise of their powers. It has to be kept in mind that this Proclamation referred only to the Christian denominations, and did not indicate anything about the mode of appointment for trustees of the Jewish faith. The same holds true with regard to another Proclamation of April 22nd, 1847, which was based on Ordinance No. 14 of 1846, and had reference to the Budget Estimates for 1847. Again there was no mention at all of the appointment of trustees for the Jewish community. As, failing such directions, a trustee could not be appointed by the Jewish people, nobody was there to receive the grant, and, as according to the Ordinance, money could only be paid to the trustees, the Jewish community found itself in the position of receiving nothing. Further Council proceedings do not indicate whether this anomaly was pointed out at the time of these two Proclamations to the authorities. The fact remains that the money was not paid, as obviously nobody was entitled to receive it.

Only when the Estimates for the next year came under consideration in July-August, 1847, the question of paying the grant to the Jewish community was revived in the Council. On July 7, the Governor laid on the table a Bill "to promote the Building of Churches and Places of Worship, and to provide for the Maintenance of Ministers of Religion"—a measure that was exceeding in scope by far the one of the previous year. Again the pro's and con's of the principle of State aid were vehemently contested, and numerous counter-petitions reached the Council. The question of the inclusion of the Jews in the proposed measures was raised at the third reading of the Bill by the same Council member, Major O'Halloran, who had brought forward the motion in the previous year. The Major said that from the liberal manner in which His Excellency had met the motion made by him last year, he confidently expected the same success on this occasion.

The Registrar-General asked whether it was in accor-

dance with the wishes of the members of the Jewish persuasion that the motion was made. Major O'Halloran said that he had shown his motion to a gentleman of great respectability, who had approved of it personally. He had no doubt but that it would meet with the sanction of the entire population professing that belief.

His Excellency said that the practice was for any member to ask the Governor to lay any Bill upon the table, and, in the event of such not being complied with, the member so applying could enter upon the minutes a statement of the reasons for wishing for such an enactment. He did not think it right to leave a Bill upon the table, because those whose benefit it was intended for had made demonstrations of such a course being in unison with their wishes. Last year the Jews had not availed themselves of the grant at all. They (the Council) might be legislating for that which the persons interested did not want. Therefore, until he had a demonstration from that body, he would not make any movement in the matter. Major O'Halloran expressed himself satisfied with the manner in which His Excellency had spoken.

It throws an interesting sidelight on the whole atmosphere of contention which was stirred up by the Bill how the Governor was taken to task for his attitude in a leader of the *Register* a few days afterwards. It says :—

The reason he [the Governor] gave [in the matter of aid to the Jewish citizens] convicted him of ill faith. It was that no movement had been made on the part of the members of that persuasion to show a desire for the grant. This was true, no doubt. But what, we may ask Major Robe and his acquiescent councillors, what movement has been made on the part of the Christian community to show a desire for the grant?

The article underlines the correctness of the Governor's statement that the Jewish community did not apply for the grant, and only rebukes him for insisting on a petition from the Jews for State aid while proposing it without a petition for the Christians. However, as pointed out before, there were difficulties in the way of applying for the grant, as the community had not yet been directed how to appoint its trustees. It was correct that the application in the past had not been made, but we can only surmise to-day that technical difficulties were at least partly responsible for this failure of the Jewish community

to avail itself of its allotted share, the other reason obviously being (as stated immediately below) that the amount was too small for distribution.

On August 17, Major O'Halloran was again in the position to present a petition from the persons professing the Jewish faith. They were praying for the same privileges as those professing the Christian religion with respect to religion and education, and stated that the reason why they did not accept the grant of last year was in consequence of the difficulty which would be felt in distributing so small a sum amongst so many persons.

His Excellency, in answer to a question from Major O'Halloran, said he was quite prepared to state his opinion, and would cause a Bill to be laid upon the table conferring upon the Jewish faith the same privileges respecting religion and education enjoyed by Christians, and hon. members could then deal with it as they thought proper.

