

in any way. The Gifna men came to me
yesterday. I shewed them a copy of the Pacha's
letter to you in which he declares the two
skiffs are not detained on my account.
They gave as little credit to his letter, as they
had previously done to his word, as reported
by myself. I fear that this affair cannot
be settled to my satisfaction or theirs without
the liberation of the men.

Believe me
W. Young Esq
Jerusalem 16 Sept 1842

My dear Sir,
I am sorry to find from your
note of to day that the Lampary whom the
Pacha sent to accompany you to Gifna, has
not given you satisfaction. I will convey to
the Pacha your displeasure at his behaviour.

I am likewise sorry to find
that the assurance which the Pacha has
repeated to me, in writing - that the Gifna
men are not in Prison on your account -
appears still to want credit with you.

Believe me
signed W. Young
Edw. Masjowan Esq

Copy

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Jerusalem 11th October 1842

My Lord,

I have the honor to lay before Your
Lordship a statement of a difficulty which has
arisen here in consequence of those Foreign Jews
having professed their belief in Christianity.

In calling Your Lordship's attention
to the circumstances of the case, and to the
correspondence which has passed between

Bishop Alexander and myself in reference to
this subject, I should humbly beg leave to offer
some observations of my own in connection
with this event, as similar cases may again
be expected to occur where there is a Society
settled in Jerusalem for the purpose of calling
the attention of the Jews to the Subject of
Christianity.

As soon as I received official
intimation

The Earl of Aberdeen R. S.

intimation from the Rabbi Isaac Boudaki
who is placed over the Rupan and Austrian
Jews in Palestine by those respective Governments,
that three of his subjects had taken refuge from
his jurisdiction in the house of one of the Missionaries,
and that he requested my assistance to enable him
to bring the parties before him - I immediately
addressed a note to Bishop Alexander acquainting
him of the circumstance, and hoping he would
take such steps as he might deem requisite
to avoid a compromise of N. M. Government
with Foreign Powers.

Your Lordship will observe by the Bishop's reply
that he anticipated no difficulty - in the mean-
time the three Jews continued to be countenanced
in their refusal to appear before their Consul.

I then considered it my duty to address a second
note to the Bishop, hoping to impress upon him
that his confidence was not well founded if
the parties in question continued to be withheld

by

by his interference from appearing before the
tribunal of their own civil Superior -

By the Bishop's reply to my second note I began
to apprehend serious difficulty might ensue -
The Rabbi was pressing me for his subjects and
had appealed to Mr. Alarabute the Rupan
Consul for his assistance - it seems they feared
the three Jews would be sent to Malta, or to
some place beyond their jurisdiction, and I
believe not without some excuse - parties were
therefore placed at the City Gates to prevent their
going out - I feared that the full consequences

of the case were not apprehended by the Bishop -
I therefore addressed a third note to him
hoping to convince him of the responsibility of
the act if he persisted in encouraging the
withdrawal of Foreign Subjects from the
jurisdiction of their own Consular Authority,
which in conformity to my general, as well as
special Instructions from Your Lordship I thought
I was justified in stating, would never be approved.

of by

of by H. M. Government. This third note brought me a reply requesting an interview, during which I continued to urge respectfully, but firmly the impolicy of the Bishop's position, entreating him to consider the case in all the points of view in which I had endeavoured to set it before him. I read to him the X paragraph of the General instructions. He suggested every expedient to justify his protection of these parties by my interference, and he stated in his argument, that he had been led to understand from all parties at home, that he was to have my assistance and cooperation in aid of his attempts at conversion amongst the Jews, at this I could not avoid expressing my surprise, as I assured the Bishop my instructions from Your Lordship compelled me to adopt a line of conduct quite the reverse. And I considered it my duty moreover to state to the Bishop, that if the Ruspian Consul were to proceed to take these persons by the due process of the law of the Country.

