

American Jewry · Documents Eighteenth Century

PRIMARILY HITHERTO UNPUBLISHED MANUSCRIPTS

Jacob Rader Marcus

DIRECTOR, AMERICAN JEWISH ARCHIVES
ADOLPH S. OCHS PROFESSOR OF JEWISH HISTORY
HEBREW UNION COLLEGE—JEWISH INSTITUTE OF RELIGION
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No. 42 The First Philadelphia Synagogal Constitution—ca. 1770

Individual Jews settled in Philadelphia and other locations in eastern Pennsylvania early in the eighteenth century. The first Jewish burial plot in Philadelphia was purchased in 1738, and, according to tradition, there were enough Jews in the city for occasional religious services during the 1740's. There is definite evidence that an informal synagogal group was in existence at that time, but it was not until the 1760's that they began to organize a congregation and even to talk of building a house of worship. In 1771 the Philadelphia Jews announced that a house of worship had been opened in Cherry Alley. By this time also a body of synagogal officials was functioning, and a congregational fund had been established to help unfortunate coreligionists and impoverished itinerants.

An organized congregation must have its constitution, and the following document, translated from the original Yiddish, is probably a draft that had been prepared for the Philadelphia Jewish religious community. (Its character as a draft is proved by the fact that repetitious material had not yet been eliminated.) Inasmuch as in the middle eighteenth century practically all the Jewish Philadelphians who were vitally interested in regular religious services were German immigrants, it is not surprising that their synagogal ordinances were originally written in Yiddish, interwoven, of course, with Anglicisms. The misspelling of the Hebrew words employed demonstrates eloquently that the writer certainly, if not the congregation, was unlearned in Hebraic lore.

However, though these Philadelphia German Jews wrote their first constitution in Yiddish, they followed the prevailing Sephardic organizational pattern. The Spanish-Portuguese liturgy and religious way of life had become typically "American." As a matter of fact, a comparison of the concepts and wording of the New York Shearith Israel "Rules and Restrictions" of 1728 with this organic statute lends credence to the belief that the Philadelphians had a copy of the New York constitution before them as they sat down to write. These Philadelphia regulations were written probably no later than 1770, and perhaps even as early as the 1750's. When the congregation was reconstituted in 1782, it called itself Mikveh Israel ("The Hope of Israel").

SOURCE. American Jewish Archives, The Henry Joseph Collection of Gratz Papers.

Since we are concerned about the matter of creating an organized community, it is important that we exercise prudence in selecting communal leaders.

The members who select the Board of Five are hereby warned to be careful to choose people who will dispense justice.

And when the Board of Five choose a president, the ruling is that he must first have served as *hatan torah* and *hatan bereshit*. ["Bridegroom of the Law" and "bridegroom of the beginning." These men were given the honor of closing and beginning the annual cycle of the Pentateuchal readings in the synagogue.] In addition, the Board of Five shall be careful, when they select a president, to see that he is neither quarrelsome nor tyrannical, but that he is a God-fearing man who is desirous of according justice to everyone.

If it should happen that a person has been a *hatan torah* and a *hatan bereshit*, and his turn arrives to become president, and it is known that he is quarrelsome and tyrannical, then that man is not to be made president. The Board of Five shall then elect another person, one who is respected here, to serve as president, even though he has not been either *hatan torah* or *hatan bereshit*.

Every householder is obligated to pay heed to what the president orders in the synagogue and, God forbid, not offer him any affront.

If there is a quarrel among the members, then the one in whom the quarrel centers must go to the president and to the Board of Five, and they must settle the matter. If however the litigant will not present himself, then the president has no right to give him a seat nor show him any religious courtesy in the synagogue, not to him, nor even to his children (as long as the children are subject to the litigant), until he submits to the president's decision. For the president is required to rent out the seats in order to support the synagogue. If, however, a person does not want to pay for his seat, then he has no right to a seat, nor to any congregational religious courtesy, not even to make a single donation in public.

If a person has insulted the synagogue and does not wish to submit, and the president decides that that man has done wrong, and that the affront is to have no religious courtesy as long as he, the president, is in office, when, later on, another president comes to power, the new president is not to accord that man any religious courtesy until that offender has been examined by the new president and the Board of Five, to determine whether he was guilty or not.

