

London 10th June
1844

My Lord,
I have the honor to submit to Your Lordship the report of a somewhat difficult and delicate case in which I have been called upon to decide relative to three Jewish children who were brought from Smyrna some time back by the Agents of the London Society and who after having been for some time under the protection of the Society and Baptised their Father has claimed.

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The matter was first brought forward during my absence on a visit to Nablouse when Dr. Schultz the Russian Vice-consul was acting for me.

I have therefore the honor

Yours faithfully
R. J.
Sir Stratford Canning G. C. B.

in the first place to call Your Lordship's attention to D^r Schultz's Letter addressed to me on the Subject, dated "31 Mai," in which he details the circumstances so far as they had then proceeded, and up to the period when he requested Hyder Pacha to allow matters to remain as they were until my return, as he did not like to take upon himself the responsibility of proceeding further in ^{my behalf} in so delicate an affair. —

On my return to Jerusalem, ^{an opportunity was} on the receipt of D^r Schultz's statement to me of the Case, I put myself in communication with His Excellency Hyder Pacha on the one hand and with Bishop Alexander on the other, to endeavour to bring the matter to an amicable adjustment, and to prevent as much as possible all excitement on the side of the Jewish Community, who I found

found, had taken the matter up very warmly. —

I found the Pacha most polite and reasonable, and perfectly willing that I should take ^{the} requisite steps to investigate the affair; — he expressed his entire conviction that the person who claimed the Children was really their Father; — which being the case — I saw no Legal Right on my part to countenance the Society's detaining them. —

On the other hand I learned from the Agents of the Society that The Children had been consigned to the care of M^r Cohen, an Agent of the Society, at Smyrna, by their Mother — who represented herself to be in distress, and who wished her Children to be received, and educated by the Society. — On M^r Cohen's receiving them, it appears that they were consigned

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Ye. Ye. Ye.

consigned to the care of the Rev^d Mr. Nicolson, in Jerusalem. — This all occurred during the absence of the Father from Smyrna. Shortly after the Children's arrival here they were Baptised. —

The eldest, a lad, by his own account, between 16 and 17 Years of Age, — but by his Father's, only 14, — was in the Service of the Rev^d Mr. Veitch; — the second, a girl of between 13 and 14, was living with the late Mr. Ewald, at whose death she was removed to the care of Miss Howenden, who fed, clothed, and instructed her. —

She quitted Miss Howenden's house of her own accord; but not openly: It appears that she had been secretly invited by a Jewish Family living in the same house, to be present at a Wedding Party which was going on there, when she was persuaded to quit her Mistress, and

and to take refuge in the house of a Jew under British Protection, named Joseph Amzalek. —

The youngest of the three Children, a boy of about 7 or 8 Years old was placed with Christian Hawser a Carpenter in the Society's employment, which was the Child which I handed over to the Pacha, as stated in my Letter to Bishop Alexander, dated the 4th June.

On the 9th Instant, the eldest Boy who was with Mr. Veitch, and who it was agreed was to be left to his own judgment, quitted his place, — evidently enticed away by the Jews, who took occasion to be about the house continually, and finally to assist him in carrying off his Clothes. —

Having had the honor to lay before Your Lordship, the main facts of

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of the Case, - I feel it to be my duty in the next place to call Your Lordships attention to the conduct of M^r Joseph Amzalek in this affair, as detailed in D^r Schultz's Letter to me, in not attending to his repeated requests, when he sent the English Dragoman to him to demand the restoration of the little Girl, that the matter might be properly investigated.

I would venture to submit to Your Lordship, that if M^r Amzalek enjoys the Protection of the British Consulate, - whether it is not proper that he should be required to conform to its jurisdiction, - instead of setting the bad example of showing a contempt for his Consuls Authority, and becoming the medium of embarrassing the proceedings of his Court; - more especially under such delicate circumstances.

In

In conclusion, I have the honor to state to Your Lordship, that having obtained Hyder Basha's permission to hear the Case in my Office, I requested that a party might appear in behalf of the Mission - The Rev^d M^r Vetch attended. - And with Michael Mezrahi, the Interpreter of the Rabbinos appeared.

