

Australian Jewish Historical Society

VOL. IV.

PART V.



CONTENTS.

	Page
EDWARD DAVIS: LIFE AND DEATH OF AN AUSTRALIAN BUSHRANGER	205
By Dr. George F. J. Bergman.	
THE SYDNEY HEBREW CERTIFIED DENOMINATIONAL SCHOOL	241
By David J. Benjamin, LL.B.	
OBITUARIES	279
LIST OF MEMBERS, 1955	282
 Illustrations :	
"THE SURPRISED BUSHRANGER"	211
"STUCK UP"	227
SIR JAMES DOWLING	237
SIR HENRY PARKES	246
CERTIFICATE, SYDNEY HEBREW SCHOOL, 1868	256



SYDNEY :
December,
5717—1956

AUSTRALIAN JEWISH HISTORICAL SOCIETY.

(Founded August 21st, 1938-5698.)

Patron-Members :

The Hon. Mr. JUSTICE SUGERMAN.

The Hon. Sir ARCHIE MICHAELIS, Kt.

President :

Rabbi Dr. ISRAEL PORUSH, Ph.D.

Vice-President :

HERBERT I. WOLFF.

Hon. Treasurer :

ARTHUR D. ROBB, F.C.A. (Aust.)

Hon. Secretary :

SYDNEY B. GLASS.

Editor of Publications :

DAVID J. BENJAMIN, LL.B.

Committee :

Mrs. RONALD BRASS, B.A.

M. Z. FORBES, B.A., LL.B.

M. H. KELLERMAN, B.Ec.

ALFRED A. KEYSOR.

Honorary Member of Committee :

NATHAN F. SPIELVOGEL.

(Since deceased.)

VICTORIAN BRANCH—OFFICERS.

Chairman : Sir ARCHIE MICHAELIS.

Liaison Officer : Rabbi L. M. GOLDMAN, M.A.

Hon. Treasurer : STUART COHEN.

Hon. Secretary : L. E. FREDMAN, M.A., LL.B.

Committee :

Dr. H. SHANNON, M.D., Dr. J. LEON JONA, M.D., D.Sc.,

A. N. SUPER, M.A., LL.B., W. JONA, H. MUNZ, R. APPLE,

I. SOLOMON, Miss H. FUERMAN, Miss F. ROSENBERG,

Miss E. YOFFA.

Hon. Auditor :

DAVID BOLOT, A.F.C.A., A.F.I.A

HON. SECRETARY'S ADDRESS :

2 Castlereagh Street, Sydney, New South Wales.

VICTORIAN HON. SECRETARY'S ADDRESS :

75 Westgarth Street, Northcote, Melbourne, N.16.

Australian Jewish Historical Society

JOURNAL AND PROCEEDINGS.

Vol. IV.

1956.

Part V.

The Society is not responsible for either the statements made or the opinions expressed by the authors of papers published in this Journal.

Edward Davis

Life and Death of an Australian Bushranger.

By Dr. GEORGE F. J. BERGMAN.

*(Read before B'nai B'rith Sir John Monash Lodge,
Sydney, 4th July, 1956.)*

Australia has witnessed two periods of bushranging, both of them brief and perfectly distinct from each other. The first period consisted of a transplantation by convicts of the English "Highway-robbery" to the newly founded colony, and lasted from the beginning of last century to the end of the 'forties. The second period, featuring the Australian-born bandit and starting with the gold rush of the 'fifties, lasted until the Kelly Gang was captured in 1879.

Nearly all the bushrangers in the first period were escaped convicts who, in despair over brutal treatment or simply inspired by the desire for freedom, sought their salvation in the flight into the bush. But the bush was empty, and there was nothing to support the escapees. In order to exist, they had to rob the wayfarer on the highways or the settlers on their farms. This was the only means of keeping them alive.

Most of them were young men, some of them only boys. Chased by the authorities, they became desperados; they robbed and murdered until the arm of justice reached them and took them to the gallows. A whole literature has been built up around them. They became the inspiration for popular history and fiction. The importance of bushranging in Australia has been much exaggerated, and fills in reality only a very thin page in Australian history.

What part has the Jewish community played in this story? The Jewish community in Australia can be very proud of its record. It has produced great statesmen

and generals, merchant princes, and initiators of cultural activities.

But Jews are like any other people, neither angels nor devils. Although the criminality among Jews in the Diaspora has been, and still is—except perhaps in the U.S.A.—especially low, we have to recognize that we find among Jews, if not many murderers, yet criminals and offenders against the laws protecting public and private property.

The great economic depression into which England was thrown through the French Wars cast its shadow also over the English Jewish community. Poverty was widespread and the way open to delinquency. The first Jews came to this country as convicts.

The Convict Age of Australia has become history, and the Jewish convict belongs to Australian history in the same way as the English or Irish. There is no need to be ashamed of this past, especially as most of the crimes for which these Jews had been condemned to transportation were trivial.

The convicts' life was extremely hard. They were either employed in Government enterprises or allotted as servants to free settlers under the assignment system, which lasted until 1841.

Some assigned servants were little more than slaves. Punishments were immediate and cruel. Shall we wonder that under these circumstances also one of the Jewish convicts escaped into the bush, and that, because of his superior intelligence and education, he became not only an ordinary bushranger, but a leader of men, the founder of what was called by the people the "Jewboy Gang"? It was only natural that this should happen, and it happened indeed.

However, Edward Davis, the only known Jewish bushranger on the Australian mainland, was not a highwayman like all the others. He was a distinct personality who merits our sympathy in spite of his deeds, because we will recognise in him the Jew who, even in the circumstances into which the tragedy of his life had been thrown, had not forgotten the teachings of his faith.

Little has been published about this Jewish bushranger. An article by Mr. S. Stedman in the *Australian Jewish Forum* of 1948,¹ "The Jewboy Bushranger," as well as an article which appeared recently in the *Sydney Jewish News*,² relied mostly on second-hand and often wrong information, and left many questions open and

unanswered. Most historians who wrote about bush-rangers mention Davis, but they have generally copied from each other. The accounts are often vague and mostly unreliable.³ Mr. Frank Clune, in his well-known book, *Wild Colonial Boys*, has dealt in a chapter with Davis' Gang. To find out the truth about Davis, it was necessary to consult original sources.

Mr. Stedman has stated that nothing is known about his life prior to his transportation to Australia, and of the crime of his youth which led to transportation. The facts, however, are available.

When we open the Old Bailey records of 1832, we will find that a 16-year-old lad named George Wilkinson, late of Ealing, a labourer, was indicted for stealing, on 28th February, "one wooden till, value 2 shillings, and 5 shillings in copper money, the property of Phillis Hughes." He was committed on 29th March, 1832, by W. Clay, Esq., and tried on the charge on 7th April before Mr. Justice Alderson.

The Old Bailey Papers⁴ have preserved for us an account of the trial. Here we read that the witness, Sarah Hughes, told the judge what follows :—

"I am the daughter of Phillis Hughes; we live at Brentford. On the 28th of February I was in the parlour, and heard money rattle. I looked through the window, and saw the prisoner in the shop with the till in his hand — he saw me, then put it down, and ran off, and I after him — I never lost sight of him till Hughes stopped him; he moved the till about two yards — there was about 5s. 5d. in copper in it."

William Hughes deposed : "I live near the prosecutrix. I was at my door. I saw the prisoner run out of the prosecutrix's shop, and stopped him. I am quite certain of his person."

And what was the prisoner's defence ? The young lad claimed that he was innocent. "A lady in Gravel-lane missed her son for a fortnight, and sent me to look for him at Brentford. I heard an alarm, and saw the lad run out of the shop — I immediately pursued, and was taken."

The judge did not believe him. He was convicted and sentenced to transportation for seven years.

In the printed Calendar of Prisoners in the Newgate Prison, George Wilkinson is listed in May, 1832, as in the

Hulks under sentence of transportation; and in July, 1832, his name disappears, presumably because he had been transported.

This seems to have nothing to do with Edward Davis, the Jewboy. It has, however, very much to do with him, because George Wilkinson and Edward Davis were the same person.

When, on 17th February, 1833, the ship *Cambden* arrived in Sydney Cove,⁵ she had on board a number of free settlers as well as 198 convicts.⁶ Among the convicts two were listed as Jews. The one was a certain Raphael Gabey, a native of Amsterdam, whose profession was entered as tobacconist, and who was under sentence of transportation for 14 years for pickpocketing.⁷ The other was the young man named George Wilkinson.

The particulars of the convicts were recorded in the "Indent of Convict Ships" of the year in which the ship arrived, a book in manuscript which recorded the initial information about the individual convict. In this book were later also recorded further details, such as evasions and condemnations.

The initial information, corrected and extended, was then yearly reprinted in books called "Names and Description of all Male and Female Convicts arrived in the Colony of New South Wales" during the particular year.

In both books for 1833 we find a detailed description of our man, which reads as follows⁸ :—

"Age 18; able to read and write; religion, Jew; single; native place, Gravesend; trade, stable boy; tried at Middlesex 5th April, 1832; sentenced to 7 years; former convictions 7 days; height 4 feet 11½ inches; complexion, dark ruddy and much freckled; hair, dark brown, to black; eyes, hazel; particular marks or scars, remarks, nose large; scar over left eyebrow."

It follows the description of very peculiar tatoosings : "MJDBN inside lower left arm, EDHDM love and anchor lower left arm, 5 blue dots betwixt thumb and forefinger of left hand."

And to this, in the printed indents, the following words are added : "Father, Michael John Davis, 3 years; Mother Anna Davis, April 1832."

Both indents give as the reason for his condemnation that he "robbed a till."

We perceive from the description that he was of rather small stature. As his trade is noted as "stable-boy"—a rather unusual occupation for a Jew—and he was later

to be known as an excellent horse-man, he might have intended to become a jockey.

The former conviction of 7 days must have been a very trifling matter, if one considers the fact that another convict on his ship had been deported for 14 years for having stolen a toothpick—probably made of silver or ivory.

Although the indents mention that he "robbed a till," we have heard from the mouth of the witness Sarah Hughes that he only attempted to steal the small moneybox worth 2 shillings, and which contained 5 shillings in copper. And for this attempt, which, as we know, he denied, he had been condemned to 7 years of transportation.

I have pondered about the meanings of his tattoos. Tattooing was a common practice at this time, and most of the convicts had tattoos. We do not know, of course, if he had these already when he was jailed, or if he had acquired them at Newgate prison or during the journey to Australia. I am rather inclined to believe the latter possibility. The anchor is generally the emblem of a sailor and not of a stable boy. The initials on his arms point clearly to a love affair. As for the 5 blue dots between thumb and forefinger, this pattern of dots is generally regarded by experts⁹ as symbols of a group or gang to bind their members together. As I have found evidence that several convicts on the *Cambden* had similar dots as tattoos, it might well be that there already he got together with men who decided to keep together as a gang in the colony.

Manuscript and Printed Register differ, however, from each other in a major point, and that is the way in which the identity of this particular convict was recorded.

In the Manuscript his name is still listed as George Wilkinson, but underneath this name, initialled by the Registrar, a second name is added, to wit, "Edward Davis"; whilst in the Printed Register he appears now as "Edward Davis, alias George Wilkinson."

We can only guess what might have happened.

We may assume that, when apprehended, he had given his name as George Wilkinson. We do not know the reasons for this subterfuge. Was he ashamed to go to prison? Did he want to spare his Jewish parents the shame of seeing their son in jail? We do not know if his parents ever knew about the tragic fate of their son. They might have believed that he had disappeared like

many others in the man-eating slums of London. His parents must have been people of some standards, who had given him an education, because he could read and write—an ability which hardly half of the number of the convicts of the *Cambden* enjoyed.

What had induced him to reveal his identity, or how had the subterfuge been discovered? Again we can only guess.

He had always been proud to be a Jew, and, even when condemned and transported, did not hesitate to profess his faith. However, the name "George Wilkinson" might have sounded singularly "un-Jewish" to the Registration Officer in Sydney, and he might have pressed the boy to reveal the truth. He might perhaps have asked him for further information concerning the initials on his tattooings, which did not coincide in any way with the initials of the name George Wilkinson. And so the name Edward Davis may have come to light.

According to Mr. A. J. Gray, Honorary Registrar of the Royal Australian Historical Society, an authority on early convict history, fictitious names, recorded at trial and in embarkation lists, were generally dropped after arrival in Australia in about as many cases as they were retained, and came to be used as real names.

And now the question arises: Was even Edward Davis his "real" name?

Edward gave Gravesend, a small town in Kent, near London, as his native place. Was this information, which does not appear in the George Wilkinson files in England, not only another means to hide his true identity?

Dr. Cecil Roth, in his book, *The Rise of Provincial Jewry*, which accounts for all pre-1850 Anglo-Jewish communities, and which is also filled with notes relating to scattered Jewish families in this period, does not mention Gravesend. Dr. Roth has assured me that he did not find Jews there before the late 19th century, nor any Jewish navy-agents, nor names reminiscent of Davis' family.

These facts were also confirmed to me by the local authorities of Gravesend, who have done everything possible to further my researches.

It might in this connection be mentioned that the "information" about the names of the two parents, which do not appear in the first indent, must have been given by Davis himself, because it is practically impossible that a reply to an enquiry in London could have reached Sydney



"THE SURPRISED BUSHRANGER"

Edward Davis, Australian Bushranger

in time to be printed in the second indent. The fact that the parents are mentioned at all is extremely unusual, and nearly without parallel in the indents of this time. It might well be that Edward, when pressed by the registration officer to reveal his identity, concocted a new story and phantasy names for his parents.

These "remarks" about his parents consistute indeed an enigma, and are open to interpretation.

What is the meaning, for example, the words "3 years" after the father's name? Will this say that his father had once been sentenced to 3 years' jail, which, as Dr. Roth remarked, was not much of a sentence at this time? Mr. Gray was of the opinion that the word "deceased" might have been forgotten between the father's name and the "3 years." He also suggested that Michael John Davis might have been his step-father, and that for 3 years. The first names, "Michael John," were actually not common among Jews. Edward might have merely adopted the name Davis, an adoption which he may have found quite convenient.

The greatest puzzle is offered by the last two words of the "Remarks," viz., "April 1832." In April, 1832, Edward Davis was at Newgate prison. I cannot think of any connection between his parents and this date. There is a possibility that these "remarks" about the parents, which in the second indent are in no way separated from the description of the tattooings, were not remarks at all, but part of the tattooings and engraved at Newgate Prison in April, 1832, to keep the memory of his parents alive.

In this case, Davis would indeed have been his real name.

We will probably never be able to clear up these mysteries, and we have to accept his name as Edward Davis, the name under which he has gone down in history.

After his arrival in Sydney Harbour, Edward was taken to Sydney Town and put to work. But not for very long.

Edward Davis was governed by an indomitable spirit of independence. Maybe, he was obsessed by the idea that he had been wrongly condemned and deported. Convict life, to work in chains under the whip of a spiteful overseer, seemed to have been unbearable to him.

And so we see that the Manuscript Indent of the *Cambden* convicts records such an impressive list of

evasions. A similar one is hardly to be found in any other indent of the time.

Eleven months after his arrival, on 23rd December, 1833, he used the Christmas period, in which the rum-sodden guards became slacker in their attention, to escape from the Hyde Park Barracks. He was caught and condemned to twelve further months of deportation.

He was sent to Penrith, from where, two years later, on 1st December, 1835, he absconded again. Apprehended, he was again condemned to twelve more months of convict life.

Mr. Stedman mentioned in his essay that "there is reason to believe that he was assigned to a farmer."

This was indeed the case. Newspaper reports confirm the fact that he was assigned as a servant to Edward Sparke, a pioneer who in 1825 had been granted land at Hexham, near Maitland. The records do not mention the date of his assignment, but it may be assumed that it took place after his second escape in 1835.

Convict servants were generally objects of unscrupulous exploitation, and who knows if his Jewish faith did not contribute to his misery—if his master did not make life for him still more miserable because he was a Jew?

On 10th January, 1837, he ran away for the third time—or, as the indent said, "absconded illegally"—and, being caught, added two more years to his register. It seems that he was taken back to Sydney. But not for long. On 21st July, 1838, he absconded for the fourth time, and, although he was again condemned to two more years, this time he remained at liberty until a cruel fate made an end to his ambitions.

He found an easy refuge in the bush of that part of the country which he knew well enough from the time of his assignment at Hexham, the Maitland district, and it was there half a year later he suddenly emerged as "Teddy the Jewboy," the leader of a gang of bushrangers consisting of convicts who, like himself, had deserted from the farms of their masters.

Reports of the activities of the Davis Gang in 1839 are scarce. Boxall noted rightly that "in the early years of Australian settlement bushranging was one of the normal conditions in the colony, and therefore attracted little notice. Even the exploits of such heroes of the road like Mike Brady, the Jewboy, and Jackey-Jackey were very briefly related in the press."

It seems that Davis formed his gang in the summer of 1839 in the Northern Districts of New South Wales. For two long years the gang maintained a reign of terror from Maitland over the Great Northern Road to the New England Highway, in the Hunter Valley, and down to Brisbane Waters near Gosford.

According to Mr. Stedman, their lair was in Pilcher's Mountain, four and a half miles south of the township of Dungog, from where they made sudden raids on townships or settlements or ambushed travellers on the road.

The "Jewboy Gang," as it was soon called by the people—although the word "Jewboy" is nowhere to be found in the contemporary press—consisted mainly of run-away convicts and convict servants, but varied in number. Some convicts joined the gang for some time, then gave themselves up, whilst others replenished the ranks of the desperados.

Nearly all the outrages committed in the lower Hunter Valley in 1839 are ascribed to the Jewboy gang, although it is not always clear it was really Davis' gang which had committed the robbery.

On 12th January, 1839, they stuck up and robbed Mr. Biddington's servant near Wightnab's station on the Namoi River, some distance lower down than Tamworth,¹⁰ and the *Sydney Gazette* of 3rd April, 1839, reported: "The Country between Patrick's Plain and Maitland has lately been the scene of numerous outrages by bushrangers. A party of run-away convicts, armed and mounted, have been scouring the roads in all directions. In one week they robbed not less than seven teams on the Wollombi Road, taking away everything portable."

Either Davis or other members of his gang, or perhaps independent bushrangers who were only supposed to belong to the Davis Gang, travelled considerable distances from the Great Northern Road.

The description given by the *Sydney Gazette* points very clearly to Davis' gang, as Edward and his men were always mounted. Edward, the former stable-boy, took a special delight in horses, and saw that his companions were excellent riders.

During the winter months of 1839 numerous attacks on stations near Maitland are ascribed to the gang, and in 1840 they were so firmly established in the district, and so well known all over the country, that Boxall could write about the leader that, "next to Jackey Jackey, and perhaps

Mathew Brady, more yarns have been told about the Jewboy, this hero of the roads, than of any other bushranger in the pre-gold digging era." Boxall calls Davis "one of the most notorious of the early bushrangers of Australia."

It has been said of Davis that he played the part of an Australian Robin Hood, and that "if he stripped the rich, he went out of his way to relieve the misery of the assigned servant."¹¹ And this was a perfectly true statement. There is no doubt that Davis, with his unhappy memories of an assigned servant, tried as much as he could to help his former mates, and that, on the other hand, he could rely on their assistance.

"The flogging by the Jewboy of a squatter of Wollombi at the public triangle, and with the public flagellator's cat," said Boxall, "enshrined him as a hero in the heart of a certain class of the community"—the class of the convicts, servants and ticket-of-leave men to whom he belonged.

No wonder that these people acclaimed him and supported him wherever he went, and that the newspapers complained that "the Davis gang was doubtless helped by convict servants, as they showed great knowledge of the robbed establishments and families."¹²

During the year 1840 the Jewboy gang committed numberless depredations. It was said that any man riding along the road near Murrurundi or Quirindi, or between these places and Tamworth, was almost certain to lose his horse and whatever property he might have about him.¹³

One of the stories told of Edward Davis was that he "rounded up" the chief constable of the district with a party of constables and volunteers who had gone out to seek for him, and, after having "yarded them like a mob of cattle," took their horses and whatever money they had and rode away.¹⁴

It is understandable that, under these circumstances, the common people in New South Wales, who never liked the "Cops," laid an aureole around the Jewboy's head, and that he encountered great sympathy, if not among the robbed settlers, but from the convicts and assigned servants, who, after all, made up a great part of the population at this time.

Whilst in 1839 the identity of the gang could often only be guessed, now that the gang seemed to be clearly identified, the Sydney press began, during the second half of 1840, to relate its exploits with more details than before.

Davis had obviously no scruples against robbing his

co-religionists. In November, 1840, he entered the inn of the well-known innkeeper, Henry Cohen, at Black Creek, near Maitland, "which," said the *Herald* on 23rd December, 1840, "is not only a public thoroughfare, but perhaps one of the most frequented roads of the Colony," and completely ransacked the place.