BEHIND THE DOCUMENTS

Every householder is obligated to do that which is right, to submit to any orders of the president in the synagogue.

The president has the right to summon the Board of Five together whenever the need arises.

If a householder is of the opinion that the president has done him an injustice, then that man has the right to go to the Board of Five and to lay his case before them, and the Board of Five shall listen to both disputants to determine who is right. If, however, the Board of Five cannot settle the matter, then they are to summon a number of householders in order to settle the dispute between the parties.

If it is known that a person has desecrated the Sabbath, that person has no right to receive a religious courtesy in the synagogue until he hears what his sentence is to be.

If the president accords a religious courtesy to anybody in the synagogue, that person is obligated to accept; if not, he has to pay a fine.

If a person has a religious obligation to fulfill at a morning service, he is obligated likewise to come to the afternoon service. If not, he has to pay a fine. [If the community has arranged a special weekday service in the morning for a man, others may want his presence for a religious quorum in the afternoon. Let him appear!]

If a stranger comes to town, he is not immediately to be accorded a religious courtesy in the synagogue. He has to be here in town for at least several weeks, unless it happens that there are people here in town who know him. Then he is entitled to religious courtesies at once.

If there are people in the community who do not want to make any contribution, and separate themselves from the group, and do not want to help to support the community, when they die they [their heirs] have to pay for the cemetery lot, as much as the president and the Board of Five think that the lot is worth. They can demand much or little.

If a stranger [dies in town] and has means, he [his heirs], too, must pay for his burial lot. [Strangers who were impoverished itinerants were not expected to pay for their burial lots!]

END

No. 43 Passage to Surinam for a Poor Man—1770

In the spring of 1770 a Jew arrived in Newport from the Dutch island of St. Eustatius. He had once been wealthy but having lost his money, set out to seek relatives in Surinam, South America. Eager to help him, Jacob Rodriguez Rivera, the Newport merchant-shipper, wrote and asked Nicholas Brown & Company, of Providence, whether they would give the man passage in one of their

ships (Document A). That firm specialized in the Surinam trade and nearly always had a vessel headed in that direction.

The Browns answered that they had a ship, but the passenger would have to embark at Providence. Rivera sent him at once and told the Browns that the man was carrying his own provisions, kosher food most likely (Document B). A few days later Rivera received a brief note confirming the man's departure (Document C). Helping an impoverished coreligionist make his way to a different city or country was a relatively common occurrence in the eighteenth-century American Jewish community.

SOURCE: The John Carter Brown Library, Brown Papers.

A [NO. 43]

Newport, May 21st, 1770.

Messrs. Nicholas Brown & Co.
Gentlemen:

There is one of our [religious] society who arrived here yesterday from St. Eustatius, in order to git a passage for Surinam where he has very able relations that have sent for him. His family I knew well in the West Indies, and [they were] some of the principal [members] of our society, but by the frowns of fortune are reduced [in circumstances]. I am informed you have a vessel bound to Surinam. I shall be glad [if] you'll let me know by first boat if he can have a passage in her, when she will sail, and whither she is to stop here before she sails, or if he must goe to Providence.

If you can oblige me in this, I shall thankfully acknowledge the favour, and am very respectfully, gentlemen,

Your humble servant,
Jacob Rodriguez Rivera

B [NO. 43]

Newport, May 25th, 1770.

Messrs. Nicholas Brown & Co.
Gentlemen:

Mr. Lindsey sent me word that you had desired him to inform me that your vessel would sail for Surinam next Sunday, and that you was so obliging as to allow the bearer a passage in her, but must be there by Sunday. He therefore goes up with this boat and will wait on you. He carries his provisions with him, and [you] will add greatley to the favour if you recommend him to your captain. I cannot but return you

Signed

A, the small one, Jacob son of R. [Abba] Moshe Cohen (P), Richmond, Virginia.

No. 58 The Constitution and Bylaws of Congregation Shearith Israel, New York—1790

Congregation Shearith Israel was incorporated on June 4, 1784, shortly after the legislature of the state of New York enacted a statute providing for the incorporation of religious societies. Although we cannot be altogether certain, it is very probable that six years elapsed before the congregation finally adopted a constitution and a series of bylaws. Pursuant to the 1784 Charter Act, as the congregation referred to it, the members were to elect a board of trustees to administer the property and finances of the synagogue. Spiritual matters, on the other hand, were in the province of the parnas, or president, and of the junta (also called adjunto), or board. Thus the control of the synagogue was divided into two separate realms.