It is obvious that the Jewish community had presented its petition in response to the Governor's suggestion for some sign on their part that they were still desirous of a grant. Thus, they hoped, the Governor would be more inclined towards aid for the Jewish community, which indeed he was. There was his further argument (quoted above) that the Jews did not avail themselves of the grant in the past. To invalidate this objection, a further move was made at the very same time when these discussions took place in the Council. A letter of application for the grant was forwarded to the Colonial Secretary, the original of which has been preserved in the Government Archives. It runs as follows :—

Adelaide, 13th August, 1847.

The Hon. The Colonial Secretary.

Sir,

Having been appointed Trustee on behalf of the Members of the Jewish Community in this Province, I have the honour to apply for the Government Grant voted by the Legislative Council on behalf of that body,

I have the honour to be, Sir,

Your Most Obedient Servant,

E. L. MONTEFIORE.

This letter seems to contain the necessary legal essentials for the receipt of the payment, the writer referring to himself as the Trustee appointed by the Jewish com-

munity. This, however, was not considered sufficient, as can be seen from the reply by the Colonial Secretary :—

18th August, 1847.

Sir,

In reply to your letter of 13th inst., in which you make application on behalf of the Jewish Community in this Province, for the proportion to which they are entitled of the Government grant in aid of religion and education, I have the honour to observe, that they have not yet complied with the requirements of the Lieutenant-Governor's proclamation of the 22nd April last, as to the manner in which Trustees are to be appointed in the absence of other office-bearers.

As soon as you have conformed to the terms of that proclamation, the Lieutenant-Governor will issue the necessary warrant for the payment of the amount due to the Community of which you are a member, as their proportion of the Government grant above referred to.

I have etc.

A. M. MUNDY.

The reference by the Colonial Secretary to the Lieutenant-Governor's Proclamation of April 22nd is somewhat beside the point, as this proclamation only makes reference to the Christian denominations and does not mention the Jewish persuasion at all. It was implied in the answer that the Jews should appoint their trustees in the same manner as the Christians, although Section III. of Ordinances Nos. 13 and 14 had specifically left room for a separate proclamation with regard to the members of the Jewish faith.

The answer of Mr. E. L. Montefiore does not mention this point, though it stresses the impossibility for the Jewish community to comply with terms which had been given for the totally different circumstances of the Christian denominations. The reply runs as follows :—

Adelaide, August 19th, 1847.

To the Hon. the Colonial Secretary.

Sir,

In reply to your communication of the 18th inst., stating that I have not yet complied with the requirements of the Lieutenant-Governor's proclamation of the 22nd April last, I shall be glad if you will inform me in what manner those terms are to be carried out in the case of the Community of which I am a member, differing as it does from that of any other denomination, there being at present no place of worship and consequently no Minister or Congregation.

I have the honour to be, Sir,

Your obedient Servant,

E. L. MONTEFIORE.

It might be appropriate to add that very little is known about Mr. E. L. Montefiore, the writer of these letters. In the records of the Jewish community his name is only to be found in the Marriage Register. The second marriage to be solemnized in Adelaide—and this still previous to the formation of the congregation—was that of Esther Barrow Montefiore and Eliezer Montefiore Levi, “commonly called Eliezer Levi Montefiore.” With the exception of his appointment as trustee, he does not seem to have been connected with communal life, as his name does not appear in the attendance records of committee meetings or general meetings of the newly established Adelaide Hebrew congregation. From the contemporary *Almanacs* we know that he was a “Merchant, Commission and Shipping Agent,” and that he represented such firms as the Australian Colonial and General Life Assurance Annuity Company, London. Unlike his more prominent relatives, Jacob and Joseph Barrow Montefiore, he was not so much in the foreground of public life in the colony. However, his name will be remembered in the annals of the Adelaide Hebrew congregation as being associated with this move for State aid to the Jewish community, which, though it was not successful, was apparently the first organised action undertaken on behalf of the Jewish people in South Australia to avail themselves of a legal privilege granted to all citizens, without distinction.