In this article, and in a previous one of 15th December dealing with this unexpected attack, the *Herald* mentioned expressly the obvious friendship between the Davis gang and the convicts and bullock-drivers of the district, most of whom were ticket-of-leave men. "On their arrival they shook hands with them, treated them to brandy and enquired after acquaintances, both male and female, and in fact showed such an understanding between the parties, that Mr. Day (the Police Magistrate of Muswellbrook) cancelled two of their tickets." The article also mentioned that the robbery at the inn took place in the presence of twenty-six men, the majority of whom were convicts.

It might also be of some interest that the correspondent of the *Herald* pointed out the "injurious influence of this bushranging on immigration," and said that "he knows a person who hesitated to recommend a voyage to this colony, only because of bushranging at the Hunter. . . ."

The complaints about the "bushrangers at the Hunter, Lake Macquarie and Maitland," where at least ten horses were stolen,¹⁵ some within a few miles from Maitland, became now numerous and very detailed. We find authentic reports about the Jewboy and his gang which make sometimes quite amusing reading. Take, for example, the story of good Dr. McKinlay as related in the *Herald* of 10th December, 1840, by a reporter from the Williams district :—

The bushrangers who were at Newcastle lately, and more recently at Pilchers' farm, on the Hunter, have paid us a visit en passant, and now that they have found themselves in every necessary, have left the district for a bold dash somewhere else. On 29th November Dr. McKinlay, a medical man who was proceeding with a guide towards Mr. Chapman of the Grange, from Mr. Coar at Wallaringa, to visit a lady reported to be ill, was "bailed up" with his guide and commanded to "bundle back" to Mr. Coar's at Wallaringa again, otherwise his brains would be blown out. Being unarmed, he made no resistance. They all proceeded to Mr. Coar's, where, to the astonishment of the captured party, the house was in possession of bushrangers, handsomely dressed and "armed to the teeth." They demanded the Doctor's watch and money, but by intercession of Mr. Coar's man (who was lately a patient), who "begged him off," everything was returned to him again. The Doctor says he was treated in the most gentlemanly manner by them and that he never

spent a happier night in his life. They insisted on his making himself quite at home, and not to be alarmed, as they did not intend injuring him, and pressed him to eat some eggs, beer, damper and butter. They then cleared a sofa for him to lie on and covered him up with their greatcoats, the pockets of which were stuffed with ball cartridge and buck shot. The Doctor's guide had his arms tied behind him and was thrust under the pianoforte, sans ceremony, the chief telling him that if he either broke the paddle or fell asleep, he would blow his brains out. They were detained prisoners until the morning and then marched off towards Mr. Chapman's.

Their (i.e., the bushrangers') attire was rather gaudy, as they wore broad-rimmed Manilla hats, turned up in front, with abundance of broad pink ribbons, satin neck-cloth, splendid brooches, all of them had rings and watches. One of them (a Jew, I believe) wore five rings. The bridles of the horses were also decorated with a profusion of pink ribbons. The leader was formerly an assigned servant to Edward Sparke Esq. of the Upper Hunter, and another (named Shea) was lately an assigned servant of Mr. Coar; the third, I believe, a Jew named Davis, a very wary, determined fellow.

[Here the correspondent of the *Herald* made a mistake, because it was Davis himself who had been Mr. Sparke's servant.]

They "bailed up" Mr. Chapman and his men in the backyard, but took nothing of consequence save two saddles, saddle-bags, bridles, tea, sugar, brandy, etc., and they caught 2 mares, when Robert Chitty, one of Mr. Chapman's men, joined them, and after having breakfast, galloped off. They neither used violence nor uncivil language, and on leaving promised to return Mr. Chapman's mares as soon as possible, and I am happy to say that they have kept their word.

They then went on robbing the people on the highway. Immediately after they had left the Chapmans, they met a man of Mr. Lord's, of whom they took a horse and 11 shillings. They cut open a carpet bag which he had, then gave him a kick in the ribs and dismissed him. Then they met a Mr. Morrison from Namoi, whose horse they took. They then proceeded to Mr. Walker's at Brookfield, from whom they took about £37 in money and refreshments, and a mare from the Reverend Mr. Comrie who was present, but which they left on the road, not far off. After having robbed the station of Mr. Timothy Nolan, on whom they had a great "down," for they fixed a saddle on his back, flogged him and took £5, a horse and a gold watch, they tried to have their horses shod at a small settler's place, because the man was said to be a smith. They were however disappointed, because he had neither nails nor money. Back they went again to Walker's, had some refreshments; and the Dungog postman, chancing to pass through that direction at the time, they "bailed him up." They cut open the Sydney bag, but touched nothing, took £3 from the postman and his watch, the latter of which they however returned to him. They then made for Paterson, and in the afternoon robbed Mr. Jones (Settlers' Arms) of about L.30. They then crossed the river and have not since been heard of.

The correspondent complained then that there was no detachment of mounted police permanently stationed in the district. If such a troop would be provided, this

would be "the only sure method of eradicating recurrences of this nature."

In the same number of the *Herald*, a correspondent from Paterson reported that "the bushrangers are very troublesome in this district, and have shot many cattle and horses and otherwise harrassed the settlers."

No wonder the settlers complained after such a day "Well spent" by the bushrangers !

However, through this report of a man who was most certainly not on the side of the bushrangers, we gain the impression that these criminals were not hard-boiled robbers. Indeed, from the description we may say that they were juvenile delinquents, the forerunners of teddy-boys and bodgies, and that, although they were armed to the teeth, these arms were more used to frighten people and shoot cattle and sheep than for murderous purposes. And as to-day cars are stolen by boys and left somewhere on the road, so these young men—all of them, with few exceptions, like the 37-year-old Chitty, were between 20 and 30 years of age—stole horses and left them again to the owner. And yet, there is a profound difference between the bodgies and teddy-boys and the men of the Jewboy's gang. Davis and his men, in their romantic attire, felt themselves as the "Chevaliers of the road." They were gallant to the ladies and distributed part of their booty to their "brethren," the convict servants. I think, if it is not too much to say of them, that they at least tried to imitate Robin Hood.

On 26th December, 1840, the *Australian* reported from Wollombi :—

Bushranging on the Wollombi has been, on paper, an almost every-day occurrence, but fortunately, with two or three exceptions until last week, such representations were unfounded.

On Friday 18th December 1840 six armed men entered the hut of Mr. Close's stockmen where they found the stockman and 2 constables who had been sent by Mr. Dunlop to the district, in bed.

They broke the constables' muskets, took their handcuffs, pouch-belts and ball-cartridges, and compelled the constables to carry a quantity of corn they had in handkerchiefs to the top of a mountain two or three miles distant, where there were 5 horses hobbled and tethered. The robbers having breakfasted on what appeared new made bread, etc., descended from the mountains and proceeded in the direction of Mr. Crawford's of Brown Muir, bringing with them the two constables handcuffed. On the way, they apprehended another person and handcuffed him to Mr. Close's servant. When arrived at Mr. Crawford's these men as well as others found on the farm were placed under the charge of a sentinel. The others proceeded to break open drawers, drinking themselves, and compelling all the

men and women to drink large quantities of wine and spirits. After remaining two or three hours, having their horses fed, dinners prepared and eaten, they departed, taking with them a horse, two coats, trousers, shirts, two twenty-shilling notes, and several articles of jewellery.

The two constables, of course, went with them. As for these guardians of the law, one may hear what the *Herald* of the same day has to say of them :—

The conduct of the two Wollombi District constables on the premises was disgraceful to the extreme, worse possibly than that of the bushrangers; as the spirits etc. were handed out of the house by the bushrangers, these "pseudo protectors" of the peace received them, knocked the necks from the bottles and drunk the contents till they became in a state of beastly intoxication.

One of Mr. Crawford's men they took out with them to point out the way to Mr. Crawford's establishment at Ettalong, from whence they took a horse, leaving another, and provisions, and after having the farm-bell taken down and broken, and after having their horses fed, making presents of tobacco to the servants, they proceeded to Glenmore. Here, strange to relate, the first intimation of their approach was Mrs. Davis (of Glenmore) exclaiming to Mr. Dunlop (the police magistrate of Maitland), who arrived about half an hour previously, "There is a drunken constable!" Mr. Dunlop started from the table, and seeing a man armed, snatched his pistols, and rushing towards the door, ordered the man to stand back or he would shoot him. The man fell back about a foot, presenting his pistol to Mr. Dunlop, when instantly five others started forwards with arms, pointed at him, imprecating that "if he fired, he was a dead man." They demanded his pistols, which he refused to surrender when, finding no aid whatever and Mr. and Mrs. Davis imploring him not to sacrifice them as well as himself, Mr. Dunlop flung his pistols across the passage in the bed-room.

Mrs. Davis was a delicate lady within a few weeks of confinement, and a young lady, her friend, was in violent hysterics. Mr. Dunlop implored the ruffians on the ladies' account, but they replied, "Let them be quiet and they need be in no terror; we came for money and horses, and both we'll have." They ordered the Police Magistrate and Mr. Davis in a closet to be "bailed up." Mr. Dunlop said: "I will not leave the room where the ladies are; I am unarmed, what more would you have?" One of them, a man named Davis, then said: "You have presented a pistol at me, and I ought to shoot you." Mr. Dunlop replied, "You will not." One of them said: "We have served out two of your constables and sent you a message that we will dine with you at Christmas day." After searching over the home and taking some rings and trinkets, they proceeded to despatch the eatables that were on the tables, making themselves free off the sideboards, and carrying out a considerable portion, which, it was afterwards evident, they distributed amongst Mr. Davis' convict servants.

They cracked their jokes with as much ease and familiarity as consisted with convict dignity, observing to Mr. Dunlop (at the same time applying a quizzing glass to his eye) it was the first time they had the pleasure of meeting him at dinner.¹⁶

Finding neither money nor arms in the house, Shea ordered two of the others to get the horses ready, and to be sure to take

the best. They chose three of Mr. Davis' best, leaving the same number, two of which they said were from Brisbane Waters, and "when we change yours, we'll tell you where we took them from." At the request of Mr. Davis they returned three mourning rings and a riding whip belonging to the young lady. They mounted and left, ordering none to follow on peril of their lives; and the police magistrate having followed to have a view of their route, Shea and another returned swearing horribly that if any person should leave the house for an hour and a half, they would return and destroy every thing in and about it. They then proceeded to Pendergrass's public house, from whom they took L.13, robbing at the same time Mr. McDougall, on whom they inflicted a dozen lashes with a bullock whip, observing that he had been very fond of flogging whilst overseer of an iron gang. After remaining about 15 minutes, they proceeded to the Red House Inn on the Maitland Road, from whence they took a double-barrelled gun, a saddle and a small sum of silver—then to Mr. Garrett's station, taking possession of a cheese. It was then dark and three or four of the party were drunk.

Mr. Dunlop, after various vain efforts to obtain men and arms, seeing that the pursuit of the bushrangers was useless under such circumstances, started for Maitland with Mr. Eyles and alarmed the mounted police, who, with the utmost alacrity, proceeded in what appeared the most efficient manner to track and search for the robbers. From observations made by one of the robbers to Mr. Davis, it is evident that an understanding exists between them and the convicts of the district.

The gang, which consisted at this time of seven members—Edward Davis, John Shea, John Marshall, James Everett, Robert Chitty, Richard Glanville, and a seventh man—was now near Maitland.

In the morning of Sunday, 20th December, Captain Horsley, of Woodbery, Hexham, on the Hunter River, about five miles from Maitland, was awakened by the barking of his dogs, when the bushrangers entered his house and forced him and his wife to get into bed, lie down and cover their faces with a pillow. They demanded the keys, and, on being told where to find them, opened drawers and cupboards, and made bundles of money, clothes, jewellery and plate. They collected all guns and pistols in the house and went off, being disturbed in their work.¹⁷

Later on in the day, they were all seen near the little township of Scone.

And now the short career of "Jew Davis," as according to the *Sydney Monitor* of 29th December, 1840, he was called in the district, drew to a dramatic end—a conclusion which he might have feared all the time, and which was, under the circumstances, probably inevitable.

We have seen that the gang was heavily armed, and that in several cases they had threatened people "to blow their brains out." But we have also seen that these words

were only empty threats, and that, so far, nobody had been killed by Davis or his men. Unlike all other Australian bushrangers, the Jewboy gang had so far avoided murder. There is not the slightest doubt that this was due to the personal influence of Davis.

As Mr. Stedman has rightly pointed out, it cannot have been the fear of capital punishment which induced Davis to refrain from shedding blood. "The punishment for continuous robbery on the highways would have been severe enough." They would have faced deportation to Norfolk Island, to a living death. Davis insisted that his companions should preserve clean hands, at least in respect to murder, and resort to violence only for the preservation of their own lives and liberty.¹⁸ "One can easily assume that there was still Jewishness enough in Edward Davis to respect the sanctity of human life, to think of the commandment, 'Thou shalt not kill.'"¹⁹

But his companions in crime, with all the respect for human life with which he might have imbued them, and in spite of all the warnings which he might have given them, were desperados and lost control of their nerves, and so the inevitable happened—murder.

On Monday, 21st December, at 4 o'clock in the morning, they²⁰ robbed Juranville, the seat of Mr. William Dangar, and at 6 o'clock entered the village of Scone.

Various reports exist about the tragic events at Scone which led to the downfall of Edward Davis and his gang. There was at this time no provincial press to record such happenings, and either meagre or widely exaggerated accounts were, about a week later, rushed into print of the Sydney press.²¹

A clear picture of what has really happened can, however, be drawn from the depositions of the eyewitnesses given at the following inquest at Scone, the original minutes of which were fortunately preserved,²² or at the subsequent trial in Sydney.

At their arrival at St. Aubin, as this part of Scone was then called, the bushrangers divided. Marshall, Shea, Chitty, and the seventh member of the gang whose name cannot be with certainty ascertained—Mr. Clune calls him Bryant, but I have found no proof for this assertion—rode into Mr. Thomas Dangar's store yard, whilst Davis, Everett and Glanville entered Mr. Chivers' public house, the "St. Aubin Arms."²³ The inn was only separated from the store by the road, so that the bushrangers were still within

a call and within reach of each other, able to give assistance should there be any resistance.

When they entered the store, the storekeeper's clerk, a young man of 23 or 24 named John Graham, who had shortly before come to Australia from Inverness in Scotland, recognized them by their gaudy dress and at once suspected who they were, because he had already heard of their approach.²⁴ Graham took a pistol, the first thing that came to hand, and fired a shot at one of them.²⁵ Then he ran out of the store and directed his steps to the nearby lock-up to alarm the police. As the bushrangers saw this, one of them ran after him, pursued him about twenty yards and then fired at him. Graham staggered, but continued to run,²⁶ followed by the bushranger, who fired a second time at him. Graham fell down and expired after some minutes.²⁷ Shea later confessed that he had fired the shots.

Whilst this was going on, the party in the "St. Aubin Arms" took possession of the house, entered the various rooms and, after robbing them, took all firearms out and broke them outside the house. Mrs. Chivers later told the magistrate at the inquest how Glanville entered her bedroom and more or less forced her to hand over to him the money box, which contained £70.

Davis himself did not take part in the robbery of the house, but, as it suited him in his position as the leader, let his men do the dirty jobs. Whilst they were turning the house upside down, he chatted amiably with his involuntary hostess. And how he behaved may best be seen from Mrs. Chivers' account at the trial: "Davis was at the bar when I came out of my bedroom, and told me not to be afraid, as no one would hurt me. While standing at my bar, he did not offer any violence; they were all very civil, and said they would not hurt anyone. Davis might have been in my bar all the time and when the shots were fired."²⁸

Suddenly this idyll at the bar was interrupted by the shots outside.

After he had shot Graham, Shea returned to the store and sent Marshall on horseback after him. After Marshall had found Graham dead, he went to the public house. Reports about his conversation with his companions in the inn are contradictory. According to some reports, he was asked by one of his mates "if that man was alright," that is, if he was "settled," and Marshall answered that he

was.²⁹ Much more probable is, however, what Mrs. Chivers said about it at the inquest. "Whilst I was speaking with Davis," she told the magistrate, "Marshall came in and said, 'Is it alright here?' and Davis said, 'Yes.'" This is of some importance, because later at the trial the first version of the conversation was adopted and explained in such a way as to prove the mutual understanding of the bushrangers about the murder of Graham.

Nothing was, however, farther from the truth. The bravado with which Shea had killed the young man gave way almost immediately to great consternation and deep despair.

Davis, on hearing the report, came forward. He seemed to regret it very much and said: "I would give £1,000 that this had not happened; but as well a hundred now as one."³⁰ But the others claimed: "Now, as we have commenced murdering, it matters little what may follow, as our lives are at last forfeited." Davis was perfectly aware that this was the end of his adventure.

They hastily made a bundle of such articles as took their fancy and left the township. The time from their first arrival until they went away, according to the statement by Mr. James Jushan at the inquest, did not exceed twenty minutes.

Mr. Boxall tells us that they then went to Captain Pike's station and seized the overseer, taking him with them. When they were far enough in the bush, they formed themselves into a "court" and tried him for "want of feeling." He was found guilty and sentenced to receive three dozen lashes, "which he got in good style."

As this tale by Mr. Boxall is not to be found in any newspaper reports of these days, and as neither Captain Pike nor his overseer were later called as witnesses at the trial, this episode had probably taken place at an earlier period. The bushrangers were now surely not in the mood for such pranks, and, above all, they were in a hurry to get away.

The *Herald* reported³¹ that they went from Scone at about 9 a.m. to Messrs. Paterson and Goldfinch, whom they plundered; then to James Norrie, whom they robbed of money and where they had breakfast, for which they paid him £1!

Later, at the trial, Paterson deposed that the bushrangers were very agitated; and Norrie told the court that Davis had told him to go into the house, as he would shoot

a man in a moment—they had shot one already. But under cross-examination he had to recognize that it might not have been Davis who had said that, but one of the others.³²

They told Norrie to look out and give them warning if he saw anyone coming from the same direction they came from. They were extremely nervous. After feeding their horses, they went towards the ranges and robbed two young men on the road with cattle, and took their fire-arms and money.

They still wore their "gaudy dress," "Leghorns and Manilla hats, decorated with red and pink ribbons," but it was not any more a gay ride into adventure—it was a gloomy procession, and one of them, "Ruggy," which was Everett's nickname,³³ "wore the death flag, showing no quarters, being a black handkerchief attached to his hat." About noon they arrived at Atkinson's Page River Inn, which they had robbed three weeks before. There were about thirty people, whom they divided between the house, the verandah, and the store which they robbed. They took refreshments at the inn, had their horses well groomed, and then proceeded to the plains.³⁴

They went to one of their hiding places, the so-called Doughboy Hollow, near Murrurundi, six miles from the Page River and thirty miles from Scone. They knew that they would most certainly be followed and that the police were after them. If the Police Magistrate of Scone, Mr. Robertson, who was later heavily attacked by the press for his inertness in the whole affair, did not pursue them; Mr. Holden, Police Chief of Brisbane Waters, and Mr. Dunlop of the Wollombi District, who had not forgotten the insult inflicted on him, were on the march, and so was a troop from Sydney. So far they had escaped the police by a simple stratagem. After the news of their continuous robberies in the Hunter District had reached Sydney, a party of mounted police had left Sydney on 19th December and had made forced marches (as they thought) upon the bushrangers. But Davis or some of his gang got intelligence of their pursuers, and they accordingly obtained fresh horses at every station they came to, by which means they left the police far in the rear, as they had not the advantage of changing their horses. None of these troops was able to find them.

But they found their master in Captain Edward Denny Day. Captain Day, a former officer of the 46th

and 62nd Regiments,³⁶ had, after his discharge in October, 1837, been appointed Police Magistrate at Muswellbrook. In March, 1838, he purchased land in Maitland and went there to live and farm. On 20th December, 1840, Mr. Day was on private business at Muswellbrook when he received the information of the whereabouts of the Davis gang. There was at this time no police magistrate at Muswellbrook. Davis heard that the bushrangers had visited the station of Sir Francis Forbes, three miles from the place. Mr. Day was a very resolute man. He immediately requested the co-operation of the settlers in the pursuit, and on Monday, the 21st, was joined by Mr. Edward White, Mr. Richard Dangar, Mr. Sinken, the Chief Constable, and five ticket-of-leave men—John Nolan, Peter Daw, Martin Kelly, William Evans and William Walker. Martin Donohue, an assigned servant, and a black boy as tracker completed the party. After five miles, he was informed that the bushrangers had crossed the Hunter River at Aberdeen the previous night, and when the party crossed the river it was reached by a man from Scone reporting the tragic events of the early morning.