The eldest boy recognised in the Plaintiff his Father, without any hesitation. But he repeatedly declined to return to him, - stating that he was very comfortable where he was, and that he had no wish to return among the Jews: - it had been previously consented to, on both sides, that he was to be left at liberty to judge for himself.

As for the two Younger Children, I stated that I could see no just cause for their being withheld from their

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their Parent, at whose suit they had been claimed by the Turkish Authorities. —

As the Girl was already under her Father's care, I had nothing further to do on her account, — but as for the Youngest Boy,

I appointed the following day at 12 O'clock for consigning him to the jurisdiction of His Excellency the Pacha, and I begged the Father, and the Interpreter of the Rabbins to meet me at the Seraglio at that hour; when, accompanied by Christian Hauser, the Society's Carpenter, and the Child, I committed him into the hands of the Pacha. —

Having done this, I addressed ^{ye} Bishop Alexander a few lines, stating the final termination of the Business.

The youngest of the three, evidently did not recognise his Parent whom he had not seen since he was an infant, and it was a most painful duty

duty for me to have to witness the efforts which the Child made to endeavour to cling to Christian Hauser from whom he had received so much kindness. —

I should mention to Your Lordship that it was suggested by the Defendants that the Amount which had been expended on the Children by the Society, should be demanded of the Parent, before giving the Children up.

But I submitted to Mr Vetch whether, as a charitable Society, such a course would not injure them, and give cause for their motives to be impugned, in this, as well as in all other cases, where they might be acting from motives of the purest Benevolence, and whether parties so disposed might not give an unfair view of their general proceedings. — I was careful, however only

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to suggest this to Mr. Vetch, - wishing them to decide for themselves, as to whether they would put in a claim for the payment of ^{the} Children's expenses.

I stated that I was of opinion, that legally, they had no claim on either the Parent or the Children for any expenses whatever, because the Children were removed from their Father's house, unknown to him, and without his consent, and although given up by the Mother, - the receiving of them was a voluntary act of Charity, on the part of the Agents of the Society: hence, it appeared to me that no pecuniary remuneration could, with either justice or propriety be demanded. - And that therefore, in order to authorise me in suspending my decision, and in referring the case for the decision of Her Majesty's Consul General, - I should require the strongest

strongest reasons to convince me of the propriety of it, - because I should feel that I was in the mean time, standing between the just claims of a Parent to have the jurisdiction over his own Children - While I had no doubt as to how the Consul General would decide the case, - it seemed to me therefore that our referring the case, would only irritate the Jews, and seem like gaining time, at the expense of Justice -

Upon placing the matter in this light, Mr. Vetch agreed with me that the remaining Child had better be at once given up to its Parent, to which the Bishop also acceded.

Having so lately received His Excellency, Her Majesty's Ambassador's Circular, dated 26th informing me of the result of the measures which

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which have lately been adopted at
Constantinople, on behalf of Religious
Liberty in the Turkish Empire. -
I felt the more anxious to see this
matter settled in such a way as to
leave no room for its being said
that unfair means were resorted
to by the British Clergy, and Mis-
sionaries here, in order to make
converts to Our National Faith.

I have the honor to be
With the highest respect,
My Lord,
Your Lordship's
Most Obedient
Humble Servant
(Signed) W^m J. Young.

Sir Stratford Canning G. C. B.