There is no further reply to be found in the Archives to E. L. Montefiore’s second letter. The Governor himself was in doubt about the position, and referred the matter to the Advocate-General for a report. On August 21st the Advocate-General replied to the Governor as follows :
Sir,

I have the honour to acknowledge receipt of your letters of this date, enclosing copies of 2 letters from Mr. E. Montefiore on the subject of the grant to the Jewish Community in aid of Religion and Education.

I have the honour to report that the Proclamations hitherto issued were in pursuance of the 2nd sections of the Ordinances No. 13 and 14 of 1846, which had reference only to the Christian Religion.

Separate provisions were made by the 3rd sections of these Ordinances for the Jewish Persuasion, but have not been acted on,

there having been no previous application on the subject.

The Lieutenant-Governor is empowered by proclamation to direct in what manner Trustees may be appointed by, or on behalf, of the Jewish Persuasion.

As Mr. Montefiore states that he has been appointed Trustee on behalf of the members of that Community, and that it differs from the other denominations, it might perhaps be convenient that Mr. Montefiore should describe its proper mode of appointment, which would suggest for His Excellency's approval the terms of the proclamation.

As His Excellency has also signified his disposition to confer on this Community similar privileges with those which have been accorded to other religious denominations, I would take this opportunity to submit, whether Mr. Montefiore might not point out in what particulars the Church Ordinance would require to be modified in its application to the Body which he represents.

I have the honour to be, Sir,

Your Most Obedient Servant,

(Signed) ADVOCATE-GENERAL.

It will be seen from this legal opinion that the Advocate-General submits to the Governor to wait for the next move by the Jewish community, and that he also states that no proclamation for the appointment of trustees has been issued in the past, as there was no application for it from the Jewish members. Whether the Jewish people were aware of this point that they had to apply for the issue of a proclamation, which was already contemplated in the Ordinances Nos. 13 and 14, must appear very doubtful.

It can be assumed that this legal opinion was communicated to Mr. Montefiore, but no other records could be found indicating further developments in this matter. We do not know, therefore, whether Mr. Montefiore suggested the terms for the appointment of the Jewish trustees, and this was not acted upon, or whether he left the communication unanswered. There were several reasons why he might have left the matter as it was. Perhaps he was unable to suggest anything definite, as the community was still not organised in 1847. The possibility that he did not pay further attention to the whole matter owing to the small amount involved cannot be

ruled out either. The most plausible reason seems to lie in the fact that the majority of the members of the Jewish community themselves were apparently subscribers to the voluntary principle. When, in October, 1848, the building of the Synagogue was under discussion at a meeting of the Adelaide Hebrew congregation,

it was moved by Mr. Louis Joseph, and seconded by Mr. M. Joshua Senior, that a subscription list be opened by the gentlemen of the Jewish persuasion for the purpose of raising sufficient funds for the erection of a Synagogue. Carried unanimously. Moved by Mr. B. Nathan, seconded by Mr. Joshua, that the subscription be raised for the furtherance of the object stated in the former resolution, be upon the voluntary principle only, and that no assistance be applied for from H.M. Colonial Government towards the furtherance of this object.

There is a strong likelihood for the assumption that even in the previous year the members of the community, confronted as they were with certain legal difficulties in obtaining their share of the grant, and obviously more and more inclining towards the voluntary principle, decided not to proceed any further with applications to the Government. As the Legislative Council had already adopted the attitude that it would not act unless some expression of opinion from the Jewish community was forthcoming, the absence of any further enactments after this date is readily explained. There is no record of any further Proclamation by the Governor, nor of the special Bill for the Jewish persuasion which he had conditionally announced in the Council.* The grant for 1847-48 was never received by the community, neither is there any reference to any grants to be found in subsequent years.

State aid to religion, which had never met with the approval of the population of South Australia, came to an end in 1851 after a five years' battle, when the Church Endowment Bill was discontinued in the Council. Though the grant to the Jewish community was never paid, events in connection with it have left to posterity a memorial of the activities of Jewish people in the early days of South Australia.

*C.f. p. 10.