(as the

(as the Dragoman of Rabbi Isaac had intimated to me would be done) that I should be compelled to remain passive - as I could not interfere in their behalf, and the responsibility of the consequences ensuing would rest with himself - and those united with him. I had already received a visit from Mr. Marabiti the Ruspian V. Consul complaining bitterly of the proceeding. He assured me he had detained his sleeping partners to Beirut with an account of the affair, in hopes that matters would yet be accommodated through my intervention - otherwise it would go on to Constantinople and thence to St. Petersburg. I thanked him for the courtesy he had shewn me, and I assured him that no effort should be wanting, on my part to bring the matter to an amicable adjustment. When the Bishop left me, I had every hope that matters were in a fair way of being arranged to the satisfaction of the Ruspian V. Consul, but I presently received another note from the Bishop which

contained

contained an assurance which he wished me
to convey to the Russian V. Consul, that there
had not been any intention to withhold his
subjects from his jurisdiction, but before he could
consent to deliver them up he required a
species of stipulation to be made. In my
reply I assured the Bishop that I would convey
his message to the Russian Consul but I depre-
-cated any thing like a provisional ^{submission} to what
I conceived simple justice and sound policy
required. Therefore proposed that mutual
courtesy should be adopted on both sides, in the
hopes of bringing this delicate affair to a satisfactory
termination, conceiving that to manifest a want
of confidence in the Russian Consul as to his
treatment of his own subjects, was not the
proper way to conciliate, or render satisfaction
to an agreed functionary.

Shortly after I called on the Russian V. Consul
to assure him, that I had every hope that on
the following morning his subjects would be
given

given over to him, and immediately proceeded to
the Bishop to recommend that the three Jews
should be at once given over to the custody of
their own Consul, which appeared to be acceded
to. The following morning I found the Bishop
was full of doubts. He told me he knew there was
a conspiracy against his converts.
He proposed himself, that he should call on
Mr. Marabut, which I urged him to do in the
hopes that the reasonable language which had
been held by this Gentleman to me on the subject
would be repeated to the Bishop, and con-
-vince him of the necessity of at once submit-
-ting to the only legitimate course that could
be adopted. I saw the Bishop and the
Russian V. Consul after this interview with
each other, and I understood that it had
been perfectly satisfactory. The charges
against the three Jews were to be heard before
the Russian V. Consul who had consented that
one or two of the Bishop's friends should be present.
however.

however before the hour of examination arrived.
The three converts had recanted, left the
Missionary's house and identified themselves
again with their Jewish Brethren.

I have now had the honor to lay before Your
Lordship the simple facts of the case as they
came before me.

I would humbly beg Your Lordship's permission
to add a few remarks which suggest themselves
to me in connection with the case.

The Bishop seems to have regarded the matter
in a Religious rather than in a Civil point
of view. It appeared to me to be purely a Civil
case. I was pressed on one hand by the Russian
Agents demanding their subjects, as they stated,
altogether irrespective of the religious part of
the question - which they said would be a
matter for after consideration. - And on the other,
by the Bishop's urging the necessity of my coop-
erating with him in protecting them - and
although the Bishop states in one of his notes

to me

To me that he had no intention to shelter the
parties from the control of their own Consul,
yet so long as they were in the house of the
Missionary, they were beyond their Consul's
jurisdiction and I have little doubt that the
parties themselves were encouraged with the
idea that they were entitled to British Pro-
tection, which I felt it my duty, not only to
decline recognizing, but to urge every argu-
ment to induce the Bishop to see the responsi-
-bility he was incurring by sheltering Foreign
subjects who had refused to answer the
summons of their Consul.

The fear expressed by the Bishop as to their
personal safety was quite a misapprehension.
The whole body of the Mus were no doubt very
much excited at the occurrence, but there was
no fear of their proceeding to commit any violence,
had they attempted to do so, the Russian Consul
would have had sufficient authority to check
it.

at immediatly, and when I stated to him
the Bishop's fears on this point, he expressed
astonishment at the Bishop's thinking, he
had so little power to protect his subjects as to
make this point a question.

When a Jew in Jerusalem embraces the
Christian faith, many important considerations
are involved. If the party is married, a
divorce takes place unless the wife becomes
a convert also. The Children also are claimed by
the Jews until they arrive at years of discretion.
Their Family and Friends mourn for the Convert
as though he were dead, and the Widow and
Children become dependant on the Congregation.
The Rabbinical Law forbidding them to receive
maintenance from a Husband or Father who
has renounced his Faith. It may be urged
that a Husband can command his Wife, and
a Father has a right to claim his Children, and
to educate them as he pleases. Admitting
these points, serious considerations still
remain

remain as regards the domestic happiness of the
parties, as well as in regard to their future
Legal and Civil obligations, and also their
past engagements.

