

the evening services. In addition, he was to pay thirty-nine half-florins into the congregational treasury. Goedman, who had started the trouble, was mulcted a similar amount. On December 12, 1803, two members, Izak Abraham de Vries and Ephraim Abrahams, were sentenced to do penance, because on arriving from North America they went ashore on the Sabbath.

There are frequent references in the records to persons who violated religious laws and were readmitted to the congregation only after they had made proper penance. They had to fast for four consecutive Mondays and Thursdays, sit in the synagogue on the mourners' bench, and then, in the presence of the council, invoke God's forgiveness.

Severe punishment was meted out to the youngster Jacob Alexander Eliazer, who, on May 2, 1810, left the synagogue during the reading of the Amidah (the solemn standing prayer) at a time when his presence was necessary to constitute a quorum for prayer (minyan). Consequently the services could not continue. The council decided that in the period between the afternoon and the evening prayer, he was to stand on the *tebah* ("the reading platform") and implore God's pardon. Then, by permission of the father, the boy was to be flogged by the beadle.

The council carefully supervised the observance of the dietary laws. In 1805 it was announced that bread baked in the garrison was prohibited. Unleavened bread for Passover was imported from Holland.

The power of the council was terminated and its authority to levy fines and inflict other punishments was revoked by a royal decree of April 2, 1825.

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### *Elhanan Winchester on American Liberties, 1792*

Elhanan Winchester, who became a leader of the Universalist Church, was born in Brookline, Massachusetts, in 1751. At the age of eighteen he joined the open-communion Baptists. An outstanding speaker, Winchester was an effective leader of the Rehoboth revival of 1771, after which he became a closed-communion Baptist and a strict Calvinist. Leaving his Massachusetts pastorate, the young minister went to South Carolina and then to Philadelphia, in 1780.

Once more Winchester changed his religious opinions and reverted to a more liberal position. Embracing the doctrines of John Murray, the English Universalist, Winchester left America to preach the doctrines of Universalism in England, where the movement had first arisen. He arrived there in 1787 and rapidly gained fame as a preacher. While

abroad, he added to his list of friends, which already included the noted American scientist, Benjamin Rush, the name of John Wesley, who, with his brother Charles, was a leader of the revival in the Anglican Church from which Methodism sprang.

After his sudden return to the United States in 1794, a return motivated by family considerations, Winchester, now one of Universalism's ablest leaders, and the first of the denomination to make use of biblical exegesis, challenged Thomas Paine's *Age of Reason* and sought to refute the currents of naturalism which had entered the country as a by-product of the French Revolution. Although he was an active and important leader of early Universalism, the denomination's creed was named not after him, but after Winchester, New Hampshire, where it was adopted.

The following extract is taken from Winchester's *Oration on the Discovery of America* (London, 1792), pp. 27-28.

The discovery of America has been, and will continue to be, of vast importance to mankind.

But above all, I consider the discovery of America as of the greatest importance to mankind, as it has pleased God to distinguish it from all other countries, in causing it to be the first place upon the globe where equal, civil, and religious liberty has been established.

If my styling America, in the beginning of this discourse, *the very birth place of civil and religious liberty*, should be looked upon as too bold a figure of speech, yet I trust none will refuse to allow it to be the very first country where true equal, civil, and religious liberty has been established.

The United States of America have the happiness of teaching the world the following, grand, and important lessons:

1. That it is possible for a large and extensive country to be ruled by a republican form of government, without monarchy or aristocracy.

2. That religious worship may be well supported without any legal establishment; and that, to allow all to think freely for themselves in matters of religion, and worship God according to the dictates of their own consciences, is the best policy.

3. That to place all denominations upon an exact equal footing, is the ready way to destroy all animosity and strife, all bigotry, persecution, and intolerance, and tends effectually to promote peace, harmony, and good will, in the community.

4. That Church and State may both fulfill and flourish without being allied together; Christ's kingdom is not of this world; and if all the kingdoms and governments of the earth were overturned, the Church would still remain, for it can never be destroyed. And it is certain that political government may exist without any support from the Church. The idea that Church and State must be married together, in order to

exist, and that, if one falls, the other must come down, is false and absurd to the last degree.

5. That changing the punishment of death for hard labour and confinement, tends to prevent crimes, far more than the penal code of laws, which inflicts death as the punishment of almost every offence.

6. That the more mild and equitable government is, the more happy and contented the people will be, and that such a government, far from being weaker and more inefficacious than arbitrary governments, is really far stronger, and is not in too much danger of being overturned.

7. America has also shown the world, that to admit the Jews to all the privileges of natural born subjects, is far from being a dangerous experiment, as has been generally supposed. I cannot see that allowing them such privileges destroys one prophecy, or will in the least hinder their return to their own land, when the time shall come. And I am far from being afraid that God will be angry with the United States for giving to Jews, in common with other nations, the equal blessings of protection, liberty, property, etc. I find threatenings in Scripture against those nations that have afflicted the Jews, but none against those who afford them rest and peace. And, I am happy in being able to say that the government of the United States has never been guilty of oppressing that despised nation, but on the contrary, invites all (who choose to reside in that country) to a full and equal participation of all the blessings and privileges which they themselves enjoy.

### *Leo Merzbacher\**

Leo Merzbacher is best remembered for his part in the early history of B'nai B'rith, and as the author of that order's first burial rite. As the first ordained rabbi to follow his calling in America<sup>1</sup>, however, he has been sadly neglected. This has been due mainly to a lack of source material. Even the little we may know about him today comes, as we shall see, from secondary and often conflicting sources.

In recent years the late Dr. Hyman G. Enelow, of Temple Emanu-El, New York, carried on a wide correspondence in an attempt to trace the life and background of a fellow-bachelor-rabbi who had been the first man to occupy the Temple Emanu-El pulpit. Most of Dr. Enelow's findings are incorporated in this paper together with other known and as yet unknown material on Merzbacher.

\*I wish to thank Dr. Julius Mark, of Temple Emanu-El, New York, for making the Enelow File on Merzbacher available to me, as well as the Temple's early minute books.