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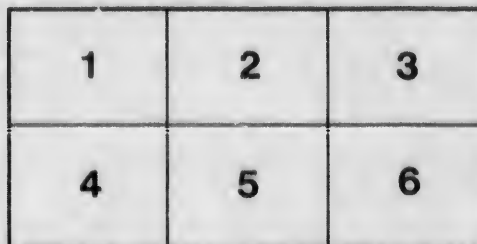
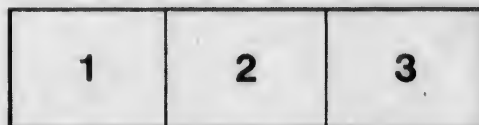
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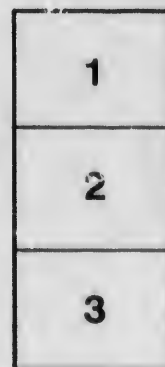
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BYE-LAWS
OF THE
CORPORATION

English, German, and Polish Jews,
OF MONTREAL.

*Approved and passed at a Special General Meeting
of the Congregation on the 31st day
of March, A.M. 5821.*

Montreal:

PRINTED BY JOHN LOVELL, ST. NICHOLAS ST.
1861.

PRESIDENT,.....MARCUS OLLENDORFF.
TREASURER,.....DAVID MOSS.
PARNAS,.....EDWARD MOSS.

Trustees.

EDWARD HIMES,
MEYER KORTOSK,
SAMUEL B. DINKELSPIEL.

ABRAHAM HOFFNUNG,
Honorary Secretary.

INTRODUCTION.

FF. It being essentially necessary for the order and good government of all societies and corporations that Bye-Laws should be enacted in order to define the duties, rights and privileges of the officers and members of such society or corporation, and to promote the harmony, peace and good order of the general body, the following code of laws are hereby enacted and passed for that purpose.

ry. It is at all times well to remember that laws without observance rather detract from, than add to, the object intended, it is therefore hoped that each officer and member of the Congregation for whose guidance and benefit the present code of Bye-Laws are enactd will comply with their dictates, so far as he is individually concerned, thereby contributing his efforts to further their sole object and intention, namely the preservation of the peace, prosperity, and weal of the Congregation. of which he forms a part.

BYE-LAWS.

BYE-LAW I. OF THE OFFICERS.

Sec. 1.—Whereas, by the Act of the 2nd Session 2nd Parliament, 9th Vict., chap. 96, it is enacted “that persons of the Jewish faith calling themselves German and Polish Jews, being inscribed and registered in the manner provided by the Act of 9th and 10th Geo. IV, chap. 75, and being members of this Synagogue shall elect from among their number a President, Treasurer and three Trustees, to remain in office for one year, and be known and designated under the name, style, and title of “The Corporation of the German and Polish Jews of Montreal.”

Sec. 2.—In conformity with the above there shall be annually elected by those members only who shall have in all respects complied with these Bye-laws, and not being in arrears, a President,

Treasurer, Secretary and three Trustees : such officers shall be voted for separately in the above order by being duly proposed and seconded, and such candidate having a majority of all the votes present to be elected.

Sec. 3.—The same officers or any one of them may be re-elected.

Sec. 4.—Any member elected to the office of President or Treasurer, not having previously served within a period of 3 years shall pay a fine of ten dollars should he refuse to accept the office.

Sec. 5.—Any member elected to the office of Secretary and not having previously served within a period of 3 years shall pay a fine of ten dollars should he refuse to accept the office.

Sec. 6.—Any member elected to the office of Trustee and not having previously served within 3 years shall pay a fine of five dollars should he refuse to accept the office.

Sec. 7.—Should it be proposed, seconded and carried that either of the past officers be re-elected no other candidate can be nominated.

Sec. 8.—The Officers and Trustees shall provide the Congregation with a Hazan, Shochet and Shamas to perform the service required of them in their several department hereinafter described.

Sec. 9.—After the election of the officers above named the members shall elect a Gabai, Beth,

Haim, whose duties will hereafter be defined, such officer elected being subject to a penalty of five dollars on refusing to accept the office.