If a European Jew professes himself a Convert
(as in the present case,) his Government might
prefer that he should unite himself to the
Church recognized by his own Government
rather than to one in connection with a
Foreign State. It has been ^{thought} imagined in
Jerusalem, that to be accepted a member of the
Synagogue to the Jews here, is to become an
Englishman and entitled to British Privileges.
This seems to be Bishop Alexander's impression
as far as regards converted Jews.
I have had to undress several nations on
this point, who wanting assistance in some
difficulty, have come to me saying they wish
to become Protestants.
I would humbly suggest these points for Your
Lordship's notice as appearing worthy the
consideration

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Consideration of the Authorities in England
who have the direction of Religious ^{Mission} to these
Countries, in order to their being met in a
way that would secure a sound and dis-
creet method of carrying on their Labours -
Without wishing to disparage their pious efforts, it has seemed to me that
in their zeal, Missionaries do not always allow
these points to weigh with them - And I would
presume to submit to Your Lordship, that in
a Country like this, it is in vain for them
to pretend to the same freedom and privileges
in their calling, as in a Protestant Country
where the circumstances are so widely different.

I did not answer the queries put by the
Bishop in his note to me of the 11th October,
for the reason stated in my reply to him, and
because I thought it might occasion further
and unnecessary correspondence - The only
intercourse I had with the Jews respecting the
matter referred to by the Bishop, was through
Rabbi Isaac's Dragomman, who called upon me
officially - I expressed to him my willingness to
render his Consul the assistance he required of me
and

and I told him that I was sure it was not the
wish of H. M. Government, that the parties
whom he sought should be protected by the
Missionaries - I made no remark as to the
number of British Subjects residing in Jerusalem
who are entitled to my protection - He asked
me whether Mr. Ewald (who is a German and
in whose house the Jews were) was a British
Subject - In reply I told him that I did not
recognise Mr. Ewald in this business, but the
Bishop, as the head of the Mission - he complained
of the conduct of other parties in the employment
of the Mission, and whom he called 'English', I
replied: "You must not condemn the English for
the acts of every person attached to the Mission,
but if you have occasion to make a complaint
against any individual, by coming to me, I
will let you know whether he is English or
not."

I have the honor to be with the highest respect,

My Lord
Your Lordship's
Most Obedient humble Servant
signed / W. J. Young

Copy
Translation from the Hebrew

From the Rabbi Isaac Bordaki to W. L. Young
British Consul -

Sir,

It is known to you that I am Consul
for the Russian and Austrian Governments to
protect etc. all those people that have claim to
such protection &c. therefore let you know Sir
that there are lost from us 3 people - their
names are Abraham Walphen, Elhaza Soria,
and Benjamin Bynes, and they have some
charges against them under my Consulate.

I come to know that they are
hid in a gentleman's house which belongs
to your jurisdiction, therefore I beg you Sir to
try to send them to me, that I may see
what is to be done with them &c.

Sir Your friend
and Humble Servant
signed / Isaac Bordaki

Jerusalem
24th October 1842

Jerusalem 11 October
Consul Young

1842

addressed to the Consul
Abraham -

The Consuls from Russia
have also mentioned them
- also consuls of Austria -
- having some sort of papers
in the names of our English
Consul -

Abraham & Benjamin
&c

Copy.
From Consul Young to Bishop Alexander=
Act.

My dear Lord Bishop

I have just received a communication from the Rabbi Isaac who is Consular Agent here for the affairs of the Russian and Austrian Jews. He states to me that the following three individuals viz. Abraham Halphen, Elhaya Loria, and Benja^m Byner have taken refuge from his jurisdiction in the house of a member of the Synagogue of which I believe Your Lordship is here the recognised head.

As the abovementioned Authority has called upon me officially to assist him in this matter I am sure Your Lordship will consider with me the inconvenience which may arise by countenancing the withdrawal of Foreign Subjects from the jurisdiction of their recognised Superior, and do me the favor to take such steps as you may deem necessary under the circumstances to prevent a compromise

of

of H. M. Government with Foreign Powers.

I have the honor to be
My dear Lord Bishop
Your Obedt. faithful Servant
Signed W. J. Young

Inclusion of
Resolution
October 1842

Inclusion of
No 3

Bishop Alexander's reply to the foregoing

My dear Sir

In reply to Yours of this date, I beg to say that the three individuals referred to have taken refuge in a house of a member of this Synagogue, not from any Civil jurisdiction which Rabbi Isaac may have over them as Consul, but from apprehension of personal violence in consequence of having declared their belief in Christianity. I do not therefore in this case apprehend any danger of H. M. Government being compromised.