Congregation Shearith Israel was the largest and most influential synagogal organization in the United States in 1790. Its rules and regulations are therefore of importance, since they throw light not only on its structure and organization but also on the community's socioreligious ideals.

Document A, below, may well be the 1790 constitution, which was adopted on May 30 (the 17th of Sivan), although conclusive evidence for this assertion is lacking. The fair copy seems to have disappeared; what we have is an undated rough draft. The opening paragraphs are reminiscent of the high idealism of the Enlightenment and of the all-embracing liberalism of the American and French revolutions. In all likelihood they are the work of Solomon Simson, a radical Whig, who in 1790 was one of the congregation's presidents and who later in the decade became president of the Democratic Society of New York. An interesting feature is the absence of any reference in the document to *yehidim*, or first-class members. But in spite of its equalitarian appearance, the constitution prohibits the admission of indentured servants to synagogue membership.

Document B, also undated, appears to be a sort of bill of rights. Like Document A, it opens with a liberalistic genuflection to the

social contract theory of Rousseau. The rights and privileges of first-class members (*yehidim*) are touched upon in the first few articles, and the document continues in the ante-Revolutionary tradition of distinguishing between these and the less privileged congregants. It is by no means improbable, however, that *yehidim* refers to the typical members, while the others are members *in potentia*. Perhaps no definite distinction between two different classes of members was envisaged. Only a part of this document is reproduced here because the extant copy has been hopelessly misarranged by an early copyist.

The bylaws adopted on June 6 (the 24th of Sivan) fortunately are dated (Document C). These deal with the rights of members and the duties of paid officers: cantor, beadle, ritual slaughterer, and teacher. It is interesting to note that the regulations for the beadle were copied almost verbatim from those enacted in 1768. Of considerable interest also are the rules for parliamentary procedure, adopted in 1790. The repetition in Document C of some of the regulations in Documents A and B would seem to imply that the constitution finally adopted differed in some respects from the draft materials in Documents A and B.

Document D, dated July 11 (the 29th of Tammuz) describes the ratification of the constitution and bylaws by the trustees, as well as the bylaws regulating certain financial aspects of synagogue administration, which were adopted concurrently.

Document E, dated August 22 (the 12th of Elul), contains a number of disciplinary enactments, covering the abuse of dietary laws and the observance of the Sabbath and of the Passover holiday.

SOURCE. Congregation Shearith Israel, New York, Minute Book.

A [NO. 58]

In the name of the Lord, the God of Israel. Amen.
New York.

We, the members of the K. [ehillah] K. [edoshah, "Holy Congregation"] Shearith Israel, met this day by a legal summons from the junta (or associate elders) published in the synagogue two Sabbath days successively, do by these presents in the most solemn manner, in the presence of the Almighty and of each other, agree to form such rules to serve for and be considered as a constitution, and to accede to such other institutions, rules, and regulations as may be conducive to the general good of this congregation.

And we, whose names are hereunto subscribed, do severally engage fully to perform all such acts, institutions, and regulations as shall from time to time be thought expedient and necessary to be for the support of our religious and holy divine service.

In a state happily constituted upon the principles of equal liberty, civil and religious, the several societies, as members of that government, partaking of that blessing, being free to adopt the best means for preserving their privileges, and for entering into such compact for regulating and well ordering the internal institutions for the administration of the affairs of their several communities as may be most likely to attain that end,

The congregation of *yehudim* ["Jews"] in this city, convinced of the propriety, only comply with their duty to themselves and posterity by entering into an agreement and covenant for the purposes aforesaid, and, accordingly, on the day and year above mentioned, declare the following rules shall serve for and be considered as a constitution:

First. That every man, except a bound or hired servant, professing to be and living as a Jew, being of the age of twenty one years and upwards, who is not married contrary to the rules of our religion, and subscribing and conforming hereunto, shall be entitled to every right and privilege belonging to this society and are [is] hereby declared to be in every respect on an equality with those now convened.