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La petite fille, lorsqu'elle a vu son père est allée chez lui de sa propre volonté, et nous vous avons fait savoir, Monsieur, que des deux fils, celui qui est majeur pourrait rester à l'endroit où il est, s'il veut, ou auprès de son père. Mais le mineur doit être rendu à son père, c'est ainsi que la loi le veut. — Et, vous dites que ces garçons se trouvent auprès des sujets Britanniques, et vous me demandez de les y laisser jus- qu'au retour de Monsieur le Consul d'Angleterre, — et nous avons compris tout cela. De votre part, nous ne voyons point de mal à ce que la petite fille reste auprès de son père, ou elle est allée de sa propre volonté. C'est elle qui reste auprès de son père, et les garçons resteront où ils sont, jusque au retour de M^r le Consul d'Angleterre. Car il ne se pourrait guère que nous lui fissions le chagrin de la faire enlever de son père par force, ainsi qu'elle reste chez lui. Relativement à ce que vous dites que le père des enfants fait toujours des querelles dans les rues, vous savez que c'est pour ses enfants, puisqu'il le tourmente de les avoir perdus depuis si longtemps, sans qu'il en ait rien su, et maintenant qu'il les a trouvés il dit qu'il est du nombre des sujets de la Sublime Porte, et prie qu'on lui rende justice, et qu'on lui restitue ses enfants, comme le procédé de faire embrasser une religion à quelqu'un contre sa volonté n'est pas approuvé non plus par nos amis les chrétiens. — Enfin, pour terminer cette affaire, et pour mettre fin aux plaintes du

du juif, père des enfants en question, vous pourriez, si cela vous convenait, envoyer de votre part votre Drogman, et nous enverrions quelqu'un de notre côté, qui ^{même} ^{libéralement} rendrait les enfants à l'illustre et honorable ^{libéralement} Mahometan, selon la demande du père pour que la cause fût jugée, et la sentence sorte selon la loi; puis vous la feriez exécuter. — Il me semble que de cette manière l'affaire pourrait être terminée et ce serait un procédé entièrement légal. Car il faudra toujours régler cette question dans les termes de la loi. (Compliments d'usage)

21 Rebi ul Achar, 1260.

ان بعد تاريخ قد درر عينا لرجل خطا كج كذب به، فذوق في قيته انها توجبه فقد ابوها في ذهابها
 وطبيع مناسككم ان توجبه زهنا بنا به معقد في طرف سكاتكم وياضرو الاولاد ابي حكمتا
 الرية ليل ضصح هذه المعالي وكامل ما تفضلتم بشره صار معلوم وان خصوص كذا لما
 نودا في غير معلومها توجبه في غير اذرة وكذا ما جفتا ما هي بطولها من ايل انما طلوبه في سكاتكم
 اذا لزم في هذه الولدين لو يكونوا عند نبي في عايا دوله بريسيا كنه فعلته مثل ما اتمت في
 حيث ان عند نبي في عايا دوله الانظار ايضا نذجا سكاتكم ان تبق هذه المقود في
 فنس الانظار حيث سابق سكاتكم ابي طيبونا قول شفاها ان يقعدوا هذه المقود في
 حضور قس الانظار ونحن الان نذكر ابي قس الانظار يعني ان نوق الان في
 موجود في اي هذه المقود قبل بوقت هذا ما نرى في خبره لسكاتكم في ايار

Traduction.

(Compliments d'usage)
 C'est aujourd'hui que nous avons reçu la lettre que vous nous avez fait

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fait l'honneur de nous adresser, et dans laquelle vous nous faites observer que la petite fille est allée chez son père de sa propre volonté. — Puis, Votre Excellence nous demande d'envoyer notre Dragman avec une personne autorisée à ce sujet par Votre Excellence, qui doivent mener les enfants à l'illustre Miké-mikh, pour terminer cette affaire. — Nous avons compris tout ce que Vous avez eu la bonté de nous communiquer, et quant à la petite fille, elle a quitté sa maîtresse, sans la permission de celle-ci et si elle n'y retourne pas je ne saurais plus être responsable pour elle; c'est au contraire Votre Excellence qui prend cette responsabilité sur elle, et en répondra quand besoin sera. — Si les deux garçons étaient auprès des sujets Prussiens nous ferions ce que vous avez proposé. — Mais, comme ils sont auprès des sujets Britanniques, nous prions toujours Votre Excellence d'ajourner cette cause jusqu'au retour du Consul d'Angleterre, vu que Votre Excellence m'a donné verbalement sa parole de vouloir ajourner cette cause jusqu'au retour du Consul d'Angleterre. — Nous aurons déjà écrit au Consul d'Angleterre pour terminer cette affaire le plus tôt possible, si nous savions où il est dans ce moment-ci. —
 (Compliments d'usage.)