On hearing this, Day proceeded at once to Scone and to the Court House, where Mr. Robertson, the Police Magistrate, and two other Magistrates were sitting. However, no great assistance was given to him by these authorities, whose attitude remains inexplicable to this day. He could not even obtain a new horse. One can only guess that the Magistrates and the settlers at Scone were still afraid the bushrangers might return and take revenge if they helped the pursuers. They obviously believed that it was impossible to apprehend these men, who for two years had escaped any attempt by the police to capture them. Mr. Day was now joined by four more men—Mr. E. Warland, two ticket-of-leave men (R. Evans and John Teely), and one of the Border Policemen. The party went down to the Page River, where they halted after a 25-mile ride. They were drenched by rain. The arms were wet and had to be dried and re-loaded. Here they were joined by Dr. Gill, and proceeded now over the Liverpool Range to the Doughboy Hollow, which was about six miles from the Page River.

It was six o'clock in the afternoon when they fell upon the bushrangers. When Mr. Day and his party arrived at the clearing, they saw some drags, a fire, and some horses tethered, and a number of men in shirt sleeves. As the

bushrangers later told him, they had not expected to be pursued this day, but, because they thought that the whole country would be up in arms against them the next day, they had intended to leave their camp at sunset that evening. They must, however, have realised that the days of easy roaming through the country were over, because Davis was employed making balls and casting cartridges.³⁷

Day and his men dashed on them at full gallop, in a real wild-west manner, cheering as they went. When Davis saw them arrive he knew that the game was up, and he and his gang made a desperate stand.

The bushrangers fought in a most determined manner. They stood to their arms, and some of them took to the trees. Shea and Everett ascended a hill overlooking the combat, and fired from there. Davis rushed to the opposite side of the gully in order to cover himself from the fire, and opened fire from there.³⁸ And now it came to a "duel" between the two leaders.

"I fired," said Mr. Day, deposing at the trial,³⁹ "and he returned it at me. After he got under the cover of the tree, he fired again at me, resting the gun on the fork of the tree." One of Davis' balls grazed Mr. Day's ear, whilst Davis himself was wounded in the shoulder. Marshall also was wounded. It was quickly over. The bushrangers had to surrender when they run out of ammunition. They were not prepared for a long siege, and, although they had many guns, they had only few balls. Chitty was taken first. Five of the gang, including Davis, were taken in five minutes. Glanville got away, but was captured the next morning five miles from the spot, being tracked down by the black boy who had accompanied Mr. Day's party. The seventh man of the gang escaped, although some papers asserted that he was mortally wounded.⁴⁰

Although the *Australian* reported that, according to its informants, Mr. Day had obtained possession of £500 in cash and of 50 guns, the *Monitor*⁴¹ warned the public that the "property said to be taken from various stations by Davis' gang is much exaggerated." In reality, not much more than £70 was found on them, as well as some trinkets, eleven guns and about 20 pistols, which were probably merely "decorations" belonging to their attire, as they had no ammunition for them.⁴² In a letter to the Attorney-General, despatched on 26th April, 1841, by the Police Office at Scone, Mr. George Chivers, publican at



"STUCK UP"

St. Aubin, later claimed that "the £70 found in possession of the bushrangers was the same money which had been taken by them the same day from his money box," and asked for its return.⁴³

This leaves the question open : What had happened to all the money, plate, and other things which Davis and his gang were supposed to have collected by their robberies ? They cannot well have spent all this money. The truth was probably that either these reports about their robberies had been grossly exaggerated and the bushrangers had in reality only taken what they needed to subsist, or that they had distributed part of their spoil among convicts and assigned servants, as they had done with provisions and other objects.

After the capture, Mr. Day did not hold out any inducements to them to confess. This was not necessary, because they were communicative and kept him awake all night. Davis and Marshall gave him the history of their proceedings voluntarily, after he had taken down their names. Shea confessed that he had shot Graham, and no one else. More than one of them said that up till that morning they had done nothing to affect their lives, and Davis pleaded over and over again that he had always been opposed to the shedding of blood, for, he said, if they did so, they would not reign a week. As he said this, he turned to his comrades, looked at them and exclaimed bitterly : "You see, we have not reigned a day."

The next morning the six bushrangers were taken back to Scone, and on 23rd December, 1840, in the presence of Mr. J. A. Robertson, J.P., Police Magistrate at Scone, an inquest was held on the death of the unfortunate Mr. Graham, and they were charged with murder and robbery.⁴⁴ Mr. Robertson, who had done nothing to assist Mr. Day—and the papers said that Mr. Day refused to sit beside him—was unable to commit the bushrangers from the Scone Bench, and on the insistence of Mr. Day the case was remanded to Muswellbrook and the depositions forwarded to the Police Magistrate of that town.⁴⁵

The bushrangers were taken to Muswellbrook and committed there on 24th December, 1840.⁴⁶ The affair was, however, taken out of the hands of the local Magistrates and transferred to Sydney.

Mr. Day was lauded everywhere for his resoluteness, and later presented by the residents of the Scone District with a service of plate for his gallantry.⁴⁷

When the news of the capture of the bushrangers arrived in Sydney, a party of mounted police from Brisbane Waters was sent immediately to the Maitland District, and Davis and his gang were handed over to them. Under the escort of Lieutenant Chambrie, Sergeant Pheany, and two troopers, they were brought to Sydney, and on 29th December, at one o'clock in the morning, lodged in Sydney Gaol.

The capture made a great noise in Sydney, and the *Sydney Herald* of 30th December suggested that, "in view of their serious crimes, a 'Special Commission' should be issued to try them, that, if they were found guilty, they should be executed near the spot where they murdered Mr. Graham, and they should be not kept in gaol until the ordinary sessions."

This suggestion, however, did not find favour in the eyes of the Magistrates, and the ordinary course of justice was followed.

On 24th February, 1841, the gang was committed for trial at the Supreme Court before the Chief Justice, Mr. Justice Dowling, and a jury of twelve. The trial attracted great attention. An unusual number of assigned servants and ticket-of-leave holders was observed intently listening to the proceedings.⁴⁸

The newspapers mentioned expressly that the prisoners appeared in the dock in prison garb, with the exception of Davis, who wore a black suit. Davis was also the only one who had a counsel for the defence. Mr. Purefoy appeared for Davis, and tried in vain to save his life.

One may well ask who had given him the dark suit, and who had paid the expenses of the lawyer. I believe that we can quite surely assume that it was the Jewish community, less probably from a sentiment of solidarity with Davis than to spare the community the disgrace of seeing for the first time in the history of the colony a Jew hanged in public in Sydney.

John Shea was indicted for the wilful murder of John Graham, and the others—Edward Davis (otherwise Wilkinson), John Marshall, James Everett, Robert Chitty and Richard Glanville—were indicted for being present, aiding, abetting and assisting in the commission of the murder committed by some person unknown, and all the prisoners were charged as accessories.

The Attorney-General, stating the case, pointed out that the whole of the prisoners were convicts assigned to

different settlers. They had, he said, set no value on the fact which had assured them a leniency and kindness unknown to the law except in modern times, but had combined together to keep the whole country, from the sea coast to the Liverpool Ranges, in a state of terror and confusion.

The worthy lawyer, in praising the system of assigned servants, had obviously overlooked the fact that an assigned servant was often very harshly treated by his master.

Tracing the progress of the bushrangers, he said that, after scouring the country with an audacity that has never been equalled, decorating themselves with ribbons and, when one of the horses was tired, taking another, they at length had arrived at Scone, a small township 184 miles north of Sydney. Relating the incident in which Mr. Graham was killed, he pointed out that Davis was "a sort of a leader," and that no matter who fired the shot at Graham they were all equally guilty as aiders and abettors, no matter what part they took in the transaction. Whether Graham had fired the first shot or not made no difference, he said, for when a party of men leave their service and go out on an expedition of this kind they are beyond the pale of the law, to this extent, that every man is armed with authority to apprehend a bushranger, and to do so has all the authority of an officer of justice.

After that, Mr. Day deposed and gave an account of the capture. Cross-examined by Davis' counsel, Mr. Day readily admitted that Davis had said to him that he had always been opposed to the shedding of blood, and that he had ordered his men not to shed blood. But with this crime, they had committed, said Mr. Day, an offence which forfeited their lives; there was no use in concealing it. They all had said after their capture that they would rather be hanged than go for life to the dreaded Norfolk Island.

Several witnesses were then heard, and the previously related account by Mrs. Chivers threw a significant light on Davis' personality. It seemed clear from Mr. Day's deposition that Davis had not been present at Mr. Dangar's store when the murder was committed, and this gave Mr. Purefoy material for his defence of Davis. After Messrs. Paterson and Norrie had been heard, the case for the Crown was closed.

Mr. Purefoy now, "in an able address on behalf of Davis," contended that there was no evidence of such a

constructive presence as would warrant the jury in finding his client being guilty of being present, aiding and abetting. He insisted on the distance between the houses as a proof that no such constructive presence had been made out, as was necessary to warrant his client being found guilty of the alleged aiding and abetting the murder. He called on the jury to give the benefit of any doubt they might have respecting the guilt of the prisoner to his client.

Davis then stated that he had subpoenaed a witness named Walker; he was called, but did not appear.

The Attorney-General, in reply, said that he would restrict his observations to the case of Davis. It was proved, he said, that at the time of the murder Davis was aiding and abetting, so far as to be acting as a sentry for the parties bailed up in Mr. Chivers' bar when the murder was committed. He also reminded the jury that it was a principle of British justice that if parties went out to commit a robbery or any other felony, and there was another felony perpetrated by one or other of those who went out to commit the first, that unless the others could prove that they had no hand in the perpetration of the second, the whole were in the eye of the law equally guilty as accomplices.

The Chief Justice, in putting then the case to the jury, said that it was the most serious case which had been presented to the Court during the last three or four criminal sessions. He stressed the same points as the Attorney-General, and emphasised the fact that it was obvious that both attacks—that on Dangar's and that on Chivers' premises—had been planned by the same gang and carried simultaneously into effect. He concluded by informing the jury that, if they entertained any well-grounded doubts of the guilt of any of the prisoners, that they should give them the benefit of it; but that at the same time they were bound to apply the evidence to the count charged in the indictment, and, if they found that the latter was established, to find the prisoners guilty.

The jury retired at 6.15 p.m., and returned at 7.30 p.m. with the verdict of guilty against all the prisoners.

After silence had been proclaimed, the Chief Justice placed the black cap on his head, called over the prisoners by name, and informed them that the last scene but one of their guilty career had now arrived. In a lengthy discourse, he spoke of the unlawfulness of their doings. He closed by saying that some of them had said they would prefer

the doom to that of being transported to Norfolk Island. Their awful wish, he could assure them, would be gratified in order to make an example of them to deter others from pursuing such a course of guilt and crime as they plunged into. He trusted that they would employ the few moments which were still granted them to make peace with their Creator. His Honour then passed sentence of death on the prisoners in the usual form.

The prisoners, especially Davis, had not expected this verdict. During the course of the day, Everett and Shea behaved with all but disgusting levity. From the awful manner in which Davis changed his appearance when he heard the foreman of the jury pronounce him guilty, it was evident he had all along anticipated an acquittal. During the time the jury were retired to consider their verdict, these three appeared to be quite unconcerned, laughing and chatting to such of their friends and acquaintances as they recognized among the crowd, which was intense during the whole time of the trial. In order to put a check to such unseemly conduct, they were ordered into the cage till the jury returned, when they began quarrelling among themselves, all of them assailing Davis, and charging him with being the cause of their ruin, but also with being the means of injuring some parties who had harboured and otherwise assisted them.

From this it became clear that the "Robin Hood" attitude of Edward Davis had brought to him the friendship of many of the assigned servants who, as related before, had filled the room in which the trial was held. That, on the other hand, his companions in crime, whose ideal he had been until this day, fell upon him, is not astonishing. Now, the "Jew Davis" had to be the scapegoat and the source of all trouble, as so often in history.

"When Davis heard the sentence, he was seen to shed tears, while some of the others, observing Mr. Lane, the Superintendent of Hyde Park Barracks, in court, vented their anger in wishing he might break his neck. The prisoners were removed to gaol about 14 minutes after sentence had been passed, each pair being handcuffed between 3 constables and some hundred persons marching along with them. . . .⁴⁸

Time went on, and the date of the execution approached. The friends of Davis, however, had not yet given up hope of saving his life. We read in the *Australian* of 13th March, 1841 :—

The Hunter River bushrangers who are under sentence of execution, were warned by the Sheriff not to entertain the smallest hope that the order for their execution would either be deferred or rescinded. The Executive Council which sat relative to this case, on receiving the Judge's report, were unanimously of the opinion that the extreme sentence of the law ought to be carried into effect upon each individual culprit. Towards Davis public sympathy seems to be a good deal excited. The culprits have been attended for several days past by the ministers of their respective persuasions. We learn that a very urgent appeal has been made to the Executive Council particularly on behalf of Davis. The friends of this unhappy criminal relied mainly on the point adduced in evidence that he was adverse to the shedding of blood, but the Council in having their attention addressed to the point, immediately referred to the evidence of Mr. Day, who swore that Davis placed a musket in the fork of a tree, and took deliberately aim at him twice to take his life.

So for the *Australian*. According to Mr. Frank Clune, "Sydney sentimentalists had attempted to have the bushrangers reprieved."

The Minutes of the Executive Council⁴⁹ reveal, however, that it was the Governor himself⁵⁰—maybe under public pressure or on behalf of influential members of the Jewish community—who tabled a report of the Chief Justice about the case, and "that a petition from one of the bushrangers, Edward Davis, was laid upon the table." It seems, therefore, that Davis himself originated the petition, probably on the advice of his counsel. "The Council, after an attentive and mature consideration of the cases of the several prisoners," decided, however, that "the sentence of the law be allowed to take its course."

A curious fact about these Minutes is that, contrary to all other minutes, they are not dated and bear the very unusual notation, "Members present not given." Did the members of the Executive Council shirk the responsibility of the condemnation? If the Council refused to reprieve Davis for the reasons mentioned in the article of the *Australian*, it had reason for this attitude, because these reasons were very lame. The fact that Davis had fired on Mr. Day when he was attacked stands in no relation to the murder of John Graham, at which he had not even been present and which he had sincerely condemned and regretted. It seems that the *Australian* also was not too sure about the question if justice would be done in executing Davis, who was obviously innocent of Graham's death, because the paper finished its article saying: "We hate public executions, but the question arises whether the public justice of the country would be satisfied by fore-

going the Judge's sentence. For the present we forgo answer."

After the Executive Council had spoken, there was no hope any more, and on 16th March, 1841, the bushrangers were led to the gallows at the rear of the old Sydney Gaol in Lower George Street. The scaffold was erected over the footpath in Harrington Street.

The execution proved to be a great spectacle for the population. With difficulty only had the journalists succeeded in entering the prison. Let us hear the *Australian's* reporter :—

Long before the hour named for bringing the culprits from their cells, to be placed on the last stage which they were destined to tread, the gallows yard was thronged with persons who had availed themselves of their acquaintance with the gaoler, to obtain admittance. At half past eight o'clock about the gaol doors were congregated a dense group of persons who edged in abreast and defied a passage or approach of the gaol doors. At nine o'clock the Captain's guard was drawn up. The yard was emptied of its prison inhabitants and the two sides being roped off, presented a wide and ample theatre in which the last sad solemnities of a scene were to be enacted, to which a concourse of some thousand spectators from without and within had been collected. The neighbouring Church Bell tolled, which was the signal. The Reverend M. Cowper appeared, leading or rather conducting Marshall, Everett, Chitty and Glanville; Shea was accompanied by the Reverend Father M. Murphy and Davis by Mr. Isaacs, the reader of the Synagogue. Davis was attired in a black suit. The other culprits appeared in the usual prison dress assumed on public executions.

Decidedly this was the most pitiable and melancholy exhibition of its kind. They were all young men. On this trial there was a degree of recklessness and hardihood manifested; not so now—if for five of these unhappy men, it may be judged from the fervour of their devotions, greater manifestations of penitence were never displayed, nor could any Christian minister record of the awful obligation enjoined on him, to cultivate repentance, a death scene more contrite. Davis, in truth, it must be said, appeared with a mind unsettled; the enquiring eye turning in glances round the yard, and then upon the group of some hundreds of spectators assembled on the hill above, seemingly in search and recognition of some friend or acquaintance. In health and strength and energies, to all which the buoyancy of almost youth, scarcely arrived at the prime of manhood, these six unhappy men saw placed before them their coffins, and suspended from the beam of the scaffold the ropes. The Deputy Sheriff read the warrant, that further time could not be stayed, the culprits rose and one by one mounted the platform. Davis remained last.⁵¹

All the culprits, except Everett, deeply lamented their having committed the crimes and acknowledged the justice of their sentence. Everett ascended the scaffold hurriedly and in an evident state of excitement. He was followed by Chitty, Marshall and Glanville, all three of whom sung spontaneously the Morning Hymn, found in many editions of the Protestant Book of Common Prayer, "Awake

my soul and with the sun." In the short interval which elapsed before the withdrawal of the fatal bolt, Marshall and Glanville were engaged in loud and apparently fervent prayer, and we observed Davis thank the Jewish minister for the attention paid to him in his last minutes.⁵²

None of the culprits spoke a word to the multitude assembled to witness their exit from this world.⁵³ The men met their death with firmness and resignation and showed great contrition for their past deeds and wickedness.⁵⁴

There is in the Mitchell Library an old newspaper cutting with an obituary for Mr. William George Mathews, who had arrived in the colony as a free settler in 1834 and became Overseer of Convicts, and later a gaol clerk. In his obituary it was stated that he had acted as a gaol clerk at this execution, and that "on more than one occasion he had detailed the particulars of the scene." According to Mr. Mathews, one of the culprits, probably Everitt, "behaved with great levity." "He flung his shoes among the persons assembled, saying that he would make a liar of his mother, who always said that he would die in his shoes, meaning that he would be hanged." Of Davis, Mr. Mathews said that he "was the only repentant man of them."⁵⁵

Mr. Frank Clune tells a story which stands in a strong contrast to all contemporary reports. "On the scaffold," he tells us, "the Jewboy asked the hangman for a smoke. 'I'd like to have a whiff before I leave for Kingdom come,' said he, and the hangman obliged him."⁵⁶ I have found this story nowhere confirmed. Apart from the contradictory reports of all eye witnesses, it is hard to believe that a man like Davis, who remained a Jew to the last minute of his life, should have used words which occur only in the terminology of the Christian ritual.

All of the witnesses were deeply impressed. "It was a horrible sight," said another eye witness, Mr. Morris Asher, in his *Reminiscences of an Octogenarian*.⁵⁷ "All the men were good-looking young fellows. They were all repentant, and said that it was through bad treatment that they took to the bush. This doubtless was so, for the treatment of prisoners generally in those days was, to say the least, very cruel."

"The clergymen having remained with the wretched men, as long as the terms of the warrant would allow, the

executioner proceeded to his office of placing the caps over their faces and thereby closing upon them for ever the light of this world. At this dreadful juncture, the clergymen attendant, two of whom were observed with tears trickling down their aged cheeks, took an affectionate farewell. The signal being given by the Deputy Sheriff, the bolt was of a sudden withdrawn and the six misguided young men were launched into eternity."⁵⁸

"The struggles of all the men were of short duration."⁵⁹ "The bodies, having hanged the usual time, were consigned to the respective coffins."⁶⁰ "The immense crowd dispersed peacefully."

In Mr. Stedman's article there is a quotation from the *Australian* of 17th March, 1841, as follows: "At 12 o'clock an open cart moved off from the jail. In it were six coffins, uncovered, huddled across one another, and on the lid, in chalk, the names of the dead occupant. Up George Street they jolted, the bodies being scarcely cold—no ceremony, no decency, like bales of goods to a warehouse."

The gloomy description might have been true. I have, however, looked in vain for the quotation in the *Australian* of 17th March, for the simple reason that this newspaper did not appear on this date, and I have not found this account in any of the Sydney newspapers. Mr. Stedman concluded his story in saying that the six men were buried in one grave at the Sandhills, now Devonshire Street, the cemetery of the poor and the nameless. Convicts covered up the graves, and the story of the Jewboy bushranger became history.

In reading this story, I wondered that the Jewish community, which had obviously done its utmost to save Davis' life, should have allowed his burial in a common grave together with his Gentile companions. But the Devonshire Street Cemetery had long ceased to exist, and it seemed that one would have to accept Mr. Stedman's account.

In 1955, however, a plan of the Jewish section of the Devonshire Street Cemetery, which was by no means only a cemetery of the "poor and nameless," as it was in 1844, was discovered by workmen under the vestibule of the Great Synagogue. On this plan, Edward Davis is shown as buried by himself in a corner of the graveyard, and the date of death is the date of his execution. So Edward Davis had in death been united with his people.

What shall we say about him ? How shall we judge him ? Was he really a criminal ? Did he deserve his fate ?

What we know about him shows him as not very much more than a misguided youth who, during his career of delinquency, had yet preserved a certain dignity which might have been inspired by the Jewish teachings of his early life.



SIR JAMES DOWLING
Chief Justice of New South Wales.

He was not only a belated Robin Hood who thought that he would be allowed to play the benefactor to his suffering brethren ; he was also the victim of an antiquated system and of particular circumstances, and maybe even of false interpretation of the law. In his struggle for freedom he was a pathetic personality.