Secondly. That a book shall be opened wherein shall be transcribed a fair and correct copy of this constitution, and whoever chuses to subscribe thereto within three months from the date hereof, being qualified according to the preceding articles, shall hereby become a legal member of this congregation, in as full and ample manner as those who now sign these presents for that purpose, excepting the children of the subscribing members, and those who are born in this place who shall be admitted without paying any admission fee upon application to the persons appointed for that purpose, and they being qualified agreeable to the preceding article.

Thirdly. Any person residing at present in this city who does not chuse to become a subscribing member within the time limited above shall not be admitted thereafter, except by a proper application in writing to such person or persons as shall be appointed for that purpose, and shall pay such sum of money as shall be fixed for the admission of strangers.

Fourthly. Any person who comes to reside in this city hereafter, and is desirous to become a member of this, our congregation, shall not be admitted as a subscribing member until he has resided at least three months, then to make application in writing to such persons as shall be appointed for that purpose; and if deemed to be a person proper to be

admitted, shall pay the sum of two and a half Spanish milled dollars to the *tzedaka* [treasury] for his admission.

Fifthly. That so soon as any person has subscribed to become a member of this congregation, he shall be entitled to every right, privilege, and immunity whatever appertaining to a member thereof.

Sixthly. That all the members of this congregation shall annually meet at the *hebra* [community building] on the first day of the week preceding Rosh Hashanah ["New Year"] except it should be the day before the holyday (in which case the antecedent [antecedent] first day of the week); then and there to elect by ballot from among the subscribing members who have served in this congregation either as parnasim or ajunto ["board members"], three ajuntos or associate elders to serve for one year, whose employment shall be:

First. To meet at the *hebra* on the first Sunday in every lunar month (festivals excepted) and at any other time when legally summoned to attend, which summons must be sent to their respective place of abode in writing.

Secondly. To observe that the institutions and regulations made by this congregation be duly attended to, and that none of the members of this congregation have any of their rights and privileges infringed or violated.

Thirdly. To meet at the *hebra* at least three days before Rosh Hashanah in every year with the parnasim of this congregation, then and there to elect, conjunctively with the said parnasim, two parnasim for the year then next ensuing (from among the subscribing members who have served in this congregation as parnasim, ajuntos, or either of the *hattanim* [the *hatan torah*, or "Bridegroom of the Law," and the *hatan bereshit*, or "Bridegroom of Genesis"]), and the two *hattanim* from among the said subscribing members at large, also to serve for the year then next ensuing. Those who have been elected as *hattanim* without having accepted but did pay their fines, are considered as having served and [are] eligible for parnasim.

Fourthly. In case either of the parnasim elect refuse serving, the senior associate elder [ajunto] is then to officiate in his stead, which seniority is hereby declared to be seniority in office heretofore.

Fifthly. To be judges with the parnasim of persons proper to be admitted [as] subscribing members of this congregation, and to make such rules for their own board as they think convenient.

Sixthly. In case either of the *hattanim* elect refuses to serve, then to appoint another, and if he also declines serving, then the elders to draw lots who shall serve in his place, and the same mode in case both *hattanim* refuse serving.

And for the better government of the community and [that] the sev-

eral institutions may have their full effect, there shall be two parnasim, the senior parnas to serve from Rosh Hoshanah until Pesak ["Passover"] and the junior parnas until the next Rosh Hashanah, the acting parnas to be titled president, and the other the vice president.

The Duty of the President

First. The president shall dispense of all mesvoth [religious honors] given out in [the] synagogue, excepting particular cases only, which will be enumerated in the bill of rights [bylaws?].

Secondly. To take care that divine service be performed with decency and decorum, to admonish any person behaving amiss in the synagogue, to dispose of any vacant seat to any transient person or persons of either sex, to suspend any of the servants of the congregation (that is, the hazan, the rabbe ["teacher"], shochet ["slaughterer"], and *shamas*) either for neglecting duty or being guilty of small practices [malpractices]. But on any suspension, the parnas shall convene the congregation within forty eight hours, if approved, to be valid, otherways to be taken off (Sabbaths and holydays excepted). [Suspensions are invalid if not approved by the congregation within forty-eight hours.]