Le 9 Mai 1844.

(Signé) E. G. Scheultz
 Vice-Consul de Prusse.

Jérusalem, le 31 Mai

1844

Monsieur,

Je m'empresse de Vous transmettre ci-jointe, la correspondance que j'ai eue avec Haidar Pacha, en votre absence, — pendant laquelle j'avais l'honneur de Vous remplacer, relativement à trois individus, un jeune homme d'environ 17 ans, une jeune fille de 13 à 14 ans, et un petit garçon de 7 ans, d'origine juive, qui avaient été convertis au Christianisme, à Jérusalem, par des Missionnaires de la Société de Londres pour la propagation de la Foi parmi les Juifs, et qu'un Juif, sujet de la Sublime Porte, se disant leur père, était venu réclamer auprès de l'Autorité Locale.

Après avoir reçu de Son Excellence, Haidar Pacha, la Lettre N° 1, j'eus soin de prendre des renseignements à l'égard de ces trois individus, dont la jeune fille était au service de Mademoiselle Hoendon, et les deux garçons placés, comme apprentis, dans l'école d'Industrie, établie ici par les Missionnaires de la dite Société religieuse.

D'après tout ce que j'apprenus sur leur compte, la question de la réclamation du Juif, faite par l'entremise de l'Autorité Locale, me parut grave et compliquée, ce qui me fit désirer d'en voir l'examen remis jusqu'à votre retour.

Une entrevue avec Son Excellence

Sir Stratford Canning G. C. B.

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l'ence Haidar Pacha le lendemain de la réception de sa Lettre N^o 1, me donna l'occasion de m'expliquer avec lui, et il me promit de laisser l'affaire dans le status quo, en attendant votre arrivée. — De ma part, je lui promis de veiller à ce que les trois individus restassent où ils étaient, prêts à comparaître devant l'Autorité compétente, jusqu'à la même époque. —

Ce ne fut pas sans surprise que Lundi, le 6 Mai, j'appris indirectement, que Samedi, le 4 Mai, la jeune fille avait quitté furtivement la demeure de Mademoiselle Trovendon, et qu'elle s'était rendue chez le Sieur Amzalek, sujet Britannique. — D'après ce qui avait été convenu entre Son Excellence Haidar Pacha, et moi, il était de rigueur de faire retourner la jeune fille chez sa Mère.

J'en informai Monseigneur l'Evêque Alexander, qui se déclara entièrement en faveur de ma manière de voir, et je trouvai Mademoiselle Trovendon prête à recevoir de nouveau la jeune fille, chez elle, bien que ce ne fut point la première fois qu'elle eût eu à s'en plaindre.

Parcequ'il était plus que certain que le Juif, qui se disait le père de la jeune fille, était complice dans sa fuite, j'en informai aussi Son Excellence Haidar Pacha qui me fit dire qu'il n'en avait rien su. —

Le Sieur Amzalek, étant Sujet Britannique, je lui intimai l'ordre de faire retourner la jeune fille chez Mademoiselle Trovendon, par l'intermédiaire de votre Droogman

que

que j'ai été obligé d'envoyer chez lui quatre fois, et après bien des réponses évasives, et des subterfuges de sa part, je lui fis dire que je prendrais des mesures de rigueur, s'il n'obéissait pas aux ordres donnés en votre nom. La réponse fut, que je pouvais faire ce que je voudrais, mais il ne rendrait pas la jeune fille. — Ce sont là les termes dans lesquels votre Droogman me l'a rapportée. —

Lorsque je réfléchissais encore si, après ce refus formel d'obéissance, je devais avoir recours à la force armée, ce que je n'aurais certainement pas hésité de faire, si pareil affront m'avait été fait, par un individu soumis à ma juridiction immédiate, on est venue me dire que le Sieur Amzalek, s'était soustrait à mes poursuites, relativement à la jeune fille, en l'envoyant de sa maison, chez le Juif qui la réclamait comme sa fille. —

Le même jour, dans la soirée, je reçus de Son Excellence Haidar Pacha la Lettre N^o 2, à laquelle je répondis le lendemain, toujours insistant sur ce qu'il tient la promesse faite dès l'abord, tant aussi bien que je restais fidèle à mon engagement.