Sec. 10.—After the election of the officers stated in Sec. 2, the said members only as aforesaid shall elect in a similar manner a member to act as Parnas (who may be a Trustee or other officer) who shall have the management of the whole internal affairs of the Synagogue and attend all meetings of the Corporation. Such person being elected and refusing to serve, not having previously held the office for three years, shall pay a fine of five dollars.

Sec. 11.—The Parnas shall have a Superintending power over the Hazan, Shochet and Shamas, and see that they faithfully perform the duties of their respective offices.

Sec. 12.—Should either of them appear deficient in the discharge of their duties, he shall report the same to the President in writing, who shall immediately take cognizance of the same by laying the said communication before the Board.

BYE-LAW II.

OF THE PRESIDENT.

Sec. 1.—It shall be the duty of the President to convene through the Secretary, all meetings of the Corporation and also all public meetings, at

both of which he shall preside, and in all cases shall have the casting vote.

Sec. 2.—He shall issue all orders to the Hazan in writing, permitting them to officiate in their respective capacities, for all persons belonging to this Congregation and also to persons not being members thereof.

Sec. 3.—All and every application for the services of the Hazan and Shamas of this Congregation shall be made to the President in writing, who shall grant such permission after having obtained the consent of the Trustees of this Corporation, and ascertaining that the party so applying for such service shall not be in arrears.

Sec. 4.—He shall certify all claims against the Corporation and keep in his possession during his term of office, the seal of this Corporate body, which he shall affix to all documents when necessary.

Sec. 5.—He shall through the Secretary summon special meetings of the Congregation at the request of any five members (not being in arrears or otherwise ineligible) delivered to him in writing, stating its objects or purpose, and shall at the request of any two members of the Corporation delivered to him in writing, also stating its objects and purpose, call a meeting of the Corporation for their action thereon.

Sec. 6.—No other business than that for which it is specially convened shall be gone into at any special meeting of the Congregation or the board of Trustees.

Sec. 7.—The President shall not be empowered to disburse more than ten shillings at one time, or for the relief of the same person, in charity without the consent of the Corporation.

BYE-LAW III.

OF THE TREASURER.

Sec. 1.—The Treasurer shall collect all monies due to the Corporation, liquidate all claims certified by the President, and Gabai Beth Haim, and regularly pay the salaries of the officers of the Corporation, and deposit all amounts over the sum of one hundred dollars in one of the Banks of the City in the name of the Corporation.

Sec. 2.—He shall in the absence of the Parnas act in his place during service in the Synagogue or elsewhere.

Sec. 3.—He shall also in the absence of the President preside at any meeting either of the Corporation or general body.

Sec. 4.—All applications for seats in the Synagogue shall be made to the Treasurer, whose duty shall be the renting of the same according to the terms and rates hereafter to be determined.

Sec. 5.—It shall be the duty of the Treasurer to see that the real-estate and other effects belonging to this Corporation be properly insured against fire.

BYE-LAW IV.

OF THE SECRETARY.

Sec. 1.—The Secretary shall keep accurate minutes of the transactions both of the Corporation and of all meetings of the Congregation, both of which he shall summon, when requested by the President so to do.

Sec. 2.—The Secretary shall give to each member at least one week's notice of all meetings of the Congregation, and which notice shall mention the object of the meeting, save and except the annual meeting, and for introduction or alteration of the Bye-Laws, for which he shall give three weeks notice, which notice shall also mention the object of such meeting and proposed alteration.

Sec. 3.—It shall be the duty of the Secretary to notify, by the instruction of the Treasurer, all members in arrears, one month previous to the annual meeting, informing them of their ineligibility to vote, unless such arrears be liquidated.

Sec. 4.—All correspondence must be agreed to in Committee of the Corporation, and must bear the signatures of the Secretary and President.

BYE-LAW V.

OF THE CORPORATION.

Sec. 1.—All meetings of the Corporation shall be called by the Secretary by direction of the President by giving two days' notice, except in cases of emergency.

Sec. 2.—It shall be the duty of the Corporation to make and renew all contracts within its cognizance, in such a manner as may be deemed proper and conducive to the interest of the Congregation.

Sec. 3.—The Corporation shall meet at least every six months for the transaction of business, and shall also meet at least one week before the annual meeting for the purpose of auditing the Treasurers books and preparing a report to be submitted to the general body.