I would like to close this story with the quotation of a letter which a contemporary of Edward Davis, the bush-

ranger Westwood, called "Jacky-Jacky," and like him a youth transported at the age of 16, wrote from the condemned cell to a former chaplain :—

"The spirit of the British Law is reformatory. Years of sad experience should have told them that, instead of reforming, the wretched man, under the present system, led by example on the one hand, and driven by despair and tyranny on the other, goes from bad to worse, till at length he is ruined body and soul. Out of the bitter cup of misery I have drunk, from my sixteenth year, ten long years. The sweetest draught is that which takes away the misery of a living death. It is the friend that deceives no man. All will then be quiet. No tyrant will there disturb my repose."

"What can," asked Mr. W. F. Fitchett in his *Story of the Bushrangers*,⁶¹ "be said of a system which branded an English boy of sixteen as a convict and in the brief space of ten years set him on the gallows with the rope around his neck and such a message as the sentence I have quoted on his lips?"

ACKNOWLEDGMENT.

I wish to acknowledge the valuable assistance given me by Miss P. Mander-Jones, Librarian of the Mitchell Library, Sydney, and by the Trustees and the Staff of the Mitchell Library, and I am also very much indebted to the following persons for their help : Mr. D. J. Benjamin; Mr. A. J. Gray, Hon. Registrar, Royal Australian Historical Society, Sydney; Mr. F. W. Harrison, M.A., LL.B., Town Clerk of Gravesend, England; Mr. E. M. Moore, Borough Librarian of the Central Public Library, Gravesend, England; and Dr. Cecil Roth, Oxford, England. The photographs which illustrate this paper have been made available by courtesy of the Mitchell Library.

REFERENCES.

- 1 *Australian Jewish Forum*, Vol. VIII., No. 67, p. 21.
- 2 *Sydney Jewish News*, February 10, 1956.
- 3 e.g. George E. Boxall : *History of the Australian Bushranger* (London, 1899).
- 4 Old Bailey Sessions Papers, 1831-2, p. 381.
- 5 Mr. Stedman stated that Davis arrived in 1833 on the ship *Sophia*. This is an error. The *Sophia* arrived in Sydney on July 16, 1832 (*The Australian*, July 20, 1832). No record could be found of this ship touching Sydney in 1833.
- 6 Two convicts had died during the journey.
- 7 Gabey, of whom nothing more is known, died in 1844.
- 8 "Indent of Convict Ships, 1832-33," pp. 171-2 (MS. in the Mitchell Library). Davis had Standing No. 33-493, Indent No. 122. "Names and Descriptions of all Male and Female Convicts arrived in the Colony of New South Wales during the year 1833," pp. 29-30 (with permission of the Trustees of the Mitchell Library).

⁹ Hanns Ebensten : *Pierced Hearts and True Love—History of the Origin and Development of European Tattooing* (London, 1953).

¹⁰ Boxall, *op. cit.*

¹¹ Stedman, *op. cit.*

¹² *Sydney Herald*, December 8, 1839.

¹³ Boxall.

¹⁴ W. H. Fitchett : "The Story of the Bushrangers" in *Life*, 1909, p. 492.

¹⁵ *Sydney Herald*, December 8, 1840.

¹⁶ *Ibid*, December 26, 1840.

¹⁷ Boxall, *op. cit.*

¹⁸ F. J. B., "Historic Maitland" : *Sydney Mail*, May 2, 1906.

¹⁹ Stedman, *op. cit.*

²⁰ *Sydney Herald*, December 29, 1840.

²¹ The first newspaper at Maitland appeared shortly after these events in 1841.

²² See *Scone Advocate*, 1920.

²³ Testimonial of Joseph Chivers at the inquest at Scone on December 23, 1840 (*Scone Advocate*, August 20, 1920).

²⁴ *Sydney Herald*, December 29, 1840; *Australian* December 23, 1840.

²⁵ *Sydney Herald*, December 31, 1840.

²⁶ Testimonial of William Day, cook to Mr. Chivers, at the inquest.

²⁷ On the west wall of the Church of St. Luke at Scone is a memorial tablet dedicated to the memory of John Graham.

²⁸ *Sydney Herald*, February 25, 1841.

²⁹ Deposition of William Day at inquest.

³⁰ *Sydney Herald*, December 26, 1840; *Australian*, December 29, 1840.

³¹ *Sydney Herald*, December 29, 1840.

³² *Australian*, February 25, 1841.

³³ That "Ruggy" was not the surname of an imaginary eighth member of the gang, as Mr. Clune believed, but Everett's nickname, becomes absolutely clear from Mrs. Chivers' deposition at the inquest.

³⁴ *Herald*, December 29, 1840.

³⁶ Ben W. Champion : *Captain Edward Denny Day, of the 46th and 62nd Regiments*.

³⁷ *Sydney Herald*, December 29, 1840; *Australian*, December 25, 1841.

³⁸ *Sydney Herald*, December 31, 1840.

³⁹ Deposition of Mr. Day at trial : *Sydney Herald*, February 25, 1841; *Australian*, February 25, 1841.

⁴⁰ Mr. Clune stated that the gang had eight members, and that two escaped. But he counted "Ruggy" as one of them. (See ³³.)

⁴¹ *Sydney Monitor*, December 29, 1840.

⁴² Deposition of Mr. Day at trial.

⁴³ *Scone Advocate*, August 3, 1920. Smith : *Peeps at the Past*.

⁴⁴ *Scone Advocate*, August 20, 1920.

⁴⁵ *Ibid*.

⁴⁶ *Herald*, December 31, 1840.

⁴⁷ *Herald*, February 25, 1841.

⁴⁸ *Herald*, March 25, 1841.

⁴⁹ Minutes of the Executive Council, Vol. 5 (1837-1841). Minute No. 6.

50 Text of the minutes is as follows: "His Excellency the Governor laid upon the Council the Report of His Honor the Chief Justice on the case of six prisoners capitally convicted before him at the Criminal Sessions of the Supreme Court in which sentence of death has been passed and His Honor being introduced explained the circumstances attending those cases. The Council after an attentive and mature consideration of the cases of the several prisoners and of a petition from one of them Edward Davis which was laid upon the table by His Excellency advised as follows. John Shea, convicted of the wilful murder of John Graham, and John Marshall, Edward Everett, Edward Davis, Robert Chitty and Richard Glanville convicted of being present, aiding and abetting the murder all sentenced to suffer death, that the sentence of the Law be allowed to take its course. Assembled at 2 o'clock, adjourned sine die."

51 *The Australian*, March 18, 1841.

52 *Ibid.*

53 *Sydney Herald*, March 17, 1841.

54 *Sydney Monitor and Commercial Advertiser*, March 17, 1841.

55 Mitchell Library Newspaper Cuttings, Vol. 116, p. 110 (F991, 1, N.).

56 Frank Clune: *Wild Colonial Boys*, p. 72.

57 *Sydney Mail*, July 31, 1907.

58 *Australian*, March 18, 1841.

59 *Herald*, March 17, 1841.

60 *Australian*, March 18, 1841.

61 *Life*, 1910, pp. 491-2.

The Sydney Hebrew Certified Denominational School.

By DAVID J. BENJAMIN, LL.B.

(*Read before the Society, 28th August, 1956.*)

The establishment of a Jewish school in Sydney was a communal dream as early as 1844, and perhaps even earlier.¹ Various schemes were propounded during the 'forties and early 'fifties, but little or nothing is known of them.² In some cases the schemes came to fruition, but none of the schools lasted long—except one, the Sydney Hebrew School, which, under a slightly different name, has become the subject of this paper.

The history of this school under its earlier name has not been written, but it is known that it existed in 1861.³ It was still working in January, 1867, when the Honorary Secretary, Alfred de Lissa, wrote to the Council of Education asking to be supplied with the necessary forms for the making of an application to have the school certified as a Denominational School under the new Public Schools Act, 1866.⁴ It is at this point that we take up the story—the real beginning of the history of the Sydney Hebrew Certified Denominational School.

Some few words as to the educational policy of the Government are required as background to the formal application which was made on the prescribed document on 7th March, 1867.⁵ From 1848 there were two Boards, administering respectively the Government and the Denominational Schools. State aid was available for the latter, disbursed through the Board.⁶ As time went on, dissatisfaction grew with this system, partly on grounds of expense and waste, but chiefly on a matter of principle.⁷ The result was the passing of the Public Schools Act 1866, an avowed compromise, the moving spirit of which was Sir Henry Parkes. This Act abolished the Boards and set up one Council of Education which would be responsible for the two types of school, the Government or Public Schools and the Denominational.

With respect to Denominational Schools, it was provided that, in any place where thirty children of a single creed would be found prepared to attend, a State-supported Denominational School could be established, the conditions being that the secular instruction should be the same as in the Public Schools, that it should be sound and efficient,

and that the school should be subject to inspection by officers of the Council. The existence of these schools was, therefore, conditional, but the conditions were essential to progress. No religious group could, with reason, oppose inspection and subjection to regulations in return for State support. Moreover, every teacher under the Act would be an employee of the State and, as such, should, in the interests of the Public Service, have his duties prescribed and his work subject to investigation. Apart from their religious distinction, the Denominational Schools were identical with the Public Schools and quite different from the old type of Denominational School, for now they were controlled and staffed by the State.⁸

The State, however, did not pay the full expenses of the school. Under the older system, part of this was met by school fees from parents. After much discussion in public and in Parliament, the system was retained and the fees paid became part of the teachers' emoluments. This meant, of course, that the bodies controlling the schools had to bestir themselves to ensure that fees came in, for otherwise their teachers might become discontented. These controlling bodies, Local Boards as they were called, spent most of their time on this aspect of the work, though, as will be seen, the Jewish Local Board also found other avenues for their energies. It was, of course, foreseen that not every parent would pay, and there was a provision in the Act exempting those who could not afford it. The education of their children was, in effect, free.⁹

All these facts would, no doubt, have been in the minds of the Committee of the Sydney Hebrew School when they read in the papers a formal advertisement by the Council of Education on 4th January, 1867, that they were prepared to receive applications for certificates under the Act.¹⁰ As we have seen, the machinery was set in motion almost at once. The Committee was able to say in its application made in March that 73 children were attending the school, 47 being boys and 26 girls, and that all were Jewish—a situation which was to change noticeably later on. The list of children whose parents had guaranteed their attendance if the school was certified shows an age range of from 14 to 5, only one being 14, the vast majority younger than 12. The application also told that the school was conducted in a brick building 40 feet by 32 feet in Pitt Street,¹¹ which was in the possession of the Board of the school on a yearly tenure. The form was signed by

Benjamin Francis, President; Louis Phillips, Vice-President; Abraham Cohen, Treasurer; and Alfred de Lissa, Hon. Secretary; and nominated W. H. Glover as teacher.¹²

This was followed up on 20th March by a letter from De Lissa, in which he wrote of the financial position. The funds, he pointed out, came from voluntary subscriptions, and could not meet the increased expenditure consequent upon the attendance of more pupils. The accumulated funds had now been exhausted. In addition, of course, money had to be provided to meet the cost of Jewish education over and above the secular. A small part of this (though de Lissa did not mention it) would have come from the £10 a year rental of the community land on Church Hill which the York Street Synagogue leased in 1867 for three years. The proceeds went to the Hebrew School. The letter went on to say that this was the only Denominational School of the Jewish community, and that there was no probability of any other. Finally, it asked that a teacher and a governess be appointed.¹³

All, however, was not to be plain sailing. The Council was doubtful of its power under the Act to give a certificate, and referred the matter for the opinion of the Crown Law officers.¹⁴ The view of the Attorney-General, James (later Sir James) Martin, a future Premier and Chief Justice, was set out in a letter to the Council dated 15th April, 1867 :—

There is nothing in the Public Schools Act of 1866 which confines its benefits to any particular religious denomination. Under the circumstances, I am of opinion that the Council of Education are at liberty to certify as a Denominational School a school of any persuasion which does not hold tenets opposed to or inconsistent with Christian morality, provided that such school comes in other respects within the requirements of the 9th Section of the Act¹⁵ and is made subject to the same course of secular instruction, the same regulations and the same inspection as may be prescribed with reference to the Public Schools with such modification as the Council may approve. I am further of opinion that persons professing the Jewish persuasion constitute a denomination within the 9th Section referred to but that it is not obligatory on the Council to certify a school belonging to such a persuasion.¹⁶

This opinion scarcely seems to be based entirely on legal grounds. Its logic is hard to follow and its conclusions supported by no authority. One is tempted to look deeper for the reason. The clue to it appears to be given in a speech made by Martin in the Legislative Council on 22nd August, 1854, in opposition to a motion to give State assistance to the York Street Synagogue. Dr. Porush

has published a summary of it in one of his papers on State Aid,¹⁷ and it will be seen to be in close accord with the opinion of April, 1867. The general burden of the speech was that the Constitution of England was based strictly upon Christian principles and, as such, it had never recognised any other religion. The question they had to determine, Martin went on, was whether they could allow a people which professed to be a distinct and separate nation to step in and share with them those privileges which were intended for British subjects alone, and which were peculiar to the Christian auspices under which they lived. There was much more along the same lines—all of it unfriendly, and in some phrases unkind.

Whatever one may think of these ideas, it is apparent that they were well to the fore when the Council of Education considered the matter. It does not follow that the Council shared them, for they may well have relied on the final words of the opinion that they were not bound to issue a certificate. This, of course, is perfectly true, as the earlier passages in Section 9 make clear. The Council refused the certificate,¹⁸ but their public explanation for doing so leads one to think that they really did have Martin's prejudices, though their subsequent actions tend the other way.

There was a letter to the Committee, but it has not been preserved, so that for the Council's own reasons we must rely on their Annual Report, where they announced the refusal of the application "on the ground that the Council considered that it could not widen the ground of support to denominational schools by giving aid where hitherto aid had not been given without violating the spirit of the Public Schools Act."¹⁹

The Committee appear to have let the matter slide for about a year. Then they tried another approach—this time with the aid of Jacob Levi Montefiore,²⁰ who wrote a lengthy letter dated 8th May, 1868. In it he asked for reconsideration of the application, referred to the Council's letter of 8th May, 1867, repeating the request, and made some pertinent remarks on the formal religion being taught in the Public Schools. This, he points out, makes it very difficult for Jewish parents to send their children to these schools. There are some brief remarks on Jewish belief, in which he notes that Jews believe in the Old Testament and the Talmud. Concerning the latter, he refers the Council to an article in the *Quarterly Review*

of October, 1867,²¹ Then, coming nearer to the present application, he records that the Sydney Hebrew School is the only Jewish school in the colony, that the attendance is 150, and the deficit above £150 a year. The letter ends with the statement that if the application is not granted the school may close.²²

This was followed by a further letter from Montefiore dated 20th May, in which he asked for an interview with the Council.²³ The interview took place on the 26th May, and Montefiore assured the authorities that the same secular books would be used as in the Public Schools, but apart from this one fact²⁴ we do not know what was said. A letter to John Isaacs, then President of the School, dated 10th June, 1868, informed him of the grant of the certificate. The certificate, which is in the Society's library, is dated 1st June, 1868, and, strangely enough, bears the signature of James Martin as well as those of Henry Parkes, who was President of the Council, and J. Smith, one of the members. The Sydney Hebrew Certified Denominational School had begun. Not all the credit can go to Montefiore. It is clear from the published report of the Annual Meeting in March, 1869, that Rev. A. B. Davis was also active, though his actual role is not stated. It must have been more important than appears from the surviving records of the Council of Education.

The letter to Isaacs gives a picture of what was required of a Denominational School, so that parts of it merit quotation. After listing books stated by Montefiore to have been in use, and formally noting the grant of the certificate, the letter said :—

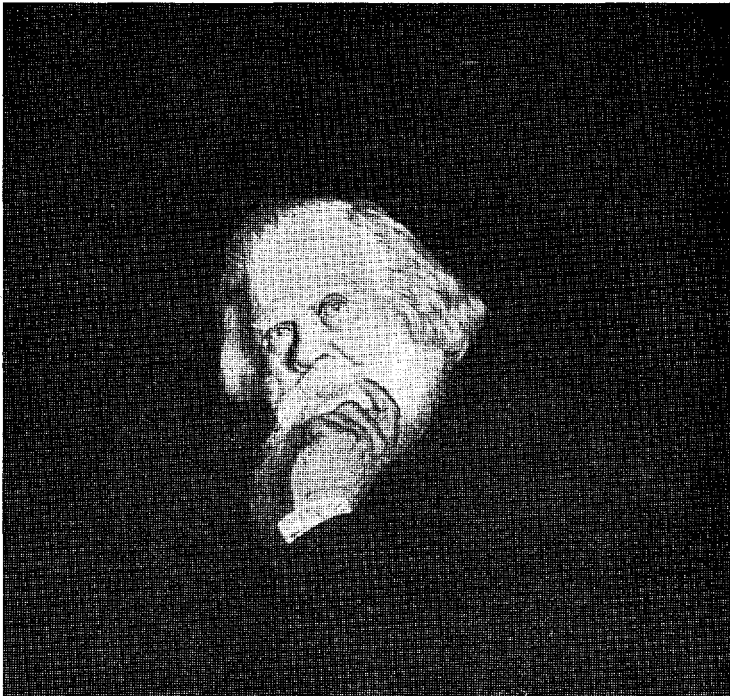
It will be requisite that you should apprise the Council of the names of the members of the Committee, in order that they may be duly constituted a Local Board in accordance with the terms of Article 72, Section II., of the Regulations.

It will further be necessary that you should acquaint the Council with the names of the teachers now employed in the school, so that instructions as to their duties may at once be given.

The Council Inspector has been directed to visit the school and to report what books, maps and other apparatus are required for the efficient instruction of the pupils. The inspector will also furnish information which will enable the Council to fix the salaries of the teachers, pending their examination and classification.

Elias Cohen, still Honorary Secretary, acknowledged the letter at once and graciously expressed the Committee's thanks. He pointed out, however, that the address given in the certificate was wrong. The school had now for some time been at the Oddfellows' Hall in Sussex Street, not in Pitt Street.²⁵ A few days later he wrote again

giving the names of the Committee (in future the Local Board), as follows : President, John Isaacs; Vice-President, Moses Moss; Hon. Secretary, Elias Cohen; Hon. Member, Rev. A. B. Davis; Committee, Maurice Alexander, M.L.A., B. Braun, Alfred de Lissa, David Levi, Montague Levey, J.P., Lewis Lipman, Rev. Solomon Phillips and Henry Solomon.²⁶ The Committee particularly asked to retain the services of the teachers, and noted that religious instruction, given by Mrs. Solomon, would be under the supervision of Rev. A. B. Davis, who would visit from time to time.²⁷



SIR HENRY PARKES

The Council, of course, still had to explain to the public its change of front, which it did, somewhat lamely, in its Annual Report for 1868 :—

The additional information furnished when the applicants brought the matter under notice the second time, in 1868, enabled the Council to entertain the application to grant a certificate. The reason stated for declining the application in the first instance was

that the Council could not widen the ground of support to Denominational Schools. It was represented to the Council, however, by the applicants in this case that, except in Sydney, it would be impossible to form a Hebrew School, owing to the small number of persons of that persuasion and that consequently there would be no probability that any further application of the kind would be made.²⁸

One is left with the impression that the Council was looking for a way out. The ground on which they now purported to grant the application was not new. Elias Cohen had told them at the outset, in his letter of 20th March, 1867, that no other Hebrew schools were likely to be formed. However unconvincing the explanation, the certificate was granted, and the Committee were no doubt very happy.

The promised inspection took place on 22nd October, 1868. The comments were not favourable :—

The school is temporarily conducted in the Oddfellows' Hall. The furniture is insufficient and unsuitable. The organisation is in other respects very imperfect. The order and general discipline are far from satisfactory. The instruction is only properly regulated for one class. The methods are in part mechanical and worthless. The attainments of the first class are fair, those of the second and third classes are small. The teacher wants training.²⁹

The figures for attendance for 1868 were printed, as were the inspector's remarks. They show, for the quarter ended 31st December, 51 boys and 29 girls on the roll, with an average attendance of 53. All of them were Jews. This showed a slight rise over the September quarter, when 76 were enrolled.³⁰ It does not tally with Montefiore's figure of 150 in May, but does with that of the original application of March, 1867, when 73 children were listed. There appears to be no plausible explanation.

Changes in staff were apt to occur so frequently that it is not possible to say who was the teacher when the inspector made his visit. Shortly afterwards, however, with the appointment by the Council of a new teacher a better state of affairs was to begin. Alfred Meredith Woodhill entered on his duties on 5th December, 1868.³¹ Almost his first official act was to request permission for the school to close for only one week for the summer holidays in order to make up for the time lost at the Jewish Festivals. Approval was given for this course,³² and the precedent was followed throughout the existence of the school.

