

Constitution and By-Laws  
OF THE  
Congregation Shearith Israel  
in the City of New York.

ק"ק שארית ישראל

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*Adopted June 24th, 1805.*

כ"ז סיון תקס"ה לפ"ק

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Press of  
Clarence S. Nathan,  
9 & 11 Franklin St.,  
New York.

Synagogues of the  
 Congregation Shearith Israel,  
 in the  
 City of New York.

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|-------------------------------------------|------------|
| Mill Street, Frame Building, .. ..        | 5442-1682. |
| Mill Street, Built .. ..                  | 5490-1730. |
| Mill Street, Rebuilt .. ..                | 5578-1818. |
| Crosby Street, Built .. ..                | 5594-1834. |
| Nineteenth Street and Fifth Avenue, Built | 5620-1860. |
| Central Park West and 70th Street, Built  | 5657-1897. |

# CONSTITUTION.

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## ARTICLE I.

The Congregation **שארית ישראל** [Shearith Israel] in New York, heretofore known under that style and title, shall be continued under the same name, and become a body corporate.

## ARTICLE II.

SEC. 1.—There shall be six\* persons elected to serve as Trustees, according to the manner and form prescribed by the “Act of the Legislature providing for the Incorporation of Religious Societies,” to take charge of all the temporalities, and of all matters relative to the interior government of the Congregation.

SEC. 2.—It shall be the duty of the said Trustees to elect from amongst the members of the Board, a **פרנס** [Parnass] or **פרנסים** [Parnassim], he, or one of them, presiding in the Board, and possessing all the powers out of it that may be granted by the laws to be established.

SEC. 3.—There shall always be a **חזן שוחט** [Hazan, Shochet] and **שמש** [Shamas] chosen by the Congregation, to perform the services required of them in their several departments. Subordinate officers to be chosen by the Trustees.

## ARTICLE III.

The fixed prayers, the **תורה והפטרות** [Torah and Hapthoroth], shall forever be read in the Hebrew language

\*Amended to “~~Seven~~”  
**NINE**

according to the **מנהג ספרדים** [Minhag Sephardim], but the Board of Trustees may, on a public thanksgiving, or other special occasion, direct the **הון** [Hazan] or any other suitable person, to deliver an address, sermon, or moral lecture, in English.

#### ARTICLE IV.

The **פרנס** [Parnass] or **פרנסים** [Parnassim] may, at all times, cause any offender or offenders against this Constitution, or any of the laws of this Congregation, to be punished in such manner as may hereafter be provided.

#### ARTICLE V.

SEC. 1.—The Synagogue and burying places shall ever be the joint property of all Israelites who are, or may hereafter become, electors of this Congregation; and the same shall never be sold, mortgaged, or shut up, by any person or persons under their authority; nor shall any of the leases of that part of the property of this Congregation adjoining the **בית חיים** [Beth Haim], now on lease, be renewed for a longer term than twenty-one years.

SEC. 2.—Should the Board of Trustees deem it necessary, or conducive to the interest of the Congregation, to dispose of any other real estate, they shall cause the electors, residing within the jurisdiction of the Corporation of this City, to be duly notified, by written or printed notices, at least one week previous to holding said meeting, stating the object thereof, to assemble at the usual place of meeting, or such other place as they may appoint, when two-thirds of the members present agreeing shall be considered a majority.

## ARTICLE VI.

This Congregation shall forever be supported by the sale or taxation of seats in the Synagogue, and by free-will offerings ; but no poll or income tax shall ever be assessed on the members of this Congregation.

## ARTICLE VII.

Whereas, by the last will and testament of MYER POLONIES, a legacy was left to this Congregation for the express purpose of establishing a Hebrew school, it shall therefore be the duty of the Board of Trustees to form such school under some suitable teacher or teachers, with such regulations as they may think proper ; and that a free-will offering may be made in Synagogue for the benefit of such establishment in such manner as the Trustees may direct.

## ARTICLE VIII.

Whereas, there is established in this Congregation a **חברה חסד ואמת** [Hebra Hased Va Amet], the same is hereby recognized under its present constitution and laws.