I remain

My dear Sir

Yours faithfully

M. J. Augt: Hierosol:

Signed

From Consul Young to Bishop Alexander
No. 2.

My dear Lord Bishop.

I am sorry to find by Your Lordship's note that you have no apprehension of implicating H. M. Government in difficulty by countenancing the withdrawal of Foreign Subjects in this Country from their legitimate Authority.

I would earnestly beg Your Lordship to bear in mind that in my note I state distinctly that Rabbi Isaac, a Civil Agent to the Russian and Austrian Governments, has applied to me officially to assist him in obtaining that Civil Jurisdiction over his own subjects, the course of which I apprehend no Authority here, whether Civil or Ecclesiastical has the power to impede.

I would be especially careful of unnecessarily obtruding my opinions on

Your

Your Lordship's notice, but when a case comes before me touching my Official duty, I must not hesitate firmly though respectfully to assure you of my belief, that there is a danger of compromising H. M. Government by attempting to interfere in the administration of justice between a Foreign Consular Agent and his own Subjects.

I have no authority to consider a man's nationality as affected by his religion - therefore although these three individuals may change their faith, their Nationality remains the same. I am not aware of any cruelty being intended, I hope this is a misapprehension on Your Lordship's part - Permit me to intreat of Your Lordship to give the matter Your most earnest consideration - I am assuredly the consequences of continuing to shelter these Foreign Subjects from

from the jurisdiction of their own Courts, may
be minor, and it is an act, which I feel assured
our Government will not recognize.

Believe me My dear Lord Bishop

Your faithful Ob^o. Serv^t

signed W. T. Young

Jerusalem
5th October 1842

Bishop Alexander's reply to the foregoing

My dear Sir

In reply to your second note
which reached me this evening, I beg to say
I am quite at a loss to know how the case
in question can be considered as inter-
fering in the administration of justice
between a Foreign Consular Agent and his
Subjects.

Such certainly never would
countenance - but when these respectable
learned Jews being convinced of the truth
of Christianity, on account of which they are
exposed to fearful persecution on the part of
the

See also volume 1

Jerusalem
5th October 1842
Evening

See also volume 1

the Rabbies, flee for refuge to any of our
houses, we are bound as Christians to give
them shelter: and not to do so, I should con-
sider little short of cruelty, in exposing them
to chains and imprisonment -
Every much mistake of the same view
should not be taken by the Christian
Government of England - I cannot but hope
that a personal interview might result
in our taking the same view of the case.

Believe me

signed M. Augl. Nicols

From Consul Young to Bishop Alexander

My dear Lord Bishop

I have to thank you for
your second note - Allow me to assure
Your Lordship that I fully appreciated
the difficulty of the case before us when
I addressed you in the first instance
because the parties had been misled in regard
to

to their right to claim British Protection -
Hence I found my official instructions
my only safe line of conduct -
As far as I am concerned, a personal
interview on the subject could only result
in a more extended expression of the
same opinions which I have already
ventured to bring before You -

If however I
may be permitted to suggest for Your
Lordship's further consideration a point
in reply to the latter part of your note
it is this - That granting a Government
were desirous to protect by its influence the
weak and oppressed of Foreign Nations
would there not be some danger to be
apprehended, on the one hand from an
abuse of this power in a Country like
this, and on the other from establishing
a precedent of interference which might
prove a hindrance to the well being of
Society

Society, at large, and be highly detrimental
to the interests and welfare of that
Government, if exercised by an unfriendly
Power -

In conclusion, I would suggest that even
admitting there may be claims to be ap-
prehended from the rightful authority,
over these parties, yet their tribunal
cannot be an irresponsible one; They have
the power of appeal here to a higher Court as
though they resided in Europe where I
imagine we could in no wise presume
to interfere in their behalf, by forcibly
withholding them from the power to which
they are amenable - in which if Your
Lordship think it necessary still to persist
I must consider myself absolved from all
responsibility attending what appears to
me a step which H. M. Government will
never approve of. I have the honor to be

Yours
Yours
Yours
signed, W. J. Gurney

Jerusalem
14th October 1842

Bishop Alexander's reply to the foregoing

My dear Sir,
I have just received your note, and as I fear we shall not be able to come to a proper conclusion without an interview, I will do myself the pleasure of calling on you at your Office about 11 O'clock this Morning.