The career of Woodhill, the man who really built the school, has been vividly described in his autobiography, *The Woodhill Family Record*, and sketched from that source by P. J. Marks.³³ At the time of his appointment

he was a man of 33, new to the teaching profession. This was, in fact, his first position, and his only previous experience before he went to Fort Street under the Council's training scheme was as a Sunday school teacher for the Congregationalists.³⁴

Woodhill says that when he started there were about 25 children at the school,³⁵ but, if the Council's figures are to be believed, he must be wrong. In any case, his arrival and his energies certainly did increase enrolments, for the statistics for the last quarter of 1869 show, after he had been there a year, a total of 99 on the roll—61 boys, 38 girls—including two non-Jewish pupils, one each of Church of England and Catholic.³⁶

Administrative information reaching into the year 1869 is contained in a lengthy report of the Annual Meeting published in the *Sydney Morning Herald* and quoted by Marks.³⁷ At the date of the meeting, 1st March, 1869, the office-bearers were still Isaacs, Moss and Elias Cohen. They were all re-elected, and Abraham Cohen added to the Local Board as Treasurer. It was a busy Local Board (much more active than it was to be in later years when the school was more settled), and held 35 meetings during the period under review. The receipts from 1st July, 1867, to 28th February, 1869, had been £473/13/-, and the expenditure £430/12/6. The school apparently cost about £250 a year to run. These were the days of public examination of pupils, and the unfortunate children suffered the ordeal on this occasion at the hands of Rev. A. B. Davis, Woodhill, and the Council's Inspector.

Apparently all went well, though the Inspector's comments made after a visit on 23rd November do not show much improvement over the last year. Still, there were some compliments, particularly as to the teaching. The report was as follows:—

The situation is not central and in other respects the premises are not suitable; separate closets are required.

The pupils are reasonably punctual and regular and on the whole neat in dress. The order is fair in the higher classes but susceptible of much improvement in the lower, and the government needs to be more uniform and effective. The classification is low. The lesson documents are carefully compiled. The teaching is earnest, fairly intelligent and reasonably effective.

The average proficiency is fair.³⁸

Woodhill's efforts, however, were bearing fruit. Enrolment was growing, instruction improving, and the status of the school becoming higher. A much more optimistic tone was taken at the Annual Meeting held on

20th April, 1870, of which the *Sydney Morning Herald* printed a report. After a "parliamentary discussion" on the admission of ladies to the gallery of the House of Commons during debates in which all the boys of the third class took part, the report was read. S. A. Joseph, M.L.A., was in the chair. The report showed a much better state of affairs except in regard to finance. The credit for the improvement was given to Woodhill, Mrs. Solomon, and the Hebrew Master, one Meyers.³⁹ In his remarks, the chairman referred to the growing number of non-Jewish children at the school.⁴⁰

This tendency was confirmed by the official figures for 1870. Out of a total enrolment of 137 at the end of that year, 18 were Church of England, 6 Catholic, and 3 Wesleyan. The remaining 110 were Jews. The school was made up of 80 boys and 57 girls—a considerable increase over the previous year's number. There was a time during the year when the total was as high as 143. Throughout the school's history there was much fluctuation, and the quarterly figures for 1870 are typical. At the end of March there were 125 pupils, at the end of June 117, in September 143, and at the close of the year 137.⁴¹ It is hard to find an explanation for this, except, perhaps, that as education was not yet compulsory, parents were sending their children when they wanted to, withdrawing them when it was convenient to them and re-enrolling them as the whim took them.

This would seem to be borne out by the figures of actual attendance. Again taking 1870 as typical, we find that, although the average enrolment over the four quarters was 135, the average weekly attendance over the year was only 84.7 (boys 52.7 and girls 32). This is low by any standards, even when education is voluntary, but it is quite the normal picture throughout the school's existence. When the inspector paid his annual visit on 15th November, 1870, during the term when enrolment reached 137, he found only 107 children. None the less, he makes a not unfavourable comment on attendance, presumably because this was normal. A cursory glance at the published figures for other denominational schools shows them, by and large, to be in the same position.

The inspector submitted his report to the Council, which published it in the usual way.⁴²

Some additional desks have been provided since last inspection but most of the other aspects in connection with the out-buildings,

referred to in the last report, still exist. An increase is noticeable in the attendance. The pupils are reasonably regular, punctual and clean. The marching is rather noisily performed and the school operations generally want to be more quietly conducted; the government would appear, however, to be fairly judicious. Except that the first class is split up into too many divisions, the classification is passable; in other respects the instruction is suitably arranged and is carried out with zeal. The general attainments are fair.

By the beginning of 1871 it was clear that the school ought to move from what Woodhill describes as "poor accommodation and the unsuitable position of the premises." Luckily, the Oddfellows, whose building in Sussex Street had housed the school since 1868, were putting up a new hall in Elizabeth Street, next to where the Great Synagogue is now and on the site of the present Manchester Unity Building. "The Heads of the denomination," in Woodhill's words, secured it for the use of the school.⁴³ The move took place on 29th May, 1871,⁴⁴ and progress was at once evident. The enrolment reached 156 at the end of the year, though the official figures show that Woodhill, quoted by Marks, is wrong in saying that the number of Christian children grew. In fact, it fell from 27 at the end of 1870 to 9 at the end of 1871. Jewish children now numbered 147 as against 110. Average weekly attendance during the year was 112.6, proportionately no better than it had been.⁴⁵

Since 1871 was census year, it is possible to find out, with fair accuracy, how the community was supporting its own school. The census disclosed⁴⁶ that the Jewish population of the metropolitan area of Sydney was 1566 out of a total of 2395, and if, as is now the case, approximately one-sixth of the population was aged between 5 and 13, there should have been about 260 Jewish children of that age group.⁴⁷ Out of that 260, the figures show, 147 were attending the Jewish School—a very large percentage when one takes into consideration such matters as distance, some parental unwillingness to send their children to a Jewish school, and the fact that education was voluntary. Practically nothing is known of the social standing of the pupils or of the reasons that impelled their attendance. The roll-books, as well as most other school records, have not survived. Only the list of parents who in 1868 agreed to send their children is now in existence. That shows remarkably few of the leading families, and is notable for the difficulty many parents have obviously had in writing their names and those of their children.

The education of the children, however, appears to have been effective. The new schoolroom in Elizabeth Street was the scene of the Annual Examination for 1871, held in July. The pupils were examined in spelling and the geography of Australia, and they are said to have shown "a very high degree of proficiency." Rev. A. B. Davis tested them in Hebrew reading and spelling "apparently with the most successful results." After that there were recitations, dialogues and songs, following which the inevitable speeches took place.

The speech of Saul Samuel, M.L.A., who was in the chair, offered high praise of the children's achievements (perhaps a little too high), urged the necessity for financial support, and went on to explain why a Jewish day school was needed. As far as he was concerned, he said, he would rather see our children mixing with others in the public schools, but, as the instruction was not altogether secular and of the sort which Jewish parents would approve, we thought it necessary to establish this school. There is a hint in this attitude of the opposition to Jewish schools which has always existed, and still does. They are accepted, as no doubt this was in many quarters, as necessary evils. That did not prevent the community taking pride in it, and both Samuel and Woodhill emphasised how good it was. Distribution of prizes completed the evening.⁴⁹

The improved standing of the school was the peg on which was hung the communal appeal for a testimonial to John Isaacs, President since 1868, before he left the colony. The *Australian Israelite* described him as a zealous and indefatigable supporter, and declared that it was principally through his exertions that the school enjoyed its high position. The institution, it said, had been the object of his special care—his time and money being at its disposal, and his assistance to those who could not afford fees being always available.⁵⁰

At the end of the financial year the financial situation was still giving cause for concern. A ball was suggested, but nothing seems to have been done. Appeals were apparently made, so much so that the school came in for criticism about it—which was a trifle unfair since comparisons were made with the Sabbath School, whose expenses were negligible.⁵¹ Fees, of course, were still coming in, but as these went to the secular teachers they did not help much in the general running of the school. For 1871 they

amounted to £106, for 1870 to £95, for 1869 to £80, and for 1868, which was not a full year, to £27. As against these the Government provided for salaries and books (exclusive of Hebrew books and the salaries of the Jewish educational staff, which had to be provided by the community) the sum of £176 for 1871. Relevant figures for earlier years are not available.⁵² The community provided its funds by donations, annual subscriptions and Synagogue offerings. These last, which amounted to about £20 a year, are recorded in successive annual reports of the York Street and Great Synagogues. Picnics also helped to raise money.

Still, finance was not everything, and everyone must have been pleased with the inspector's report for the year. He visited the school in August, saw 136 children out of the total enrolment of 168 (which fell to 156 at the end of the year), and was much happier about it all than he had been. His printed report reads:—

The school is conducted in the Oddfellows' Hall—a commodious schoolroom, airy and well lighted. The playground is small, but provision is made for all necessary out-buildings. The attendance has improved. The pupils are tolerably regular and punctual, clean and in fair order. The government is mild and fairly effective. A proper classification obtains, the instruction is regulated by the usual guides, the methods are fairly suitable and applied with earnestness and industry. The proficiency is fair.⁵³

January, 1872, began with a picnic at Chowder Bay, which attracted about 800 people, including the children of the Sabbath school. It proved much easier to arrange a joint effort on this occasion than to amalgamate the two schools, as the Sydney correspondent of the *Australian Israelite* had suggested a few weeks earlier.⁵⁴ It is doubtful if any real attempt was ever made. There is no reference to it in the records of the Sabbath School. The picnic provided the opportunity to present the community gift to John Isaacs, the children of the school making their own presentation of a silk Tallith.⁵⁵

The school continued to receive its meed of publicity, the next occasions calling for newspaper comment being the examination of the pupils on 25th September, 1872, and the Report issued at about the same time. From the very lengthy report much of interest can be found. The occasional correspondent in Sydney of the *Australian Israelite* wrote more than a column of close print. Marks summarized the salient points.⁵⁶ The attendance figure, 156, was that of the previous year, but more reliance can

be placed on the expenditure and revenue—amounts of £459/4/8 and £282/14/3 respectively. Of this latter sum the Council paid £176, and fees accounted for the remainder. The gap between income and expenditure had to be met by the Local Board from subscriptions and donations.

The report also covered other matters—teachers, picnics, and the restricted time available for religious instruction. The Council's insistence upon the law that only one hour a day should be devoted to this last meant that a large staff had to be engaged—Rev. A. A. Levi, Mrs. Solomon, and Miss Mary Sadling. They had fulfilled "the task with credit to themselves and justice to the pupils." Compliments were also paid, not only to the secular education the children were receiving at the hands of Woodhill, but to their deportment and discipline.

This was not the view of the Council's inspector, whose annual report, based on a visit paid on 30th July, 1872, is a little critical :—

The schoolroom is commodious, airy, well lighted and cheerful. The playgrounds are very small but provided with out-buildings of a suitable character. A fair attendance is maintained. The pupils are tolerably punctual, regular and clean. Other features of the discipline are less satisfactory. The government is not sufficiently strict. A passable classification obtains. The instruction is fairly regulated, and the methods are applied with diligence and earnestness. The attainments range between tolerable and fair.

This does not seem quite to bear out the praises of the Local Board's Report or of the correspondent's view of the annual examination, in respect of which he used words such as "extraordinary" and "gratifying." He was even more pleased with the Jewish side of the education, this time referring to "readiness," "accuracy," "care" and "success."

As far as attendance was concerned, 1872 was the peak year, though greater educational success seems to have been attained later. At the end of the year there were 178 children, made up of 145 Jews, 24 Church of England, 11 Catholic, 4 Wesleyan and 1 Presbyterian, including Woodhill's own daughter. This was something of a drop, for at the end of the March quarter there had been 198—the highest ever. It is hard to say why there should be a gradual fall, which, incidentally, was maintained over the next four years. Probably the resignations of Mrs. Solomon in October, 1872, and of Woodhill towards the end of 1873 had their effect, but neither of these would account for the fall in the earlier months of

1872. None the less, the year was quite a good one, producing a total revenue of £333 and showing an average weekly attendance of 108, with the school reasonably high up on the list of denominational schools, of which 221 were then in operation.⁵⁷

The departure of Mrs. Solomon, however, was a severe blow. Her husband's acceptance of a legal position in Fiji, where he was later to attain distinction, made it necessary. Lavish and well-deserved praise was bestowed upon her for her work with the infants, the sewing class, and the singing. Nearly 300 parents and friends assembled at a farewell tea held in the Temperance Hall, Pitt Street, and she was given a handsome gold watch and chain by the teachers and pupils.⁵⁸ The *Australian Israelite* of 8th November, 1872, publishes the *Sydney Morning Herald* report of the function. There were speeches by Rev. A. B. Davis, who presided; Solomon Levy, on behalf of the School Board; and Woodhill, who made the presentation. It is clear that everybody was sorry to lose Mrs. Solomon.

Insistence of the Council of Education on keeping religious instruction down to one hour a day, to which reference has already been made, left some people unhappy. The result was a move to establish an "Orthodox Jewish School," but it is probable that most of the community would have shared the view of the *Australian Israelite's* correspondent that no such school was required. He points out, too, that it would probably be a failure, and this opinion does seem likely to be right—as do the further comments, "waste of time" and "encouragement of the school already established would be more commendable."⁵⁹ Little appears to have come of the scheme, but there was, for a few months, another school, presumably the "Orthodox School," which attracted twenty pupils.⁶⁰

The next excitement, a very serious one, was the illness of Woodhill early in 1873, shortly after a family bereavement. He was away three months and, while lying sick, determined to leave the teaching profession. This, he tells us, had nothing to do with the Jewish school, but arose from the burden that teaching put upon him and from the absence of encouragement by the Council of Education. He seems to have been particularly disappointed in being kept at a denominational school, despite rises in his classification twice in two years and good reports from the inspectors.

In his own words, the Local Board treated him "very handsomely." He goes on to quote from the *Sydney Morning Herald* report of the annual meeting⁶¹ :—

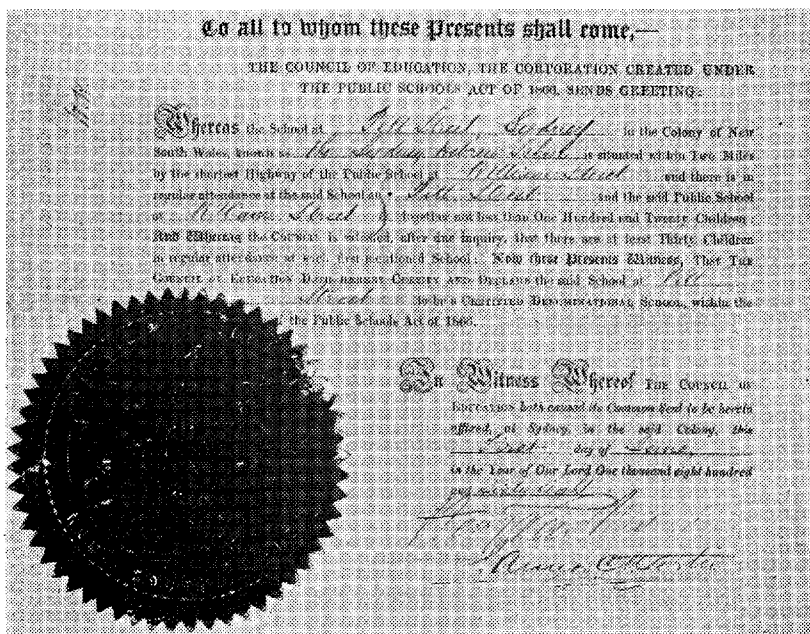
Rabbi Davis announced with regret the retirement of Mr. Woodhill as Master of the School, a position which he has occupied for a period of years, with advantage to his pupils and the approval of all friends of the school. The Directors will have cause for satisfaction if the Council of Education appoint as his successor a gentleman having equal merit and ability and who will enter into his work with the same amount of interest and zeal. The Rev. President read a highly complimentary address to Mr. Woodhill on behalf of the Local Board, expressive of their unqualified satisfaction of the manner in which he had conducted the school, and regretting that circumstances should have induced him to relinquish a duty filled with so much credit to the institution.⁶²

One hopes that his description of his time in the Hebrew School as "five years of the hardest drudgery it was possible for man to bear"⁶³ has no special relation to that school. Probably it has not, but in any case it was a fruitful five years from the point of view of the pupils and the Local Board. Woodhill himself says as much in one of his last quarterly reports when he notes that "he finds that over fifty pupils who were in the school are now engaged in mercantile pursuits, and that those who, when he took charge, were in the infant rooms, are now in the upper class and are being prepared either to enter superior schools or to commence the battle of life for which they have been trained."⁶⁴

There was more to the same effect at the annual examination and meeting held in November, Woodhill's last public appearance as head of the school. The proceedings took the usual form, with H. L. Nelson in the chair. The attendance, large and influential, in Rev. A. B. Davis' words, was good. Rev. A. A. Levi examined the children in Hebrew, tested them in Hebrew grammar and translation. They "acquitted themselves excellently and displayed a commendable proficiency." Then there were tests in spelling, history, geography and mental arithmetic, which "elicited marked proofs of the successful results of the tuitional labours." One hopes that their compositions were not written in that kind of English. Songs and recitations preceded the reading of the Board's report. The Hon. Secretary, G. L. Goodman, read it, and its adoption was moved and seconded by D. L. Levy and L. W. Levy. Louis Phillips, in his vote of thanks to the honorary officers, complained that some directors had neglected their duties—apparently by making too few

visits to the school.⁶⁵ Rev. A. B. Davis followed, spoke of Woodhill and Miss Sadling in flattering terms, and referred to the appointment of Miss Adrian as successor to Mrs. Solomon.

The Board, elected unanimously for the following year, was : President, Rev. A. B. Davis; Vice-President, Moses Moss; Treasurer, Abraham Cohen; Hon. Secretary, G. L. Goodman; Committee, Sigmond Hoffnung, H. L. Nelson, Rev. S. Phillips, M. de Lissa, Lewis Lipman, M. Levey, B. H. Cohen, D. L. Levy and L. W. Levy. The meeting



THE SCHOOL CERTIFICATE, 1868

concluded with Woodhill's valedictory, the distribution of prizes, and a treat for the children.⁶⁶

The Council Inspector's report for 1873 was a good one—the best that school had ever had—but it was not quite so good as the *Australian Israelite's* correspondent asserted when he said it placed the school "first amongst all the public schools of Sydney." He was, no doubt, right in saying that the report was "highly gratifying" to the Jewish body, and "speaks volumes for the efficiency of the teaching staff and the attention and aptitude of the

children to and for their studies." He also noted with satisfaction that "many Christian children of highly respectable parents are placed at the school in preference to others, so highly is its tutorial machinery thought of."⁶⁷

The number of Christian children at the time was 13, of which 8 were Church of England and 5 Catholic. The total enrolment at the end of the year was 127—85 boys and 42 girls—showing a steady drop over all four quarters from 151 at the beginning of the year. Fees paid were £89, also falling throughout the year, while the Council paid £171 for salaries and books. The figures could not have given much pleasure, though the report no doubt did. The inspector saw 94 pupils when he made his visit.

The schoolroom is spacious and good. A proper organisation obtains. The discipline is effective and the tone of the school healthy. A considerable amount of earnestness has accompanied the teaching, and the pupils exhibit a desire to excel. The results exceed very fair.⁶⁸

The year closed with a picnic, shared by the children of the Sabbath School,⁶⁹ and, much more important, the appointment of a successor to Woodhill. This, of course, was in the hands of the Council of Education, and they chose one R. Todd to act temporarily.⁷⁰ He seems to have stayed a very short time before the Council made a permanent appointment of Richard Barton.⁷¹ He was not a success, and the Board found itself compelled in September, 1875, to ask for his removal.⁷² In his earlier months there was much satisfaction with him, but he does not appear to have been a good administrator, and there was a slight quarrel over the payment to him of a rent allowance.⁷³ The inspector's report for 1874 was only a little less favourable than last year's, but that for 1875 shows clearly the marks of Barton's faults. The Board would seem to have been justified in its attitude.

These problems were not noticeable as early as December, 1873, and all must have seemed well when a notice to quit the schoolrooms suddenly arrived. The Board was given six months, until June, 1874, to find new premises.⁷⁴ It wrote immediately to the authorities of the new Synagogue, then in contemplation next door, asking for early completion of the schoolrooms projected at the Castlereagh Street end of the building.⁷⁵ This was, however, impossible, although the Synagogue expressed hopes that the room would be ready.⁷⁶ When it became clear in May, 1874, that there was no chance of using the Synagogue rooms, the Board appointed a sub-committee

to find somewhere else. They did not report till August, so that the school presumably carried on at the Oddfellows' Hall until it could move to its new site in Dixon Street, as recommended by the sub-committee.⁷⁷ This was just around the corner from the former site in Sussex Street, but was probably a little less central. There had occasionally been complaints about this in earlier years, since the Jewish community, generally, lived on the east side of the city. These complaints do not seem to have increased during the short time the school was in Dixon Street.