Thirdly. To summon the associate elders to meet whenever he sees fit, and when met with the vice president, to form the junto ["board"] of the Kahal Kadosh Sheerith Israel or *maamad* ["board"] of K. K. Shearith Israel, and all addresses [formal communications] to them are to be directed to the parnasim and ajuntos.

Fourthly. The parnasim and associate elders shall have full power to frame and propose all the institutions and ordinances for the well governing and discipline of this congregation as they shall judge proper from time to time, and to alter or amend any institutions or regulations now not repugnant to the constitution in being, provided always that no such rules, order, or institution shall be deemed obligatory until it has been published in the synagogue two Sabbath successively; then, if not objected to within one week after such publication, to be of equal validity with those now in being.

[There was apparently no fifthly.]

Sixthly. In the absence of the presiding parnas, the parnas vice president to act in his stead, and in the absence of both the parnasim, then the senior associate elder to officiate as parnas with the same authority and power as appertain to the parnas.

Seventhy. In the absence of the parnasim and ajunto from synagogue either of the *hattanim* to officiate as parnas, that is, the *hattan torah* ["Bridegroom of the Law"] first, and if he be absent, then the *hattan bereshith* ["Bridegroom of Genesis"]; in the absence of the *Hattan Bereshith* the oldest man present (officers and persons not entitled to vote

agreeable to this constitution excepted). The parnas or person officiating as such in his stead shall on any occasion deemed necessary by three members, convene the congregation, to lay before them such matters as may require their consideration, and every member of the congregation, when thus convened or at other usual meetings, shall have full right to speak his sentiments freely on any subject, proposal, or on any occasion whatever. And if a motion be made by any member and seconded, the parnas or other person acting as chairman to [of] that meeting shall be obliged to put the question; but if not seconded it shall pass unnoticed.

Eighthly. The establishment of this congregation, having always been *keminhatg Sephardim* ["according to the Sephardic ritual"], is hereby confirmed and declared to be the constitution of the same, and that no language [is] to be made use of in synagogue but Hebrew, except the offerings.

Ninthly. In order to promote decency in [the] synagogue where we meet to worship the Almighty God, to support respect and decorum in a place dedicated to His service, and to prevent any insult being offered to the parnasim and assistants, or any of the congregation, it is agreed that any person who shall by word or act behave in such manner as to come under the above description, or refuse to follow the order or direction of the parnasim for the time being (or, in his absence, the person officiating in his stead), shall, upon trial, if found guilty in any respect, forfeit to the trustees, for the use and benefit of this congregation, not less than two dollars, nor more than twenty dollars, which shall be decided in the manner following:

Upon any dispute happening, the parnas and junta shall summon the parties, who shall choose two persons, each unconnected with either one, according to our religious system, which four persons shall meet in the presence of the parnasim and elders; and if they cannot agree, [they are] to choose a fifth person; and after they have determined [made their decision], the parnasim and elders [are] to confirm such judgment, and to make report of every fine incurred to the chairman of the trustees, which judgment shall be binding on the parties.

And any person offending, and being duly summoned to choose arbitrators, and not attending in time, the parnas and junta to proceed and choose four persons who shall proceed and determine in the same manner as if the person offending had attended. And any person chosen to decide upon any dispute, and not attending at the time he is summoned, shall be cited to appear before the parnasim and ajuntos to assign his reasons for non acceptance, which if not deemed sufficient, shall forfeit and pay to the *sedaka* the sum of three pounds four shillings for such refusal, which said fine shall be recovered before any magistrate, and the parnas or person officiating as such to be subject to the same

trial in case of any complaint against him, which complaint shall be to the junta; and they shall be obliged to conform and summon arbitrators in [the] same manner as mentioned in the foregoing.

Tenthly. Any person elected to serve as parnass and [who] refuses to accept shall pay a fine of ten pounds. And any person elected to serve as adjunta and [who] refuses to accept shall pay a fine of three pounds four shillings; and any person elected to serve as a *hatan* and refusing to serve, shall pay the sum of five pounds.