Il m'écrivit de nouveau, le 9 Mai / Lettre N^o 3 / et comme il n'avait pas tenu parole, en ce qu'il ne voulait pas faire retourner la jeune fille maintenant qu'elle avait passé sous sa juridiction, s'étant soustraite à la mienne, il me fallut me contenter de rendre Son Excellence responsable pour les conséquences fâcheuses que de pareilles actions iniques, et illégales ne manquent

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manquent presque jamais d'avoir. —

Les deux garçons sont restés où
ils étaient malgré les tentatives déloyales de
leur père, vrai ou prétendu, de les at-
tirer à lui, et de les enlever clandestinement.

Tel est l'état de cette affaire
dans lequel je m'empresse de la mettre
entre vos mains, Monsieur, et veuillez seule-
ment ^{encore} agréer la nouvelle assurance de mes
sentiments de la plus haute considération
et de la parfaite estime, avec lesquels —

J'ai l'honneur d'être

Monsieur,

Votre très humble et

Très obligeant serviteur

(Signed) D^r E. G. Schultz.

Vice-consul de Prusse.

A Monsieur
Monsieur W. J. Young
consul de Sa Majesté
La Reine d'Angleterre
à
Jerusalem.

Sir Stratford Canning G. C. B.

Ye.

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Ye.

As before 1811 and 2
in General Baring's
the 18 dated 18 June
1814

Warrant and
Surrender relative
to Mrs Lewis's Children
who are placed by Mrs
Kendal under the care of
the Society this being
quite in conformity with
what have been claimed
by Mrs Jackson -
- present

copy.

June 1st 1814.

My dear Lord Bishop,

When I had the pleasure to see
Your Lordship Yesterday, - I mentioned to
You that the Kaitine had applied to me in
behalf of a person named Michael Mlograkil
to have delivered up into his Custody two
Children, of whom he is the Parent, and who
are at present under the Charitable care of the
Society's Agents here. -

I have this morning seen His Ex-
cellency Snyder Pacha on the subject, - who, as
You are aware, (the Children being Kyahs) has
already made two Official demands of D^r -
Schultz during my absence, - to have the
Children restored to their Parent and Legal
Guardian.

So far as I can judge of the Case,
I do not think that the Pacha's demand in be-
half of the Parent is improper, or unreasonable -
nor do I see how it can with propriety be resisted.
I have however obtained His Excellency's permis-
sion to see the Father of the Children, on Monday
Morning, and to speak to him on the Subject, when
I will, if Your Lordship thinks proper, endeavour to
point out to him that the Children have come
under the Society's Charge and have been taken
care of, solely from Charitable Motives. - But if
he cannot be persuaded that it is for the advan-
tage of his Children to remain in their present
position, - and consequently is unwilling that

they

Sir Stratford Canning G. C. B.

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they should continue with the Society. - But demands to take them into his own Custody. I think it right to state that it will not be in my power to countenance or to identify myself with, as I feel sure Your Lordship would not wish me to do, any opposition to his will. -

Believe me
My dear Lord Bishop
ve. ve. ve.
(Signed) H. J. Young.

Jerusalem June 1st
1844.

My dear Sir,

I beg to acknowledge the Receipt of Your Letter respecting the Children from Smyrna. All I know of the matter is, that the Children in question were pressed upon the Mission, by repeated, and urgent applications on the part of their Mother who I believe resides at Smyrna, and who, I understood was a Widow, unable to provide for her poor Children. -

If His Excellency the Pacha is satisfied that the person who now comes forward, and demands them, is really the Father, who, if that be the case, must have for many years left his Wife and Family in a state of destitution, the Children must of course be given up to the Father, who is their natural Guardian; but I think he ought in such a case, to be made at least responsible for the Expenses which

which have been incurred by the Mission, in the case which has been taken of his Children

I have the honor to be
My dear Sir,

ve. ve. ve.
(Signed) M. J. Angl. Hierosol.