The year 1874 was not a happy one. It began with the death of the Treasurer, Abraham Cohen, in February. He was succeeded by his son, Henry Emanuel (later Mr. Justice Cohen), who took over a not very pleasing financial problem.⁷⁸ Then there was the difficulty of finding new premises, growing dissatisfaction with Barton, and a falling enrolment. The inspector's report, however, made before all these were apparent, was fair :—

The school is conducted in the Oddfellows' Hall. The school-room is commodious, well lighted and well ventilated. It is sufficiently provided with furniture and apparatus of a suitable kind. Some of the books are in bad condition. All necessary out-buildings are provided. Three-quarters of the pupils attend regularly. Less than the usual number were present on the day of the examinations owing to rainy weather. The pupils are fairly punctual and clean. In all other respects the discipline is very unsatisfactory. Moderate judgment is shown in the classification. The instruction is tolerably well regulated. The methods are suitable in the abstract, but owing to defective discipline fail to realise adequate results. The attainments of the several classes may be described thus: First, very fair; upper first, fair; second, tolerable to fair; upper second, fair plus; third, fair plus.

Enrolment at the end of the year was 105, including 15 Church of England, 3 Catholic and 3 Presbyterian. Average weekly attendance was 70.5, and there were 76 present on the day of the examination. Fees were down to only £85, while the Government contribution was £186. This left a large balance to be found by the Board, and they complained bitterly about it in the next Annual Report issued in March, 1876.⁷⁹

The arrival of a new member of the Board, Rev. I. M. Goldreich, recently appointed Minister at Macquarie Street; some minor alterations required at Dixon Street by the Council; an increase in Miss Sadling's salary, and the engagement of a new pupil teacher were the only other matters thought worthy of record during the year.⁸⁰

There is even less of note in 1875. The Local Board had only one meeting, that of 30th September, which was

wholly occupied with discussions on Barton, culminating in a decision to ask the Council to remove him.⁸¹ The regular inspection took place earlier in the year while Barton was still there. It was a mixture of praise and blame.

The room in which the school is taught is a good one and its appliances are sufficient. The school records have been disgracefully kept and the whole organisation is very faulty. The children were fairly well behaved during the examinations, but seen under ordinary conditions the school is a disorderly one. In the prescribed subjects of instruction the range taken is very low. Accepting what has been attempted, the proficiency of the classes stands thus: First, fair to very fair; second, fair; third, tolerable.

The inspection was apparently conducted on a bad day—only 31 children were there out of an enrolment which a few months ago had been 105. This does not mean a drop in enrolment, but was due to irregularity of attendance. The average weekly attendance for 1875 was only 45.9, though at the end of the year there were 93 on the roll. As far as numbers at least were concerned, the school was at its lowest ebb, though there was a sizeable Christian population—27 Church of England, 7 Wesleyan and 1 Catholic. Fees, too, were low—only £43 for the year. Public expenditure on the school was £174. To a minor extent, these various falls in figures may have been due to the gradual switch of public opinion against denominational schools, the total number of which had gone down by twenty in the last three years.⁸⁴

The Local Board, however, advanced other reasons in its report of March, 1876, covering the period January, 1874, to February, 1876. They put it this way:—

Soon after the last Examination and Annual Meeting the school lost the valuable services of Mr. A. M. Woodhill, and the several Masters appointed from time to time by the Council of Education to replace him have not been able to achieve the status reached by him either as regards the general management, or the number of pupils on the roll, or in attendance.

In addition to this primary cause, there has been another sinister influence in the necessity for several removals of the school during the past two years. The Trustees of the Oddfellows' Hall in Elizabeth Street requiring the rooms let to us for purposes of their own, there was not to be found within the city any other suitable room available, and, after several trials, the Hall known as the Masonic Temple in Clarence Street was taken for a term. These premises answering all requirements for school use, are yet objectionable on account of locality, and the Committee are assured that a far larger number of children would take advantage of the benefits offered by our institution, were it more centrally situated.

It is clear that the Council appointed a successor to Barton, but his name does not appear. Both the report

and the minutes of 27th January, 1876, show that he and other appointees were not satisfactory, but the main difficulty still seems to have been premises. Obviously other places were tried apart from Dixon Street before the move was made to Clarence Street. Requests were still being made for the completion of the Synagogue schoolroom, but no hope was held out except that it would be ready "as early as possible."⁸³ The date of occupation of the Clarence Street Hall is not known, but it was before 9th February, 1876, when the inspector made his visit. The Local Board was told on 29th February that his report was a "very good" one. It did not appear in print for a year or more, but it did show certain improvements.

At present the school is conducted in the building known as the Masonic Temple. In the circumstances, the organisation is correct. Two-thirds of the pupils enrolled attend regularly. For the most part they are punctual, tidy and clean. The government, which is but tolerably effective, has improved under the present teacher. The pupils are arranged in three classes, but about half are in the lowest classes under a pupil-teacher's charge. In the class taught by the pupil-teacher good work has been done; the proficiency of the other two classes reaches tolerable.⁸⁴

The Board was also happy about the standard of Jewish education, and said in the report of March, 1876 :

The Hebrew department is nearly all that could be desired. Rev. A. A. Levi is energetic in the discharge of his office, and most of the elder children can read, translate, and have a knowledge of the grammar of the Sacred Language. Several of the pupils taught in the institution have been well prepared for their Bar-Mitzvah duties and have acquitted themselves in a satisfactory manner. He is ably assisted, for an hour each day, by Miss Sadling.

The Board which presented this report had changed little during its two-year term of office. Moses Moss had ceased to be Vice-President, and his place had not been filled; Abraham Cohen had died, and his son was now Treasurer; Rev. I. M. Goldreich had joined the Board, while John Isaacs and Elias Cohen had returned to it. The new Board, elected in March, was the same as the old, though Levey was shortly to retire.⁸⁵

The new teacher referred to in the inspector's report cannot be identified. It may have been James Buckland, who was certainly in office by 9th January, 1877, when there was correspondence between him and the Board concerning a rent allowance.⁸⁶ By then the vital statistics for 1876 had been compiled. At the end of the year there were 110 pupils, including 25 Church of England, 15 Presbyterian and 12 Wesleyan. Almost half the school was non-Jewish, the highest proportion ever reached. The

average weekly attendance was 62.4, fees realised £60, and public expenditure was £165.⁸⁷

The new year, 1877, saw the school still in the same place—the Masonic Temple in Clarence Street.⁸⁸ There was a new, or comparatively new, teacher, and, with a slight upward trend in enrolments, hopes must have been high. The threat to all denominational schools was growing, but the end was not yet in sight. Perhaps the only black spot at the moment, apart from the premises, was the number of resignations from the Board. Levey went in March, 1876, S. Phillips and H. L. Nelson in January, 1877. By March the Board found it necessary to write to a number of people asking them to join it. Coleman, Cantor, I. L. Isaacs, George Myers, David Marks and N. D. Cohen accepted.⁸⁹ Their first meeting had the news of Miss Sadling's resignation. She had been a teacher at the school for several years, and was highly skilled in her work with both secular and Jewish subjects. The Board gave her a testimonial and referred to the "serious loss" the school had sustained. The only other Board meeting of that year transacted no business of importance. It was told of the resignation of a pupil-teacher, an occurrence so frequent that it has not been possible to keep track of them. The school usually had at least one on its staff, sometimes two, for the lower classes. They were, of course, appointed by the Council and, with one exception, were non-Jewish.

The inspector who saw the school in April, 1877, was not very happy. His report, the last to be printed, reads :

The school is conducted in two rooms of the Masonic Temple, Clarence Street, which are fairly adapted for the purpose. There is a sufficiency of old and not very suitable furniture; of the other educational apparatus there is also enough. The attendance is marked by considerable irregularity; the pupils are, however, fairly punctual and passably clean in person. The remaining features of the discipline are unsatisfactory. Fair judgment is shown in the classification; the lesson documents are poorly compiled; the methods are, in the main, modern but unskilfully applied. The following is the progress of the several classes: First, good plus; second, tolerable to fair; third, moderate.

The figures which accompanied the report bear out the inspector's view. The enrolment was 105 at the end of the year, but average weekly attendance deplorably low at 59.2—just a little over 50%. From now until the end of the school there are no figures showing how many non-Jewish children attended. The fees paid were £61, and the Government, for salaries and books, paid £61.⁹⁰

New premises were by now in sight. The move from Clarence Street to the Great Synagogue took place on 11th March, 1878.⁹¹ The building had been consecrated the previous week, so that no heed had been given to the Local Board's request for special speedy completion of the school-room. The new room, on the Castlereagh Street frontage, was 43 feet 6 inches long by 21 feet deep. It was flanked on either side by the entrances to the rear of the Synagogue, but otherwise was a separate building. There was a yard the same length as the schoolroom and 10 feet deep between the room and the Synagogue proper. The semi-circular back of the Ark protruded into it slightly, where it was divided by a low wall, but otherwise it was available as the playground. It was entered by two doors, one on either side, leading from the two entrances to the Synagogue. The toilets were along the exterior walls. The upper floors of the building were used for Synagogue purposes.⁹²

The building seems to have been suitable, but the playground did not give satisfaction, and within a few weeks the Board asked the Synagogue to concrete it, and expressed the fear that the Council of Education would condemn it. Nothing seems to have been said as to its area, which appears far too small for more than 100 children. The same Board meeting chose a sub-committee to provide new furniture and other accessories.⁹³

This April Board meeting was an important one. It resolved also to try to find an assistant Hebrew teacher for Rev. A. A. Levi since he could not do justice to the pupils in the hour he was allowed. David Aarons applied for the position, but did not obtain it until after a short term of service by one Miss Goldsmid.⁹⁴

A more important appointment was discussed that night. The Board had long been dissatisfied with Buckland, on the ground that he was too old and not strict enough. The result was a letter, dated 2nd April, 1878, to the Council of Education :—

The Board has no absolute complaint against Mr. Buckland, but they think that such a Master as applied for would tend to raise the standard of the school to the position it once occupied while under the Mastership of Mr. A. M. Woodhill.⁹⁵

The type of master they wanted was one "young and energetic." The Council's minute on the letter said, however, that "a young and energetic man cannot be spared for this school," and their reply of 23rd April confirmed this statement. They refused to remove Buckland.

The Board at that same meeting took what was at that time a revolutionary step; they decided to apply for the appointment of a Jew as headmaster, and resolved to write to Moses Angel, Headmaster of the Jews' Free School, London, for a suitable candidate. Almost a year was to elapse before the good news arrived that one would be available, and meanwhile the school continued, beset by staff troubles and minor difficulties.

Buckland was worried about low attendances on Friday afternoons⁹⁶; a second pupil-teacher was required⁹⁷; Buckland's illness closed the school for a few days in July⁹⁸; a new teacher, May Jowett, who had begun work in September, 1877, and had spent much time on leave, was succeeded by Annie Anderson in April, 1878.⁹⁹ The file of letters in the archives of the Council of Education, which discloses these things, also shows a minuted reference, dated 14th October, 1878, to the Board's proposal to appoint a Jew, but there is no letter or indication of the Council's attitude.

The inspector's report for 1878 has not been printed, but it was certainly critical. It produced a lengthy apology from Buckland to the Council, dated 12th July, 1878, which gives a vivid picture of the state of the school:—

I have the honour to acknowledge receipt of your letter of 1st instant respecting the Inspector's entries in the Observation Book of the school and the low average proficiency of the pupils.

Will you permit me to state that during the past year I have laboured with even more than my former assiduity to produce progressive, permanent effects by my teaching, and to make my school a success. But a variety of circumstances has operated unfavourably for the school and produced unfavourable results.

The continued irregularity of many of the pupils, and the practice of absenting themselves on Friday afternoon of each week, on the part of nearly all the Jewish pupils, precludes the possibility of uniform class proficiency and is otherwise injurious to the school.

The smallness of the amount of time available for teaching the ordinary subjects is another cause for unproficiency in the pupils. The most regularly attending pupils are present on an average about 20 hours in each week, which is thus apportioned:—

Hebrew : — 5 hours for all Jewish children.

Needlework for girls : — 4 hours.

For all other subjects for boys : — 15 hours.

For all other subjects for girls : — 11 hours.

I conceive that these latter amounts of time are not nearly sufficient for their purpose, and that it is impossible to produce such results in this school as may be produced in schools in which the full school time is available for these purposes.

Early in the month of March last, the school was removed from Clarence Street to its present position. The movement was followed by the discontinuance of a large proportion of the Christian children

on account of the danger attending upon crossing George and Pitt Streets. Many of these pupils were good scholars, and the ten months' labour which had been bestowed upon them between the examinations of 1877 and the removal of the school was lost to the school by their absence from the examination in May last. But in the interval between the removal of the school and the last examinations in May a much larger number of pupils had been enrolled than had been withdrawn. On 13th April last, I informed Mr. Wilkins¹⁰⁰ that the Passover holidays would occur on the two following weeks when the school would be closed; also of the recent removal of the school and the influx of new scholars, and as the school had been usually examined in April, I requested him, if possible, to delay the examination for two or three months, that the teachers may have time to operate on the new scholars before they were examined, but the examination was made on the third day after the Passover, when both the nearness of the holidays and the presence of new scholars were prejudicial to the results.

The first class has suffered from the continued indisposition of its appropriate teacher and of its having been in the hands of four other teachers, three of whom had not been employed as teachers before labouring in the school, and who could not, therefore, be regarded as competent to take charge of a large division of the school in a separate room.

I have given special attention to the discipline of the school. The state complained of is the minimum of what it has been. I think that when the well-known restlessness of Jewish children is taken into consideration, the almost utter want of home training apparent in the behaviour of many and the absence of all convenience for drill at school, and that each teacher has to teach two classes, three of which contained two divisions each, it will be seen that the degrees of order and proficiency realised have been accomplished under many difficulties, and that these difficulties are the causes of the absence of what is still wanting.

The examination was the most severe I have ever witnessed; the results have caused me great anxiety and pain, and I do most sincerely intend to do all in my power to realise the immediate improvement which the Council expects.

The rest of 1878 passed peaceably enough. The Synagogue Board wanted £50 from the school (which did not have it) for gas, cleaning, rates and repairs, but had to be content with £20 and a suggestion that the Sabbath School should find £10. Buckland complained that the draughts were giving him and the children severe neuralgia, and the matter was taken up with the Synagogue. In the same month of August there was a reply from Angel in London,¹⁰¹ and a sub-committee was appointed to see the Council of Education on the matter. This comprised Rev. A. B. Davis, H. E. Cohen and I. L. Isaacs.¹⁰² It reported in September that Wilkins, the Secretary of the Council, did not think there would be any difficulty in the matter, that a teacher's English certificate would be acceptable here, and that he could hope to be paid £180 a year.

It was decided to wait for written confirmation of this, and then to call a public meeting to raise funds for the passage money. It was also resolved to ask Sigmond Hoffnung, then in London, to assist Angel in the selection of a master.¹⁰³ The meeting was called for 3rd November, but the results do not appear in the minutes.¹⁰⁴

The statistics for the year mirrored the conditions complained of by both the Board and Buckland. There were 107 children at the end of the year, much the same as last year, and the attendance was still very poor, the weekly average being only 59.4. Fees brought in £61, and public funds £222. It had not been a good year.¹⁰⁵

Worse was to come before things brightened up. Discipline was the first problem of 1879. As early as February there was a complaint from a neighbour about the conduct of the children, and on the 18th of the month Goodman wrote to the Council, no doubt as part of the anti-Buckland campaign, saying that the Board had "of late received several letters from parents of the children attending the school complaining of the shocking and foul language used in the playground." There was reference also to "general riotous behaviour of the pupils out of school hours and while upon the premises, in consequence of which a large number of children have been removed, and the total upon the roll does not reach one-half of the number registered last year."

Evidently the Council took the matter up with Buckland, who wrote to them on 22nd February saying that he was not personally aware of the use of foul or shocking language. He said he had examined every child of the upper division and none had heard any, though some time ago two cases were reported to have occurred but had not been proved. "I have always endeavoured," he wrote, "to cultivate in my pupils purity of language and truthfulness." In the pursuit of this aim he had punished two girls, one recently and one some time earlier, and had asked one of them to leave the school. There had been frequent punishment (how, he does not say) of insubordination, but he denied the riotous behaviour. The trump card on this subject was an enclosure signed by one R. G. Cragg, of 284 Castlereagh Street, who certified that his office was two doors from the school, that he had not witnessed any riotous behaviour, that he must have seen it if it had occurred. It was Buckland's practice, the Headmaster wrote, to see the children safely across the

streets on their way home, to supervise the playgrounds, and restrain his pupils. "But," he went on, "as from the structure of the building, every sound is repeated in louder tone—a very slight sound causes considerable noise." Noise was apparently a sore point with him, for he goes on: "The school itself suffers from this cause: the noise of vehicles in the street on one side and the beating of carpets on the other, the playing of a piano sometimes for hours together, the moving of furniture and the scouring of rooms overhead, cause us sometimes to be unable to hear each other's voices." Despite all this, they had tried to do their best.

Buckland had another explanation for the poor standard, which he set out at length in the same letter, after pointing out that there were then only seven pupils less than in February last year.

The chief cause that the school does not realise such a degree of success as its patrons desire, is found, as some of the Jewish people have informed me, in the introduction of such disproportionately large numbers of free scholars (31 out of 107 as at December, 1878) and the low type of character that this class generally bears, and in view of the fact that they are seldom subject to parental control, receive little or no moral or religious instruction, have the habits, language and behaviour that characterise Christian children who attend the Ragged Schools, this does not appear to be an unreasonable conclusion. This class has almost always been the most troublesome, irregular and depressing to the school. I have economised time, given gratuitous extra lessons, communicated with the parents of children, and used all the means available for retaining scholars and increasing their numbers, but this has thwarted all my efforts.

Before these letters were written, the Board had tried again to have Buckland removed, and a sub-committee waited on Wilkins. He still had a few months left of office, for it was not until May that Andrew Herd was appointed temporarily to succeed him. He was there only a matter of a few weeks, for in the same month William Bardsley became headmaster.¹⁰⁶ The inspector, in a minute dated 18th July, praised him for his "energy and watchful supervision," and there were no complaints against him by the Board. They probably hoped, in any case, that they would shortly have a Jewish head—Angel had been asked to expedite matters, and money was coming in for the fares,¹⁰⁷ though it was not until June that they heard that Angel and Hoffnung had engaged Hyman Isaacs and that he had sailed on the *Lusitania* on the 21st May.¹⁰⁸ He arrived in Sydney in time to be introduced to the Board at its meeting on 16th July, 1879, when he

thanked the Board for their confidence and explained that he had to attend the Council's Training School at Fort Street pending appointment. This was intended to accustom him to Australian conditions, particularly as to routine rather than pedagogic purposes; for the Council knew that his credentials were of the highest character.¹⁰⁹ Shortly after this he was formally appointed, and later called on to attend for examination for a First Class Certificate.¹¹⁰

Beyond the facts that he was born in 1858 and graduated Bachelor of Arts from London University in 1878, nothing is known of Isaacs' earlier life. His career in Sydney was not a happy one, although one feels that his stay with the school was pleasant once he had overcome the initial difficulties. Still, the school had only three years of work left to it, and Isaacs had to pioneer its successor system, the Right of Entry Classes. He fell ill soon after this type of Jewish education was introduced, and died, after a year's sickness, in July, 1884.¹¹¹

His first meeting with the Board saw them confronted with financial problems. There was only £50 on hand, which would "just meet contingencies up to the end of the present month." Despite this serious state of affairs, the Board did not meet again until the 11th December. One can only imagine how the financial difficulty was met since the financial records of the school appear to be lost, except for the unhelpful information contained in the Council's printed reports. That for 1879, the last of the old Council, showed fees of £55 and Government expenditure of £192, but, as usual, makes no mention of how the Local Board bridged the gap between total expenses (including those for Jewish education) and the small income shown. The report also disclosed 114 children enrolled at the end of the year, with an average weekly attendance of 71.6.¹¹²

These figures were made up to much the same date as that of Isaacs' first report, which was presented to the Board on 11th December. Three new members were appointed at this meeting—Samuel Ackman, Elliot Meyer, and Alexander Myers—but they were not present to hear the report. It was a long one, but is worth quoting, both as a support and an antidote to Buckland's remarks:—

In submitting this my first report I shall have to deal with various subjects.

First, Attendance. I am pleased to report that the number of children on the roll has increased to 114 and that the average attendance has also increased 50%; still, I am sorry to say that

the attendance is extremely irregular, and on Fridays especially so, as that day I never have more than five-eighths of the total number present.

Second, Resignation of the Jewish pupil-teacher. That lady left abruptly on 2nd December, and since that date I have been obliged to teach the Hebrew myself. As over 70 Jewish children attend each day, and only one hour is devoted to Hebrew, may I trust that further assistance will be granted me. In Miss Anderson I find a willing assistant in the English branches.