Eleventhly. If a parnass dies or resigns during the time of his administration, or shall leave the city to reside elsewhere, the vice president shall officiate in his stead the remainder of the year; and the oldest adjunta shall become vice president, and they shall summon the congregation to meet immediately after such death, resignation, or departure, to choose another ajunta, so that the parnassim and associate elders shall form a board of five persons, three of which (the presiding parnass always being one) to be a quorum for transacting business, without which any business done at such meeting shall be deemed illegal, and no meeting to be deemed legal without [unless] all the members are summoned. And any associate elder who neglects his duty shall be tried by the subscribing members of this congregation and, on sufficient proof thereof, shall pay a fine of three pounds four shillings.

Twelfthly. Every person called to *sephar* [the reading of the "Scroll"] shall offer at least sixpence for the presiding parnass; and any person who has any mitzvoth given him, and refuses, shall pay a fine of six pounds eight shillings. And no person shall have any right to a mitzvoth in the synagogue under pretence or claim of *hazaka* [prior right], but every mitzvoth shall be included as at the disposal of the parnass. All fines [are] to be recovered by the trustees upon the parnassim and adjunta furnishing them with an account of the same; and no person who refuses to pay his fine shall be entitled to any right, privileges, or benefits whatever appertaining to a member of this congregation until such fine is paid, nor shall he offer [make a public contribution] or be offered for, or his name mentioned in synagogue.

Lastly. This constitution is to remain in full force for the term of two years, at which time, if three fourths of the subscribing members think proper to continue or revise the same, the whole congregation are to be convened, and by the decision of the majority it shall be settled.

B [NO. 58]

Whereas in free states all power originates and is derived from the people, who always retain every right necessary for their well being individually, and, for the better ascertaining those rights with more precision and explicitly, frequently from [form?] a declaration or bill of those

rights. In like manner the individuals of every society in such state are entitled to and retain their several rights, which ought to be preserved inviolate.

Therefore we, the profession [professors] of the Divine Laws, members of this holy congregation of Shearith Israel, in the city of New York, conceive it our duty to make this declaration of our rights and privileges, *vizt.*:

First, of Jews in general. That every free person professing the Jewish religion, and who lives according to its holy precepts, is entitled to worship the God of Israel in the synagogue, and by purchase or gift to have a seat therein, and to be treated in all respect as a brother, and as such a subject of every fraternal duty.

Secondly. Of those who have been for a length of time members of the K. K., though not reputed *yehadim* ["members"]: That all those who have formerly and now continue to be members of this *kahal kodosh* ["holy congregation"] at large, not having subscribed to the constitutions of the aforesaid congregation, but living as worthy professors of our holy law, are entitled to the several privileges in the foregoing articles, and shall be called to *sepher* [the reading of the "Scroll"] when not interfering with the [prior] rights of a *yahid*.

Thirdly. Of the *yehidim*: The qualifications of the *yehidim* being defined in the constitution, reference is to be had thereto.

* Of Their Rights

[Firstly]. They are entitled to all the privileges in the preceding articles.

Secondly. Every *yahid* is entitled to vote for the adjuntas and for the several officers and servants of the congregation, according to the mode prescribed in the aforesaid constitution. However, as this is a right, it by no means obliges either their attendance at a junto [congregational meeting] or to vote, it being at their own option.

Thirdly. Any *yahid* who is desirous of having a copy of the constitution aforesaid may have one.

Fourthly. In ordinary, to have the preference of being called to *sepher* and in all the metzvots [religious honors].

Fifthly. When a *yahid* has a son born, he shall have the distribution of the metzvots the Sabbath preceding the berit ["circumcision"], provided it be to such as may by the constitution be lawful; and if he has a daughter born, he shall be called to *sepher* the Sabbath after, and if he acquants the acting parnas in time, he shall be also called to *sepher* on the [first] day his wife comes to synagogue [after she has given birth].

Sixthly. In case of death in his family, the hazan ["cantor"] and *shamas* ["beadle"] shall attend the funeral at the place appointed, pro-

vided the *shamas* has due notice given him (whose duty is to acquaint the *hazan*), and, if requested, the *hazan* shall mention in synagogue the time of the funeral, the place of meeting at and after the funeral, the *hazan* to perform the usual duties of his function.

Seventhly. In case of the marriage of a *yahid* or any of his family, the *hazan* shall officiate, and the *hatan* [bridegroom] shall have the distribution of all the *metzvoth* the Sabbath next ensuing said marriage, to such persons as by the constitution it is permitted, and provided also that the marriage is consonant to our holy law, and the persons concerned be not under any disqualification otherways by the constitution.