My dear Lord Bishop,

I have to thank Your Lordship for Your reply to my Letter respecting the Children of Michael Mourahil -

If I could be furnished with an account of the Expenses to which You refer, as having been incurred by the Mission, founded on any agreement made at the time the Children were committed to the care of the Mission. - I would submit them, if Your Lordship thinks proper, to His Excellency Hyder Pacha - And if they should not be recognised by the Father I could request His Excellency to consent to the case being submitted for decision to Her Majesty's Consul General at Beyrout - But in this case, I could not pretend, - as I have already, upon my own responsibility ventured to do before the Pacha, that the Children were received, and have been maintained by the Mission from motives of Christian Charity. -

I have the honor to be
My dear Lord Bishop,

ve. ve. ve.
(Signed) H. J. Young

Sir Stratford Canning & Co. B.

ve. ve. ve.

Jerusalem, June 1. 1844.

My dear Sir,

It would be difficult to make out any charge in the way of Expenses particularly in the absence of the Rev^d J. Nicolayson, by whom the Children were brought to Jerusalem. — I would leave the matter in Your hands. — I presume the eldest Boy cannot be compelled to go against his wish, which I understand is a determination to remain a Christian and he is in the service of the Rev^d M^r. Deitch.

Yours faithfully

(Signed) M. S. Angl. Trevelyan.

Jerusalem 4th June
1844

My dear Lord Bishop,

I cannot consider that I have completed my duty in the case of Michael Meyrakhil's Children until I have formally notified to Your Lordship that I have delivered over to His Excellency Hyder Pacha, the Child David, who was brought to me this morning, by Christian Hawsa.

I requested the Father to meet me at the Scraglio, which he did, with the Interpreter of the Rabbins. — I there explained to

Hyder Pacha the state of the Case, and obtained from His Excellency a written acknowledgment in the form of a Receipt for the two Children who have been received from the Charitable protection of Your Society, and consigned to the custody of the Turkish Government, at the suit of their Parents; — so that in case the Children should ~~be~~ at any future period be claimed by the party who consigned them to the care of the Rev^d M^r. Nicolayson, the Pacha, in the name of his Government, will be responsible for them. —

On observing how painfully the Child struggled to cling to Christian Hawsa, and to resist all the efforts made by his Father and his friends to reconcile him to his new condition, I called His Excellency's attention to the reluctance manifested by the poor Child to quit his benefactors, and to return to his own Parents, of whom he had grown out of remembrance, and whose long absence from, and neglect of his Wife and Family, added no doubt to the kind, and Charitable care of the Society, — seemed to have obliterated from the Child's mind, every trace of filial affection. — And I felt constrained, before quitting the scene of painful excitement, to entreat His Excellency's kind interest on the Child's behalf, and to beg that he would be so kind as from time to time to request to see the Child, and to enquire after its condition and treatment, and which I have every every hope that the Pacha will do. —

As the Girl left her situation, and returned to her Father by her own free consent,

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Ye.

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consent, I felt that I had no occasion to in-
terfere. -

The eldest boy "Isaac",
having repeatedly expressed his wish, in
my presence to remain where he is and his
determination not to leave his employment,
to return to his Father. - His Excellency, as
well as the Interpreter of the Rabbins, con-
sented to his being left to the unmolested
exercise of his own judgment.

I have the honor to be
My dear Lord Bishop
Yours very faithfully
(Signed) W^m J. Young

Sir Stratford Canning & Co. B.
Ye. Ye. Ye.

Handwritten notes on the left page, including the date "18th Sept 1824".

Handwritten notes on the left page, including the name "James" and other illegible text.

Jerusalem, 9th July 1824

Sir,

I have the honor to transmit to Your Excellency, the abstract of a letter, translated from the Arabic, which I have received from the British Consular Agent at Jaffa, detailing some of the circumstances relating to the late assassination of one of the French Consul's Domestics there.

I have the honor to be
With the greatest respect

Sir,

Your Excellency's
Most Obedient
Humble Servant

J. J. Canning

Your Excellency
The Right Honorable
Sir Stratford Canning & Co. B.

ye. ye. ye.