Third, Hebrew books. These are in a very bad condition; there are but half a dozen fit for use. With the present number of pupils, I require at least an extra two dozen Prayer Books and the same quantity of Primers.

Fourth, withdrawal of the Christian pupils. In consequence of the essentially Jewish character of the school now, I find that the elder children are being withdrawn, although every care is taken not to offend their religious susceptibilities. Not that there are less Christian children now than when I entered on my duties — on the contrary, in consequence of the new pupils, notably three Roman Catholics, I have more on the roll at present, but most of those who attended under the Christian headmaster gave betaken themselves to other Denominational Schools.

Fifth, I have received a letter from the Council of Education stating that with the consent of the Local Board the school may close for the week ending 31st December. Personally I am against closing the school, but I ask for consent on two grounds. 1st, the fact that every other Denominational School will be closed, and 2nd, it would be obviously unjust to force Miss Anderson to attend and deprive her of a holiday of which every other teacher is enjoying.

In conclusion, I hope that next quarter the number of pupils may be doubled and that my next report may be more favourable than the present one.

The Board expressed its pleasure, and approved all Isaacs' suggestions. The resignation of the Jewish teacher was to become a sore point during 1880, and much time, both of the Board and the Council, was spent in dealing with her. The whole series of incidents and irritations is not worthy of record in detail. If she were not the only Jewish pupil-teacher the school ever had, she would not be worth a mention.

That same Board meeting in December, 1879, heard a letter from the Council that Isaacs was to receive £156 a year (not £180 as forecast), and it then dispersed until January, 1880. Then they learnt that two of their three newly elected members had accepted office, and settled down to hear another report of Isaacs. After much comment on the pupil-teacher, he spoke of increased enrolments for the new year, both Jewish and Christian. A new assistant Hebrew teacher had been engaged, as Isaacs had asked—A. N. Gubbay—at a salary of 10/- per week. The only other business was a report by Rev. A. B. Davis

that the allegation against a Christian school that it had forced Jewish children to attend religious instruction was unfounded. This appears to be the Board's only venture into the public relations field. Otherwise, its work seems to have been solely devoted to its own school.

Isaac now asked the Council for another pupil-teacher, and the inspector reported that a request for this was reasonable.¹¹³ This was complicated by the simultaneous desire of Miss Anderson for her removal,¹¹⁴ but eventually it seems that two were appointed. The Jewess who had resigned was in and out of office with monotonous regularity, complicating still further the staff position. Isaacs, however, now well at the helm, stabilised matters as best he could, and seems to have raised the school almost to its old position.

It was therefore a pity that by now, in the early months of 1880, the Government had passed legislation making the future of the school, as of all denominational schools, more than doubtful. Something has been said in an earlier paper¹¹⁵ of the discussions which preceded the Public Instruction Act, and that need not be repeated. It is sufficient to note that the Act withdrew, as from the end of 1882, all State aid to denominational schools, strengthened the Right of Entry system for religious instruction in the public schools, and created a new department, that of Public Instruction, which took over from the old Council of Education as from 1st January, 1880. The new department, succeeding to the Council's functions, became responsible for the control of denominational schools for the two-year period of grace that was left to them in order that they may determine their own future.

Strangely enough, the Local Board does not appear to have been concerned. Even though public debate was at its height in 1879, there is no record of discussion in the minute book. When the Act became law, the Board does not seem to have discussed its effect. It was not until May, 1882, when the end was approaching, that the Board took any action. What they did then can best be told in its proper place in the story.

In March, 1880, there was another report by Isaacs. It recorded an increase in enrolment and attendance—130 on the roll, with 100 or so usually present. There were the usual staff problems, a new pupil-teacher, and some lack of control during Hebrew instruction owing to the difficulty one of the teachers had with his English, but

there was now a fourth class for secular subjects, an improvement which pleased Isaacs very much. The report referred to a case, which one suspects to be not infrequent, of a family which could not afford to pay fees to the Hebrew school, but which yet paid them to a non-Jewish school for an elder child who attended Fort Street. Isaacs was justly annoyed that he had to take four children for nothing, and left the matter to the Board. The Board decided to accept 1/- per week in respect of the four, but there is no indication as to whether it was ever paid. The meeting closed with compliments to Isaacs for "the very efficient manner in which the school was conducted."¹¹⁶

The Board meeting in April was enlivened by the story of the boy who wouldn't be caned. Apparently he had incurred the displeasure of his teacher, who sent him to Isaacs to be punished. He refused to hold out his hand (perhaps he did not know that he was only to get what Isaacs describes as "one hard cut"), muttering threats of a summons against Isaacs, who told him to take his caning or go. He went, and his father complained. There was some correspondence, a full discussion at the Board, and Isaacs' explanation was accepted. The father asked for a hearing, which the Board gave him next month, but again decided in favour of the headmaster.¹¹⁷

At the same meeting, Isaacs reported that from that day fees would have to be lowered to 3d. a week, which for the future would have to be paid to the Colonial Treasurer. He suggested an extra charge of 3d. a week for Hebrew instruction, but the Board decided against it.

In August, the Board lost its Honorary Secretary, G. L. Goodman, who resigned since he could not give the necessary time. He had held the post for many years, and was a very capable officer. The Board wrote to him expressing its "heartiest thanks for his past service," and recording its regret.¹¹⁸

Despite its problems, 1880 was a good year. The inspector visited the school, but his comments have not survived. Enrolment at the end reached 183, almost up to the peak of March, 1872. Average attendance was not high, only 116, that for girls being particularly low. Fees were £70, and the amount spent from public funds for salaries and books was £259—the result of the decision of the Council to allow pupil-teachers to cope with the extra secular class Isaacs had instituted.¹¹⁹ Other help came from the Government—a new assistant teacher, though

temporarily only, and, after various requests, a specially appointed sewing mistress.¹²⁰

Towards the end of the year the new department was becoming concerned at falling attendance, but Isaacs in a written explanation pointed out that this was due to temporary causes—an outbreak of measles and the incidence of the High Festivals on Mondays and Tuesdays. He told the Department on 22nd November that attendance had risen again, gave figures, and apparently won his point. The published figures given above support him.¹²¹ This matter was of importance not only for himself, but because the classification of the school depended on it. The Department had either threatened or referred to a possible re-classification downwards, but the matter did not proceed.

This gave Isaacs the chance to discuss the question of his personal classification, which he had tried to have raised since September, 1879. He had not received the First Class Certificate he had hoped for. It appears from minutes in the Departmental files that this was at least partly the result of the inspection in August, 1880, and partly for reasons related to his own "practical skill." Even if the Department would not raise his status, he did very well for his school and justified the Board's confidence in him—which was renewed at its meeting in February, 1881, after hearing another report.

By then the staff consisted of a principal teacher (Isaacs) and an assistant teacher, a sewing mistress, and a pupil-teacher. The minute which shows this discloses that the 166 children enrolled at the beginning of the new year were 95 boys and 71 girls, and that average attendance up to 25th January, 1881, had been 128.¹²² The Department refused to renew the appointment of the second pupil-teacher.

The Board meeting of 13th January, 1881, welcomed a new Honorary Secretary, John L. Davis, son of Rev. A. B. Davis. He read Isaacs' report, which showed much progress (though the figures given do not tally with those of the Department). The Board was highly delighted, despite the fact that it was wrong in its assertion that present numbers exceeded any previous year, "even in its most flourishing time when Mr. Woodhill had its superintendence." The meeting's only decision was to hold another picnic at Chowder Bay with the pupils of the Sabbath School.¹²³

In May, a short meeting decided to erect a new gallery in the schoolroom, to put in window blinds, battens and hat racks, and to rewash the walls. Rev. A. B. Davis was left the task of finding a suitable present for Jane Eaton, the pupil-teacher.¹²⁴ These decisions seem to show a blissful unawareness that some discussion should take place on the future of the school, but a year was to pass, if the minutes are to be believed, before anything was said. Perhaps, however, it is the minute book which is at fault. There is a pencilled note in the handwriting of I. Reginald Cohen, who was appointed Hon. Secretary in August, 1882, that the minutes dated 9th May, 1882, had been given to him to copy. Perhaps meetings were held between May, 1881, and May, 1882, though nothing is recorded.

The official figures which were published in the interval are still healthy. The report showed an enrolment of 153, with an average weekly attendance of 100.2. Salaries from public funds came to £328, the highest ever paid, and the cost of books to £4. Nothing is said of fees from parents, nor is there any printed comment from the inspector, though his report says he was there.¹²⁵

Rev. A. B. Davis, when the Board met on 9th May, 1882, stated that it had been summoned to consider the future of the school, as all Government aid would be withdrawn at the end of the year, and to discuss the position of Isaacs, whose engagement was due to expire in August. It was decided to call a general meeting for 21st May, but its proceedings are not recorded. Perhaps it was intended to do so on the two blank pages which are between the minutes of 9th May and 6th June. Apparently a decision to discontinue the school as from the end of the year and to form a new organisation was taken by the general meeting, despite the offer of Hon. L. W. Levy, a devoted member of the Board, of a personal subsidy of £300 a year to maintain the school.¹²⁶ At the June meeting there was another letter from another communal leader, Moritz Gotthelf, asking for an opportunity to express his views on the subject. The Board, of course, allowed it, but did not record what he said. They did, however, agree to engage Isaacs till the end of the year at his present remuneration. Isaacs agreed, so that the school was safe until December.

What appears to be the final meeting of the Board was held on 9th August, 1882.¹²⁷ There was a report of Isaacs on the state of the school, but no details are given.

Most of the time was taken up with thinking about the new system, the Right of Entry classes, which was to start next January. Those matters more properly belong to a history of the Sydney Jewish Education Board.

Who made arrangements to close the school, what happened to the books and furniture, remains a mystery. There was a little money left, for as late as February, 1885, H. E. Cohen, Hon. Treasurer of the then defunct school, handed to his colleague of the Sydney Jewish Education Board, Alexander Myers, the sum of £49 odd, the balance of the funds of the school.¹²⁸ The last figures show that the school still had a place in the hearts and the educational system of the community. There were 112 pupils on the roll when it closed, with an average attendance of 82. In its last year of aid, the Government gave £369 towards salaries and £3 for books.¹²⁹ There had been a sharp drop from the 1881 figures—probably the result of the uncertainty as to the future and of the promise of the Government to facilitate religious instruction in the public schools. Apart from absolute figures, support for the school in general terms was lower than it had been a decade earlier. In 1871, as has been said, some 60% of metropolitan Jewish children attended. The 1881 census figures showed 2,480 Jews in Sydney,¹³⁰ one-sixth of that figure being children of school age—415. In 1881, only 153 children, and in 1882 only 112 children were enrolled, showing a very serious weakening in the hold of the school over parents.

All this is now history. All that is left is a memory and some scattered records. In its day it was a power for the perpetuation of Judaism, for the maintenance of Jewish prestige. Its successor of to-day, Moriah College, differs from it in many respects, but it is at one with it in ideal. Despite its ups and downs, its small sphere of action, the Sydney Hebrew Certified Denominational School deserves to be well remembered by its generation and its posterity.

NOTES.

¹ Australian Jewish Historical Society *Journal*, Vol. 1, pp. 25-7, 96A; Vol. 3, p. 353.

² The available information is contained in the Society's *Journal*, Vol. 1, pp. 28, 352 (Hebrew Grammar School and Hebrew Academy, 1853); *ibid* (Sydney Hebrew National School, 1850; Vol. 1, pp. 29-30 (a scheme of 1853 for a new school); Vol. 1, p. 30 (Sydney Hebrew School, 1853); Vol. 1, p. 31 (Sydney Hebrew National School, 1856-7); Vol. 1, pp. 31-3 (Sydney Hebrew School, 1861);

Vol. 1, p. 96A; Vol. 2, p. 192; Vol. 3, p. 128 (Zion House School). In 1845 and 1847 schemes for schools were put forward (*Journal*, Vol. 3, pp. 111, 358, 372). Most of these references are taken from P. J. Marks' learned paper, "Early Jewish Education in Sydney," in *Journal*, Vol. 1, p. 28 (hereafter cited as Marks).

³ Marks, p. 31.

⁴ Council of Education: Miscellaneous "In" letters, Vol. 9, p. 147 (in Mitchell Library).

⁵ *Ibid.*, p. 148.

⁶ On State Aid as far as it affected the early Jewish schools, see Rabbi Dr. I. Porush: "State Aid to Jewish Establishments in N.S.W.," *Journal*, Vol. 1, p. 337.

⁷ For a description of the problems and the history of the attempts to solve them, see Smith and Spaul: *History of Education in N.S.W.* (Sydney, 1925), pp. 86, 97, 117-129.

⁸ This paragraph is taken almost verbatim from Smith and Spaul, *op. cit.* pp. 137-8.

⁹ Smith and Spaul, *op. cit.* pp. 139-40.

¹⁰ *Sydney Morning Herald*, 4th January, 1867.

¹¹ This was 332 Pitt Street, to which the school had moved from 334. It was on the east side between Bathurst and Liverpool Streets, two doors from Bathurst Street; No. 334 was one door nearer Liverpool Street. The numbering has since been altered. (*Sands' Directory* for 1866, p. 105.)

¹² Council of Education: Miscellaneous "In" letters, Vol. 9, p. 148.

¹³ *Ibid.*, p. 149, Annual Report of York Street Synagogue, September, 1867.

¹⁴ Index to Minutes, Council of Education, 1867; "Hebrew School" refers to page 194 of the Minutes. The Index is in the Mitchell Library, but the Minutes themselves are not available. The decision to refuse to certify is noted as being on pages 218 and 246.

¹⁵ Section 9 of the Public School Act reads as follows: "It shall be lawful for the Council of Education in any locality where a public school may be established which has in attendance thereat not less than 70 children to certify as a denominational school any school situated not more than five miles from such public school on such Council being satisfied after due enquiry that there are at least 30 children in regular attendance at such school Provided that no school shall be so certified in any case where such school shall be within 2 miles by the shortest highway of any public school unless there shall be in regular attendance at such school and at the nearest public school together not less than 120 children Provided also that all certified denominational schools shall be subject to the same course of secular instruction the same regulations and the same inspection as may be prescribed in reference to public schools with such modifications not being inconsistent with any express provisions of this Act as may be judged to be expedient by the Council of Education.

¹⁶ Council of Education: Miscellaneous "In" letters, Vol. 9, p. 150.

¹⁷ *Journal*, Vol. 1, pp. 353-4.

¹⁸ See note 14.

¹⁹ Report of the Council of Education for 1867 (Sydney, 1868): Denominational Schools section, p. 3.

²⁰ An important figure in Sydney's commercial life, Montefiore was an M.L.C. from 1856 to 1860, and again from 1874 to 1877. He was President of the Chamber of Commerce, 1866-69.

²¹ This was the famous essay on the Talmud by Emanuel Deutsch, printed also in *Literary Remains of Emanuel Deutsch* (London, 1874), p. 1.

²² Council of Education : Miscellaneous "In" letters, Vol. 56, p. 258.

²³ *Ibid.*, Vol. 56, p. 259.

²⁴ See letter, Council of Education to John Isaacs, 10th June, 1868, in the Society's library. It is referred to in Marks, *op. cit.* p. 32.

²⁵ Council of Education : Miscellaneous "In" letters, Vol. 56, p. 260. The exact date of removal does not appear. The Odd-fellows' Hall was at 369-371 Sussex Street, on the west side, between Goulburn Street and Mill (now Little Hay) Street. (*Sands' Directory* for 1868, p. 142.)

²⁶ Mrs. Solomon was the wife of P. S. Solomon, who eventually went to Fiji, where he became Queen's Counsel and Attorney-General. She assumed duties on 1st March, 1868 (see Council of Education : "In" letters, Vol. 56, p. 270), and resigned to go with her husband in October, 1872 (see Marks, *op. cit.* p. 35).

²⁷ Council of Education : Miscellaneous "In" letters, Vol. 56, p. 261.

²⁸ Report of the Council of Education for 1868 : Denominational Schools section, p. 3.

²⁹ *Ibid.*, p. 49. Comments such as these are printed in the reports in respect of each school, Public and Denominational. Some were even less favourable than this.

³⁰ *Ibid.*, pp. 13-14. For the attendance figures for the last quarter of each year until the school closed in 1882, see Appendix to this paper.

³¹ Council of Education : Miscellaneous "In" letters, Vol. 56, p. 278.

³² *Ibid.*, Vol. 91, p. 337.

³³ *The Woodhill Family Record* (privately printed, Sydney, 1905). I am indebted for the loan of a copy to Miss Freida Woodhill. See Marks, *op. cit.* p. 34.

³⁴ *The Woodhill Family Record*, p. 67.

³⁵ *Ibid.*, p. 68.

³⁶ Report of the Council of Education for 1869, Denominational Schools section, p. 10; Marks, *op. cit.* p. 33.

³⁷ Marks, *op. cit.* p. 33.

³⁸ Report of the Council of Education for 1869, p. 42; Marks, *op. cit.* p. 33.

³⁹ Despite the difference in spelling, it is possible that this was Rev. J. E. Myers, later of Brisbane, who had served in Auckland, and is known to have been in Sydney during these years. There is a photograph of this "Meyers" with other members of the staff, including Woodhill and Mrs. Solomon, in the *Journal*, Vol. 1, p. 32. Other references to Rev. J. E. Myers are in the *Journal*, Vol. 3, pp. 381, 413, 416 and 485.

⁴⁰ Marks, *op. cit.* pp. 33-4.

⁴¹ Report of the Council of Education for 1870, pp. 10-11.

⁴² *Ibid.*, p. 45.

- 43 *The Woodhill Family Record*, p. 68.
- 44 Marks, *op. cit.* p. 34.
- 45 Report of the Council of Education for 1871, pp. 8-9.
- 46 *Journal*, Vol. 4, inset following p. 28.
- 47 *Commonwealth of Australia Year Book*, 1946-7, p. 227 (1933 Census).
- 48 Council of Education : Miscellaneous "In" letters, Vol. 9, p. 148.
- 49 *Australian Israelite*, 14th July, 1871.
- 50 *Ibid.*, 10th November, 1871.
- 51 *Ibid.*, 17th November, 1871.
- 52 The financial information will be found in the respective Reports of the Council of Education, 1868, p. 14; 1869, p. 11; 1871, pp. 8-10.
- 53 Report of the Council of Education for 1871, p. 23.
- 54 *Australian Israelite*, 17th November, 1871.
- 55 *Ibid.*, 19th January, 1872.
- 56 Marks, *op. cit.*, p. 35, quoting *Australian Israelite*, 11th October, 1872.
- 57 Report of the Council of Education for 1872, pp. 6, 28; *Journal*, Vol. 2, p. 94.
- 58 Marks, *op. cit.*, p. 34, quoting Woodhill, p. 69.
- 59 *Australian Israelite*, 17th January, 1873.
- 60 From the *Sydney Morning Herald* report of the Annual Meeting, 1873. A cutting is pasted into the surviving Minute Book of the Local Board (which begins in December of that year), but the date is missing.
- 61 *Ibid.*
- 62 *The Woodhill Family Record*, p. 69.
- 63 *Ibid.*, p. 70.
- 64 See Note.60.
- 65 *Ibid.*
- 66 *Australian Israelite*, 14th November, 1873.
- 67 *Ibid.*, 10th October, 1873.
- 68 Report of the Council of Education for 1873, pp. 6-7, 32.
- 69 *Australian Israelite*, 19th November, 1873; 16th January, 1874.
- 70 Minutes of the Local Board (hereafter cited as Minutes), 11th December, 1873. This book, which is among the records of the N.S.W. Board of Jewish Education, commences on this date and goes on beyond the close of the school to April, 1894, by which time the Local Board had transformed itself into the Sydney Jewish Education Board.
- 71 Minutes, 29th December, 1875.
- 72 *Ibid.*, 30th September, 1875.
- 73 *Ibid.*, 3rd February, 1874; 26th August, 1874; 8th October, 1874.
- 74 *Ibid.*, 11th December, 1873.
- 75 *Ibid.*, 29th December, 1873.
- 76 *Ibid.*, 3rd February, 1874.
- 77 *Ibid.*, 11th May, 1874; 26th August, 1874. The Directories of the day do not show the school as being in Dixon Street, which was parallel to Sussex Street at its southern end between it and Harbour Street.
- 78 Minutes, 3rd February, 1874.
- 79 Report of the Council of Education for 1874, pp. 164, 191.

A copy of the Local Board's Report for the period 1874-6 is pasted in the Minute Book.