Sec. 4.—It shall be the duty of the Corporation to enforce by law the payment of all monies due to them arising in any manner whatsoever.

Sec. 5.—The Corporation shall be empowered to levy a special tax upon all seat-holders, to provide for any deficiency or emergent or contingent outlay for which the funds of the Corporation shall not be sufficient; such tax to be levied *pro rata* amongst the seat-holders and to become due and payable within one week from its adoption.

Sec. 6.—The general meeting for the election of officers shall take place on the Sunday week previous to the new year.

Sec. 7.—The newly-elected officers and Parnas shall assume their respective duties on the Sabbath before the new year.

BYE-LAW VI.

OF MEMBERS.

Sec. 1.—All persons at present seat-holders of the Congregation, at not less than ten dollars per annum, not being in arrears and complying in all respects with the requirements of the act, and having subscribed to these Bye-Laws within six months from the date of their adoption, shall be considered member, of this Congregation.

Sec. 2.—After the above, no person shall be eligible to become a member, with all the privileges appertaining thereto, unless he shall have been a seat-holder for two years at not less than ten dollars per annum, and of the full age of 21 years.

Sec. 3.—Any person having been a seat-holder for two years as aforesaid, and desirous of becoming a member, shall signify the same to the President in writing, which application shall be laid by the President before the Corporation without delay for their action thereon.

Sec. 4.—Any person desirous of becoming a member before the expiration of the said two years shall signify the same to the President in writing, and it shall be at the discretion of the Corporation by a majority of votes to admit such seat-holder on the payment of such sum as may be thought just by the Trustees.

Sec. 5.—Members who have assisted in the formation of this Congregation, and who have paid twenty dollars and upwards towards the building fund, and who may hereafter from misfortune or other causes be unable to pay the amount at which their seats which they originally held be assessed, shall not be deprived of the same, but shall pay only such amount as their circumstances will permit.

Sec. 6.—Members voluntarily relinquishing their membership at any time and not leaving the city shall not be entitled to reclaim the seat they originally held or be permitted to share in the above privilege.

Sec. 7.—That upon being admitted a member of this Congregation as aforesaid, a member shall be entitled (if not in arrears) to vote on all questions brought before the general body of the Congregation at all general or special meetings.

Sec. 8.—That all payments shall be due and payable three months in advance, and no member

shall be entitled to vote on any question or interfere at any meeting, who is in arrears six months account, and the Treasurer shall produce a list of such defaulters at the annual meeting.

Sec. 9.—That all members not in arrears shall be eligible to be elected an officer of the Corporation, to be also eligible to be elected Hasan, Torah and Hasan Bereshis, the two latter appointments to be in the gifts of the Parnas.

Sec. 10.—That any member being appointed to either of the above offices, and refusing to serve shall pay a fine of five dollars, but any person serving one year, or paying such fine, shall be exempt for three years.

Sec. 11.—Members shall not have the right to vote by proxy at any of the meetings of the Congregation.

Sec. 12.—A member shall have the right to officiate as Segan (provided always that he is not in arrears) on the occasion of the marriage or confirmation of any of his children upon giving 2 days previous notice to the Parnas.

Sec. 13.—A member shall be called to the law in rotation according to seniority, on Sabbaths and festival, he forfeiting such right by absence. He shall also have the right to the attendance of the Hazan and Shamas on all occasions when their services shall be required, permission of the Parnas being first obtained.

Sec. 14.—No member shall be deprived of his seat so long as he pays his contributions and offerings, but should any member refuse to pay the same after being in arrears for six months, and being duly notified by the Treasurer, the Corporation shall have the power to let his seat to any applicant, he (the member in arrears) having forfeited the same together with all privileges and immunities.

Sec. 15.—No member shall be allowed to transfer his seat to any other person, nor shall he take any other seat than his own; but he may permit his seat to be taken by a stranger or non-resident (not being a subscriber to this Congregation) upon any special occasion, and with permission of the Parnas may occupy a vacant seat.

Sec. 16.—No member shall bring or send any child to Synagogue under the age of five years on Sabbaths and festivals, or under the age of nine years on the day of atonement or Rosh Hashanah.