Yours faithfully,

Signed / M. S. Angh. Hierosol.
Jerusalem
8th October 1842

Bishop Alexander to W. J. Young after an interview

My dear Sir,
In your conversation with the Russian Consul, I hope you will convince him with my Compliments, that no one of us had the slightest intention of secreting the three Jews from any charge that might be preferred against them but as it appears from our interview this

Morning.

Morning, that this seems to be the impression I beg you to inform the Russian Consul that I am prepared to give directions that in such case, they shall appear to answer any charge, provided he will promise to protect them from personal violence, and allow either Mr. Nicolayson or Mr. Ewald, or both (and if yourself would kindly do so, it would be all the better) to be present when they are examined to hear the nature of the case - For it is strange that both yesterday and today, several Rabbis who visited them declared in the presence of some of our friends, that they have nothing against them of a moral nature. It is a question whether Rabbi Isaac, who seems to be the accuser, ought to be allowed to act as judge in the matter, according to English law he of course would not be allowed - Perhaps the Russian Consul himself would hear

hear the case. - Earnestly hoping and praying
that this subject may terminate amicably
and to the Glory of God -

Remain
Jerusalem October 6th 1842
signed / M. J. Augl: Hierosol.

Consul Young's reply to the foregoing.

Note -

My dear Lord Bishop,

I will not fail to convey
to the Ruspian Consul Your Lordship's
assurance that there has not been the slight-
est intention on Your Lordship's part, or on
the part of any one under Your Lordship's
jurisdiction, of secreting the three Jews from
any charge that might be preferred against
them - I should not feel myself authorized
to stipulate provisionally with the Consul
for the deliverance of his own subjects, because
that would appear like justifying their
detention after they had been applied for -
As I have already stated, I have no apprehension
for their personal security; nevertheless I will
repeat to the Ruspian Consul the fear expressed
by

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by Your Lordship, as well as by the parties them-
selves that they may be exposed to harsh treat-
ment - Doubt not Mr. Marabute will renew
to me his assurance of their personal safety -

I am not sufficiently acquainted with
the Custom of the Ruspian Consular Code
to know whether their Court is an open
one, or whether it is so to their own subjects
only - nor do I know whether the Ruspian
Government allows its Jewish subjects the
discretionary privilege here of appeal to
the Civil Tribunals of their Country, or to
their own Rabbinical Law -

I would submit for Your Lordship's Consi-
deration whether it would be well to
propose any stipulations which cannot
be officially upheld - I would suggest
mutual courtesy in the hopes of terminating
this delicate affair as Your Lordship justly deems
so desirable - amicably and to the Glory of God -

I have the honor to be

Jerusalem
6th October 1842

signed / M. J. Young

Bishop Alexander to Consul Young.

My dear Sir,
I should be glad to know whether
it is true, that when the Jews called upon you
last week to assist them in restoring their
friends to them, who professed a desire to join
our Church, you expressed disapprobation of our
proceeding, promising to do all in your power,
saying you would or could give them no protec-
tion, that there were in fact only three indi-
viduals in Jerusalem whom you are bound
to protect as English Subjects? An Early
answer will oblige. My dear Sir

Jerusalem
11 October 1842. signed M. S. Augl. Hierosol.

Consul Young's reply to the foregoing

My dear Lord Bishop

I have just received
Your Lordship's note of this Morning -
I would respectfully say that I think
from the nature of Your Enquiries as to
my Conduct in reference to the restoration
of the three Jews demanded of me by their
Consular Authority, it would be more

regular

regular, that I should respond to them
in my Official Report of the transaction
to my Official Superior.

I have the honor to be

Y^r Y^r Y^r

signed / W. J. Young

Jerusalem
11 October 1842

Inclosure of

No 5

London 26th October 1842

Sir,

I have the honor to transmit to Your Excellency a Copy of my despatch No 7 addressed to The Earl of Aberdeen, reporting a case, in which some difficulty arose, respecting three Foreign Jews, who had declared themselves converts to Christianity, and who desired to unite themselves to the Mission here as British Subjects, but whom I did not feel myself justified in recognizing as British Subjects.

I have the honor to be

Sir
Your Excellency's
most obedient
servant

W Young

To His Excellency
The Right Honorable
Sir Stratford Canning KCB
London

Richard's address and
Consent having respecting
Three Foreign Jews who
were protected in the house
of one of the English Missions
and claimed by the English
Consul.

Enclosure in Consol
Young's despatch No 7
dated November 11th 1842
1842