- 80 Minutes, 20th August, 8th October and 11th May, 1874.
- 81 See Note 72.
- 82 Report of the Council of Education for 1875, pp. 180, 203.
- 83 Minutes, 27th January and 7th February, 1867.
- 84 Report of the Council of Education for 1876, p. 233.
- 85 Minutes, 23rd March, 1876.
- 86 *Ibid*, 9th January, 1877.
- 87 Report of the Council of Education for 1876, p. 212.
- 88 The Masonic Temple was at 279 Clarence Street, on the west side, between Market and Druitt Streets. The numbering has since been altered.
- 89 Minutes, 19th June, 1877.
- 90 Report of the Council of Education for 1877, pp. 210, 231.
- 91 Buckland to Council of Education, 8th March, 1878. Letters hereafter referred to are in the files of the Department of Education, Sydney.
- 92 From the original plans now in the possession of the Great Synagogue.
- 93 Minutes, 1st April, 1878.
- 94 *Ibid*, 15th April, 1878, and 12th August, 1878.
- 95 G. L. Goodman to Council of Education, 2nd April, 1878.
- 96 Buckland to Council of Education, 11th July, 1878.
- 97 *Ibid*.
- 98 Buckland to Council of Education, 19th July, 1878.
- 99 *Ibid*, 26th June, 1878.
- 100 William Wilkins, for many years Secretary to the Council of Education, and one of the great formative influences on education in New South Wales.
- 101 Minutes, 12th August, 1878.
- 102 *Ibid*, 20th August, 1878.
- 103 *Ibid*, 2nd September, 1878.
- 104 *Ibid*, 21st October, 1878.
- 105 Report of the Council of Education for 1878, p. 106.
- 106 File of papers dated 1879 among records of Council of Education at the Department of Education, Sydney.
- 107 Minutes, 10th February, 1879.
- 108 *Ibid*, 10th June, 1879.
- 109 *Ibid*, 16th July, 1879. Minutes on Council of Education files, 15th July; and letter, Davis to Council of Education, of same date.
- 110 Council of Education to Goodman, 26th August, 1879, among a file of correspondence (otherwise relating to 1880) in the Society's library.
- 111 *Journal*, Vol. 4, p. 124.
- 112 Report of the Council of Education for 1879, p. 108.
- 113 Minute on letter, Isaacs to Council of Education, 12th January, 1880.
- 114 Miss Anderson to Council of Education, 15th January, 1880.
- 115 *Journal*, Vol. 4, p. 124.
- 116 Minutes, 15th March, 1880.
- 117 *Ibid*, 19th April and 3rd May, 1880, and School correspondence file, 1880. (See Note 110.)
- 118 Minutes, 13th September, 1880. The letter of resignation is in the Society's library.

¹¹⁹ Report of the Minister for Public Instruction for 1880, pp. 55, 143.

¹²⁰ Goodman to Department of Public Instruction, 6th August, 7th June and 8th August, 1880, and Council Minutes written thereon.

¹²¹ Isaacs to Department of Public Instruction, 22nd November, 1880.

¹²² Departmental endorsement on letter from Isaacs, 25th January, 1881.

¹²³ Minutes, 13th February, 1881.

¹²⁴ *Ibid*, 9th May, 1881.

¹²⁵ Report of the Minister of Public Instruction for 1881, pp. 61, 229.

¹²⁶ Minutes, 6th June, 1882; *Great Synagogue Jubilee Souvenir*, p. 15. There is no reference to Levy's offer in the Minutes. Marks, *op. cit.* p. 38.

¹²⁷ A pencilled note by I. R. Cohen on the Minutes of 9th August, 1882, reads in part: "The above Minutes apparently closed the proceedings of the Denominational School."

¹²⁸ Marks, *op. cit.* p. 38.

¹²⁹ Report of the Minister of Public Instruction for 1882, p. 105.

¹³⁰ *Journal*, Vol. 4, inset following p. 28.

APPENDIX.

ENROLMENTS AND ATTENDANCES.

Year.	Boys.	Girls.	Jewish.	Non-Jewish.	Average Attendancs.	Total.
1868	51	29	80	—	53	80
1869	61	38	97	2	76	99
1870	80	57	110	27	84.7	137
1871	87	59	147	9	112.6	156
1872	109	69	145	33	128	178
1873	85	42	114	13	83.4	127
1874	60	45	86	19	70.5	105
1875	55	38	58	35	45.9	93
1876	61	49	58	52	62.4	110
1877	64	41	x	x	59.2	105
1878	63	44	x	x	59.4	107
1879	71	43	x	x	71.6	114
1880	106	77	x	x	116	183
1881	85	68	x	x	100.2	153
1882	74	38	x	x	82	112

The figures given above are taken from the printed Annual Reports of the Council of Education from 1868 to 1879, and from the Reports of the Minister of Public Instruction from 1880 to 1882.

In each case the figures are those of the last quarter of the year, which almost invariably showed higher numbers than those of the earlier quarters.

ACKNOWLEDGMENTS.

Thanks are due to the Director-General of Education, Dr. H. S. Wyndham, and to the Research Officer and Records Officer of the Department of Education, Messrs. Webster and Smith, for their assistance. Mention must also be made of the help given by the staff of the Mitchell Library. The kindness of Miss Freida Woodhill in making available her copy of *The Woodhill Family Record* is much appreciated.

THE SOURCES.

The sources on which this paper is based are sufficiently referred to in the notes. Something should be said, however, of the nature of them, for this has made it certain that some important facts have been omitted. There is, for example, a complete series of official reports which has been freely used, but only one printed report of the Local Board exists. The Local Board Minute Book runs only from 1873, *The Australian Israelite* only from 1871 to 1874. Council of Education letters are available only for 1867-9 and 1878-81, and its Minute Book not at all for relevant years. The only correspondence of the Local Board is that for 1880, apart from one letter from 1879 and one from 1868. No school records, roll books, examination papers or headmaster's reports (except those of Isaacs) are now extant—thus making an assessment of the educational work in the school almost impossible.

Obituaries.

NATHAN SPIELVOGEL.

The late Nathan Frederick Spielvogel made his mark in four separate fields, and his passing on 10th September at the age of 82 has meant a grievous loss to each.

He was a bush-man, school-teacher, resident of Ballarat, and Jew. Born and educated in Ballarat, he contributed several short stories and verse to the *Ballarat Courier* from 1894, and *The Bulletin* from 1898, while still a junior teacher. In 1904 he drew out his small savings and embarked on a world trip. Returning with 3/4 and a host of impressions, Nathan Spielvogel contributed a series of letters to the *Dimboola Banner* on scenes in various countries, which a local printer rearranged and published under the title of *A Gum-Sucker on Tramp*. In 1906, Robertson and Mullens took it over and it ran to six editions, or 20,000 copies. In 1911 he married Jessie Harris, daughter of Henry Harris, proprietor of *The Hebrew Standard*.

During the next few years he moved around the bush towns of northern Victoria in his profession, and published sketches entitled *Gum-Sucker at Home* in 1913, and verse for *The Bulletin* and *Lone Hand*. A collection of bush yarns entitled *The Cocky Farmer* appeared in 1907, further sketches entitled *Gum-Sucker at home* in 1913, and verse entitled *Our Gum Trees* in the same year. Nathan Spielvogel was now a sought-after writer, a friend of many Australian writers and artists, and had a deserved reputation as one who loved and understood the Australian bush and rural life.

In 1924 he returned to a senior post at Ballarat. He began the series entitled *Old Eko's Note-Book* in the *Teachers' Journal*, which were published in 1928. He considered this his best book, and its genuine Australian atmosphere and kindly spirit are truly indicative of his personal character and approach to teaching.

Spielvogel means literally a "play-bird," and was one of the derisive surnames forced on Galician Jews when Poland was partitioned in 1791. Newman Frederick Spielvogel arrived in Ballarat in 1853, and father and son were associated with the great mining and farming centre for over a century, absorbing its virile traditions and fostering them in turn. Both were several times President of the Synagogue, built in 1861 several years after the community became organised. In time the pressures of the metropolis became too great and the community dwindled, but Nathan Spielvogel strongly adhered to his Faith, conducting regular services and activities, and proudly showing visitors over the old Synagogue.

In Ballarat he was recognised as the local historian and keeper of the antiquities. He wrote pamphlet histories of her institutions, such as the Hebrew Congregation (1926), Benevolent Home (1928), Mechanics' Institute (1929) and also wrote a *History of Ballarat* in 1938 and a racy, popular, fictional reconstruction of *The Affair at Eureka*. In that same year he became a foundation member of the Australian Jewish Historical Society and later an Honorary Member of the Committee. A tangible result of his strong Jewish pride is the short stories contributed to the various Jewish periodicals dealing with Jewish life in old Ballarat. The first was *Solachti*, which appeared in *The Hebrew Standard* in 1907. It deals with a swaggie who comes back to his fold on Kol Nidre.

Late last year the new Victorian branch decided to give permanence to the work of a Victorian Jew who had done so much to foster the self-expression and self-respect of Australian Jewry. A limited edition signed by the author was decided upon and a first-class printer commissioned. Mr. Spielvogel was consulted at every stage, and his last letters to me show the pleasure with which he awaited his book, which will serve as a memorial to this aspect of his writings.

The Society extends its condolences to his widow and three sons.

"His hands were steady until the going down of the sun." (Ex. xvii, 12.)

L. E. F.

ISRAEL HORWITZ.

Israel Horwitz, B.Sc., F.S.S., Dip.Ed., who died in Sydney early in November, was the founder of an important publishing organisation and a staunch supporter of many Jewish causes. While still in England, where he was born into an Orthodox family, he studied at the London School of Economics and later, during World War I., worked under Sir Eric Geddes. After the war he came to Australia and identified himself with Jewish causes, particularly those devoted to the Zionist idea. Amongst the most spectacular of his activities was his association with the famous actor Maurice Moscovitch in 1929 in successful theatre matinees in aid of the victims of Polish Pogroms.

In communal affairs in Sydney he served as Chairman of the Public Relations Committee of the Advisory Board, the forerunner of the Board of Deputies, and later was a member of the first Public Relations Committee of the Deputies.

As a publisher, two of his works deserve mention—*Stand Up and Be Counted* by Professor Julius Stone, an influential pamphlet urging Zionist views at a time of intense public controversy in Australia, and *The Province and Function of Law*, another work of Professor Stone, of such calibre that it established firmly the Professor's reputation in the field of Jurisprudence.

Among other Jewish causes which he supported were at least three Synagogues and the Hebrew University, as well as the Jewish National and University Library in Jerusalem.

AUSTRALIAN JEWISH HISTORICAL SOCIETY

LIST OF FINANCIAL MEMBERS FOR THE YEAR 1955

BENEFACTORS :

Green, Simon
Green, Mrs. Israel
Phillips, Orwell
Symonds, Ralph

LIFE MEMBERS :

Alexander, Gordon
Brass, Mrs. Marise, B.A.
Robb, Arthur D., F.C.A. (Aust.)
Robb, Mrs. Arthur D.

MEMBERS :

Adelaide, South Australia.

Adelson, Myer
Hains, Mark

Apia, Western Samoa.

Gurau, A. M., M.L.A.

Auckland, New Zealand.

Astor, Rabbi A., B.A.
*Moses, Claude H.
Nathan, Lawrence D.
Phillips, Louis, LL.B.
Robinson, Harry

Bankstown, New South Wales.

Green, Solomon

Boston, U.S.A.

3Friedman, Lee M.

Brisbane, Queensland.

Fabian, Rabbi Dr. A.
Hoffman, S. H.

Canberra, A.C.T.

Australian National University
Library

Capetown, South Africa.

Raphaely, Mrs. J.

Christchurch, New Zealand.

Levy, Charles
Teplitzky, Harry
*Zelas, Leo

Florida, U.S.A.

Asher, Rabbi J.

Germany.

Harrassowitz, Otto

Hobart, Tasmania.

Fixel, Mrs. H.

Johannesburg, South Africa.

South African Jewish Board of
Deputies

Launceston, Tasmania

Crawcour, Sim
*Goldberg, Eber

Lismore, New South Wales.

*Cohen, Lionel

London, England.

*Mandelson, Norman L.
Soref, Harold

Masterton, New Zealand.

Nathan, Percy H.

Melbourne, Victoria.

Apple, Raymond
Benjamin, Alan L., LL.B.
Benjamin, Miss Myra
Bennett, Samuel I.
Billigheimer, Dr. S.
Blashki, A. R., B.A., LL.B.
*Boas, I. H., M.Sc., F.A.C.I.
Cohen, S. A.
Cohen, Stuart
Danglow, Rabbi J., C.M.G.,
O.B.E., V.D., M.A.
Danglow, Mrs. J.
Davis, Dr. Morris C.
Davis, M. J.
Feiglin, A.
Feiglin, David
Feurman, Miss Hettie
Fredman, Lionel E. M.A., LL.B.
Fredman, Dr. Stanley
Glass, Philip
Goldman, Rabbi L. M., M.A.
Groenewoud, Mrs. A.
Hallenstein, Miss Ann
Hallenstein, Mrs. Don
Isaacs, John I.
Jewish Council to Combat Fascism and Anti-Semitism

- Jona, Dr. J. Leon, D.Sc., M.D.,
F.R.A.C.S.
Jona, Walter
Krantz, Mrs Roy
Marks, Ernest N.
Mendes, Mrs. A. F.
Michaelis, Hon. Sir Archie
Michaelis, Roy
Munz, Hirsh
Plottel, J., F.R.A.I.A.
Rosenberg, Miss F. M.
Rosenberg, Miss I. Z.
Rudin, Zell
Sage, Mrs. I. M.
Samuel, A. R., LL.B.
Shannon, Dr. H., M.D., D.P.H.,
D.T.M.
Sicree, L. H.
Solomon, Isidor
*Spielvogel, N.F.
Super, A. Newton, M.A., LL.B.
Theomin, Miss J. E.
Wynn, S.
- Panania, New South Wales.**
Newman, Edgar
Newman, Mrs. Reiba
- Parramatta, New South Wales.**
Barg, P.
*Houison, J. K. S., F.C.A.
- Perth, Western Australia.**
Boas, Harold
Masel, Philip, O.B.E.
Mossenson, David
- St. Marys, New South Wales.**
Cohen, I. A. L.
- Sydney, New South Wales.**
Aaron, C.
Baruch, Mrs. E. R.
Beecher, George
*Benjamin, David J., LL.B.
Berkelov, I.
Blashki, Eric P., M.B., Ch.M.
Bloom, H. M., B.A.
Blumenthal, J.
Bolot, David, A.F.C.A., A.F.I.A.
Brasch, Rabbi Dr. R.
Brukarz, H.
Castle, H. P.
Cohen, Mrs. A.
Cohen, Lieut.-Col. Alroy M., B.A.,
LL.B.
Cohen, Mrs. A. M.
Cohen, Mrs. Burnett D.
Cohen, David L.
Cohen, Mrs. Lewis G.
- Cohen, L. W.
Cohen, M. H.
Davis, G. de Vahl
Davis, Leslie D.
Davis, Mrs. P.
Einfeld, John I.
Einfeld, Sydney D.
Epstein, Jack
*Esserman, N. A., B.Sc., F.Inst.D.,
A.M.Z.E. (Aust.)
Esserman, Mrs. N. A.
Falk, Rabbi L.A., C.F.
¹Forbes, M.Z., B.A., LL.B.
Freeman, Felix
Freeman, Mrs. Felix
Freilich, Max
Freilich, Mrs. Max
Ginsburg, Dr. Maurice
Glass, David
Glass, Harold H., B.A., LL.B.
Glass, Kenneth M., B.A., LL.B.
Glass, Mrs. K. M.
¹Glass, Sydney B.
Glass, Mrs. S. B.
Goldberg, Mrs. A.
Goldberg, Frank
Goldberg, Norman, B.A., LL.B.
Goldstein, Harry S.
Goulston, John
Green, David
Green, Israel
Green, Jack
Green, Lionel
Greenfield, H.
Guss, Mrs. S. J.
Harris, Lewis A., B.A., LL.B.
Hart, Miss Hannah
²Havard, W.
Hatfield, R. H.
Himmelferb, Miss H.
Hollander, Miss Mina
*Horwitz, Israel, B.Sc.
Hyman, Mrs. A. W.
Indyk, S.
Isaacs, Maurice, B.A.
Karpin, Sam
Kellerman, M. H., B.Ec.
Kellerman, Mrs. Millie
Kessler, Mrs. T.
Keysor, A. A.
Kimmel, Dr. H.
¹King, G. A.
Ladd, Mrs. E. M.
Lapin, Martin
Lapin, Norman
Ledermann, E.
Lee, M. L.

Lesnie, Allan
 Lesnie, E. H.
 Lesnie, Harry
 Lesnie, Mrs. H.
 Levi, Edward Y.
 Levy, Gerald
 Lewinnek, I.
 Lewinnek, Mrs. W. M.
 Lipson, Samuel, A.R.I.B.A.
 Luber, Cecil
 Luber, Mrs. L. D.
 Luber, Myer M.
 Marks, Jonah, B.A., Dip.Ed.
 Marsden, Mrs. D. H.
 *Meinrath, Clive D.
 Moses, Braham, L., B.Ec.
 Moss, Mrs. Helen
 Newman, H. B.
 New South Wales Jewish Board
 of Deputies
 Owen, Lieut.-Col. Hyam, M.B.,
 Ch.M.
 Perkins, M.
 Phillips, Joseph A.
¹Phillips, Orwell
 Phillips, Mrs. Orwell
⁷Porush, Rabbi Dr. I.
 Rabinovitch, A.
 Reading, A., M.B., B.Sc.
 Reading, Fanny, M.B., B.Sc.
 Redelman, I.
 Rothfield, A., M.C., B.A.
 Sampson, I. K.
 Schalit, M. A., M.D.
 Schureck, Norman
 Selby, D. M., B.A., LL.B.
 Simblist, S. H., B.A., LL.B.

Sofer-Schreiber, L.
 Sperling, Sidney
⁶Stephen, Alfred E.
 Sugerman, Mr. Justice B., LL.B.
 Symonds, Reub
 Symonds, Mrs. Saul
 Temple Emanuel
 Wars, John
 Whitmont, E.
 Wolff, Herbert I.

Tamworth, New South Wales.
¹Cohen, Mrs. Victor I., M.B.E.

Wellington, New Zealand.
 Heinemann, J. W.
 Myers, Frank
 *Myers, Philip
 Weinstein, Charles

NEW MEMBERS, 1956.

Sydney, New South Wales.
 Applebaum, Mrs. Etta
 Cowan, Professor Henry J.
 Herman, Mrs. Hannah
 Isaacs, Simon, Q.C.
 Isaacs, Mrs. Maria
 Solomon, Phillip

Burradoo, New South Wales.
 Barnett, K. E.

Melbourne, Victoria.
 Goldenberg, Ron
 Gordon, Max
 Hayman, Marcus
 Jona, Dr. Jacob
 Michaelis, Lady
 Slutzkin, L. P.
 Yoffa, Miss E.

* Since deceased.

¹ Member of the Royal Australian Historical Society.

² Fellow of the Royal Australian Historical Society.

³ Honorary President, American Jewish Historical Society.

⁴ Member of the Jewish Historical Society of England.

⁵ President, Ballarat Historical Society.

⁶ Vice-President, Royal Australian Historical Society.

⁷ Member of the Royal Australian Historical Society and of the Jewish Historical Society of England.

NOTE.—The Hon. Secretary will be obliged if members will notify him of any omissions or of any necessary corrections.

**Benefactions have been received in memory
of the following:**

ERNEST SAMUEL MARKS, C.B.E.

ADOLPH AND AMELIA ALEXANDER.

GERALD AND ISABELLE BENJAMIN.

ERNEST R. BARUCH.

SIMON JOSEPH GUSS.

SIR SAMUEL AND LADY COHEN.

HYAM SHOLOM AND KATHLEEN HIMMELFERB.

HERMAN AND RACHEL AHRONSON.

Mrs. WILLIAM L. COHEN.

ELIAS AND LEBE GREEN.

SIR BENJAMIN BENJAMIN AND LADY BENJAMIN.

ALFRED AND MAY PHILLIPS.

FREDERICK DAVID AND ESTHER ZILLAH MICHAELIS.

JACOB AND EMMA GLASS.

Australian Jewish Historical Society.

Representative of the Society for Great Britain :

NORMAN L. MANDELSON,
(now deceased)

18 Meadow Road, Pinner, Middlesex, England.

Corresponding Member for Great Britain :

CECIL ROTH,
31 Charlbury Road, Oxford.

Representative of the Society for United States of America :

Miss FANNY GOLDSTEIN,
West End Branch, Library of the City of Boston,
Massachusetts, U.S.A.

Benefactor Members :

Mrs. ISRAEL GREEN.
SIMON GREEN.
ORWELL PHILLIPS.
RALPH SYMONDS.

Life Members :

Mrs. RONALD BRASS, B.A.
GORDON M. ALEXANDER.
ARTHUR D. ROBB, F.C.A. (Aust.).
Mrs. ARTHUR D. ROBB.

Members of Publication Committee :

SYDNEY B. GLASS.
DAVID J. BENJAMIN, LL.B.
HERBERT I. WOLFF.

The amount of the subscription payable by a member is one guinea per annum, commencing from the 1st of January in each year.

A person donating an amount of not less than £25 in one sum may be elected by the Committee a Benefactor Member of the Society.

—(From the Rules of the Society.)