Sec. 17.—Sons of members, over 18 years of age, occupying seats must pay for them, and those under that age can only take such seats as may be pointed out by the Parnas.

Sec. 18.—Any person marrying contrary to the laws of Judaism shall neither be eligible to become a member of this Congregation or receive any of its privileges.

Sec. 19.—It being indispensable that order and decorum should reign in the house of prayer, every member must during divine service remain at his place and conduct himself with propriety, and all persons leaving the Synagogue shall do so only after the last prayer has been said. Any persons conversing in the Synagogue during service, or habitually quitting or entering it, or acting in defiance to the above rule, will be liable to public admonition by the Parnas, and on a repetition of the offence will be expelled.

Sec. 20.—Any person who may have voluntarily seceded or who has been expelled, being desirous of re-admission shall first pay to the Treasurer all arrears that he may stand charged with, and then make application to the President in writing, who shall without delay summon a meeting of the Corporation to take the same into consideration, and who shall act upon the same as they deem fit.

LAW VII.

OF SEAT-HOLDERS.

Sec. 1.—Any person wishing to obtain a seat in the Synagogue must apply to the Treasurer, and shall be charged such sum as may be deemed equitable, which sum must be paid strictly in advance.

Sec. 2.—That should any person being a seat-holder only, or any other person whether residing in this city or elsewhere, require the services of the Hazan and Shamas, or the use of the burial ground, he shall make application to the President in writing, stating his desire, and be charged such sum as the Corporation may deem just before granting such request.

LAW VIII.

OF THE PRAYERS.

Sec. 1.—The prayers shall be read in the Hebrew language according to custom of the English, German and Polish Jews, as exemplified in the Great Synagogue in London.

Sec. 2.—The hour for commencing the morning service shall be in Summer at half-past eight, A. M., and in the Winter at nine o'clock, A.M.

Sec. 3.—The prayers shall be read by the Hazan only, excepting in case of his sickness or absence, or on new year or the day of atonement, when it shall be the duty of the Corporation to request some properly qualified member, or procure an assistant, to take part in the service. On no other occasion shall any private member officiate in any portion of the service. The Haphtorah shall at all times be read by the Hazan ; on the confir-

mation of a youth, however, it may be permitted for him to take the customary part on such occasions.

Sec. 4.—Members or seat-holders desirous of making offerings for the departed on the proper occasions, must notify the Parnas previous to the service, of the amount of his offering and the name of the departed, who will cause the Hazan to make the necessary prayers. In no case, however, will it be permitted for members to leave their seats during service for such a purpose, and persons making offerings on the occasions of their being called to the law are requested to make them as brief as possible.

LAW IX.

OF THE CEMETERY.

Sec. 1.—All members of the Congregation not in arrears are entitled to the free use of the burial ground for the purpose of interment of any of their immediate family.

Sec. 2.—That in consequence of the said cemetery requiring annual disbursements for the purpose of keeping the same in order, a tax of twenty-five cents per month shall be imposed on all members and seat-holders of this Congregation, said tax to be collected on the quarterly bills and shall be considered as arrears when not paid the same as

other monies due to the Congregation, and disqualify any person from his ordinary privileges. Said tax shall be separately accounted for by the Treasurer.

Sec. 3.—All expenses attending any burial such as opening and closing graves, &c., shall be borne by the family or relatives of the deceased.

Sec. 4.—It shall be the duty of the Gabai Beth Haim, or in his absence the President or senior trustee, to keep the key of the said Cemetery and give the requisite permission in writing for the opening and closing of all graves, and also notify in writing the Hazan and Shamas of all interments about to take place. He shall through the Shamas give notice to the said members the time appointed for funerals, and place and hours of prayer during the Shivah.

Sec. 5.—That the Gabai Beth Haim, or in his absence the President, shall have power to cause the interment, without charge, of any indigent Israelite upon representation of such case being made.

Sec. 6.—That all interments in said ground shall be only in strict accordance with the rites and customs of the Jewish religion, and the burial service shall only be performed by the Hazan of the Congregation, excepting always the Gabai Beth Haim, and in his absence the President as aforesaid,

shall be permitted to allow the service to be performed by any other recognized Hazan, upon application, should be deemed fit.