Eighthly. Every *yahid* is entitled to be chosen *hatan torah* ["bridegroom of the Law"] or *hatan bershit* ["bridegroom of Genesis"], and those who have been before [this in the office of] either of the *hatanim*, or paid their fine for non acceptance, are entitled to be chosen *parnasim*, and such as have served as *parnas* or *adjunto* may be elected to any of the before mentioned offices, subject nevertheless to the penalties for non acceptance as declared in the constitution.

Ninthly. In all general meetings . . . or any other usual meetings, every *yahid* has and ought to have a right of debating on any subject whatsoever with decency, yet to deliver his sentiments without restraint, and freely to give his opinions and advice concerning any matters in question, or to open a new subject in order, at his own option.

Tenthly. That every *yahid* has and ought to have a right to make his offering in synagogue in the Hebrew language or in the Portugese, and in those languages only (the latter having been practiced from the establishment of this congregation), as he shall think proper to do, and this article to extend to all and every person who makes this *misheberach* or offering, but always avoiding any thing satirical, offensive, or other ways indecent.

Elevently. If any number of *yehedim* (not less than three) have any thing to propose to a general junta ["meeting"], the *parnasim* and *adjuntos* are to be applied to, and if they are desirous of a general junta to be called, and they adduce sufficient reason for it, the *parnas* shall summon such general meetings as soon after as may be convenient. . . .

C [NO. 58]

Peace unto Israel
Congregational By Laws
Commenceing 24th Sivan, 5550 [June 6, 1790].

Whereas, the preamble of our constitution confirms the prescribed rules of the society, in order in some measure to explain the same at this, our first meeting, it is agreed on by the *yahidim* of the congregation that our

religious customs is to be in no manner or ways infringed on, and whatever acts have been done by the executive authority of the society shall be deemed valid and good;

And that the said constitution continue without any alteration for one year from the day of its being first entered into. At the expiration of which term, if three-fourths of the *yahidim* should agree to enter into a revision of the same, they may, provided whatever alterations, additions, or amendments may take place in the revision aforesaid—that the same shall be mutually acceded to by three fourths of the *yahidim* then societing with the congregation, signing their names to the same. But that all laws respecting the government of the said society, that have heretofore been made prior to our constitution aforesaid, shall be and are hereby repealed and made null and void, and the following by laws enacted in their stead:

1st. That a meeting of the *yahidim* shall be held on the second Sunday in Elull yearly, to chuse the *parnasim* particularised in the constitution. Commencement of the first *parnas* entering into office on the first day of Roshashona, and to rule from that time until Pesach; then the second to the end of the year; and any *yahid* being nominated and refusing to act shall pay unto the *zadaca* [treasury] five pounds. And the *parnasim*, on or about the time aforesaid, shall appoint a *hatan torah* and a *hatan bersheath*; and any *yahid* refusing to act as a *hatan* on his being nominated shall pay the sum of two pounds; and on vacancies in consequence of such refusals, the *parnasim* and *adjunto* may appoint anew, in order that *hatanim* may serve as customary.

In case of the absence of the *parnasim* and *adjunto* from synagogue (if the *hatanim* should be *yahidim*) the *hatan torah* may distribute the *metzvoth*; and in case of the absence of the *hatan torah*, the *hatan bersheath* may officiate in giving out the *metzvoth*; and in the absence of the *parnasim* and *adjunto* aforesaid, then the eldest *yahid* present always taking preference by seniority.

2nd. Every person congregating with the congregation of Shearith Israel is to behave orderly and accept the *metzvoth* appointed him, and when called to *sephor* shall offer at least six pence for the acting *parnas* and *k. kadosh* ["holy congregation"].

3rd. Every *yahid* shall be intitled [entitled] to distribute the *metzvoth* the Sabbath after his marriage; and when he has a son born, he shall have the distribution of the *metzvoth* on the Sabbath following before the circumcision (provided those intitled to distribute the *metzvoth* shall duly acquaint the *parnas* and give a written paper particulariseing in what manner he will wish to have the honors distributed). And if a daughter [is] born, [he] shall be called to *sephor* the first Sabbath after, and also on the first day of his wife's going to synagogue [after childbirth].

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