Sec. 7.—That in every case all arrears, whether due by members of this Congregation or non-members thereof, shall be paid previous to permission being granted for the opening of any grave.

Sec. 8.—That provided any application be made for burial in said cemetery of any person or persons non-resident in the city or district of Montreal, or not being a member of this Congregation, his or their executors, or assigns, shall pay to the Treasurer previous to interment such a sum as the President and Trustees shall deem fit to charge for a grave in said cemetery, and also shall pay for the services of the Hazan a sum not less than five dollars, and for the services of the Shamas a sum not less than three dollars.

Sec. 9.—Any member desirous of purchasing a certain lot of ground, in said cemetery, as a family lot, shall be entitled to do so on payment of such sum as shall be hereafter determined by the trustees.

LAW X.

THE DUTIES OF THE HAZAN.

Sec. 1.—The Hazan shall attend (illness excepted) in the Synagogue upon all and every oc-

casation the same is opened for prayers, or the performance of any religious ceremony in his official dress; also at all funerals when notified to do so by the Gaba Beth Haim.

Sec. 2.—He shall, when requested so to do, attend at the dwelling of any member or seat-holder when afflicted with serious illness, also at the house; of mourning during the Shivaḥ and shall also be present at the preparation for a funeral, for which he shall be entitled to a fee of not less than \$2.

Sec. 3.—The Hazan shall officiate on all and every occasion in Synagogue or elsewhere (unless prevented by illness or being absent from town.)

Sec. 4.—It shall be the duty of the Hazan to attend the Synagogue on the day previous to Sabbath and festivals, and examine and prepare the scrolls of the law for the next day's service, and to see that the appropriate decorations are made.

Sec. 5.—He shall according to the law of this Province keep a proper register of the births, marriages and deaths in his Congregation, and report the same in required time to the appointed legal officer of the government.

Sec. 6.—He shall strictly conform to all the before-mentioned rules and regulations, and conduct himself in every way becoming the dignity of his office.

Sec. 9.—He shall at all times be under the directions of the Parnas, or in his absence the Treasurer, in all matters relating to the Synagogue, but in all others, under the direction of the President and Corporation.

Sec. 8.—He shall not perform the marriage ceremony or any other Ecclesiastical or Rabbinical function without the permission of the President being first obtained. At the marriage of any member of this Congregation the Hazan shall be entitled to a fee not less than \$5.

LAW XI.

OF THE DUTIES OF SHOCHET AND SHAMAS.

Sec. 1.—The Shochet shall attend at the butcher's shambles for the purpose of killing meat, as often as necessary, and shall not refuse to kill poultry for any member or seat-holder of the Congregation, providing it is sent to his house or such place as he may appoint.

Sec. 2.—He shall not be required to go to the domicile of any member or seat-holder to kill poultry or purge meat.

Sec. 3.—He shall not be required to kill poultry or purge meat at his residence, at unseasonable hours, or later than two hours previous to Sabbaths or festivals.

Sec. 4.—He shall attend at the butcher's stall for two hours on each market-day, to purge meat, from the first of May to the thirty-first of October, from seven to nine, A.M., and one hour on each market-day, from the first of November to the thirtieth of April, from nine to ten, A.M.

Sec. 5.—The Shamas shall attend (illness excepted) the Synagogue upon all and every occasion, and be there in due time to open the same and make all necessary preparations for the service.

Sec. 6.—He shall attend all marriages and funerals and all other ceremonies in any way appertaining to members or seat-holders of the Congregation; he shall be entitled to a fee of not less than two dollars at each funeral, and not less than three dollars for each marriage ceremony.

Sec. 7.—He shall be answerable for all property committed to his care.

Sec. 8.—He shall strictly superintend the making of the matsas, for which he shall be entitled to receive a fee of one cent per lb.

Sec. 9.—It shall be his duty to deliver all notices and to collect all monies due to the Corporation, for which he shall be entitled to a commission of five per cent.

ALTERATION OF BYE-LAWS.

That any amendments, alterations or additions to these Bye-Laws shall be proposed in writing at one general meeting and taken into consideration at another general meeting after a lapse of at least thirty days; and such amendments, alterations or additions shall be carried only by a majority of two-thirds of the votes present at such meeting.