## ARTICLE IX.

No person shall hereafter be an elector unless duly qualified agreeable to the act of incorporation.

## ARTICLE X.

It shall be the duty of the Board of Trustees to enforce, by law, the payment of all moneys due to this Congregation, arising in any manner whatsoever, within three months after the same shall accrue. And it is hereby

expressly understood, that all fines, arising from default under this Constitution and By-Laws, are included in this article.

## ARTICLE XI.

SEC. 1.—No alteration, addition, or amendment, shall ever be made to this Constitution, but in manner following, that is to say: whenever seven electors of this Congregation shall deem an alteration, addition, or amendment, necessary, they may apply in writing to the President of the Board of Trustees for the time being, stating the proposed alteration, addition, or amendment, whose duty it shall be to convene the electors within fifteen days after such application, giving them at least ten days' written or printed notice, in which shall be contained the alteration, addition, or amendment, proposed; at which meeting, two-thirds of the electors residing within the limits of this city shall be requisite to form a quorum; that a final decision shall not then take place, but a second meeting shall be called and held, within one month after, and in like manner as the first, at which time the proceedings of the former meeting shall be taken up and finally decided on; provided, two-thirds of such quorum, as aforesaid, vote for such alteration, addition, or amendment.

SEC. 2.—And should the President of the Board of Trustees refuse or neglect to convene the electors in manner and form as aforesaid, that then the said seven electors may, thereupon, exercise the duty enjoined on the President by this article, anything contained in this constitution to the contrary notwithstanding.

# BY-LAWS

OF THE

## CONGREGATION.

שֵׁאֲרִית יִשְׂרָאֵל

[Shearith Israel].

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### ARTICLE I.

SEC. 1.—Whereas by the third section of the “Act providing for the Incorporation of Religious Societies,” the Congregation are empowered to elect six trustees, it is hereby declared, that the trustees so elected under the authority of the charter, and agreeable to the Constitution, shall choose from among their members one or two persons to serve as **פֶּרְנָס** [Parnass] or **פֶּרְנָסִים** [Parnassim] for one year, after which time, he or they shall be eligible to a re-election, but not subject to a fine for refusing to accept said office for three years from the expiration of the time for which he or they were elected, and that such **פֶּרְנָס** [Parnass] or **פֶּרְנָסִים** [Parnassim] shall be chosen annually, after the first election for trustees: and should the person or persons so chosen as **פֶּרְנָס** [Parnass] or **פֶּרְנָסִים** [Parnassim] refuse to serve, he or they shall pay a fine of twenty-five dollars. The senior

**פּרנאס** [Parnass] shall be president of the Board of Trustees, but should said **פּרנאס** [Parnass] vacate his seat as trustee, he shall by so doing be deemed to have vacated his office of **פּרנאס** [Parnass].

SEC. 2.—The acting **פּרנאס** [Parnass] shall have a superintending power over the **הוֹן שׁוֹחֵט וְשַׁמַּשׁ** [Hazan Shochet and Shamas], and any other officer or officers that may be appointed or elected, and see that they faithfully perform their duties according to their several contracts with the Board of Trustees; and should either of them appear deficient in the discharge of his duty, he shall report the same to the Board of Trustees, who shall immediately take cognizance thereof, and proceed as hereafter prescribed.

SEC. 3.—The acting **פּרנאס** [Parnass] shall have the power at his discretion to cause to be given to any person professing Judaism, whom he may deem an object of charity, any sum not exceeding five dollars.

SEC. 4.—He shall have the power to call a meeting of the said Congregation whenever he deems it necessary, and it shall be his duty so to do, when required by a majority of the Board of Trustees, or on the application of seven electors; he shall possess the right of voting as a member of this Congregation, as well as of the Board of Trustees, and shall also be entitled, in case of an equal division at a meeting of either, to give his casting vote.

## ARTICLE II.

SEC. 1.—If any person or persons insult the **פּרנאס**

[Parnass] while in discharge of his duty, or transgress the laws of this Congregation in any way whatever, he or they shall be cited to appear before the Board of Trustees, within fifteen days after such offence shall have been committed, who shall appoint a chairman, (the acting **פרנס** [Parnass] as head of the Congregation in either case being the prosecutor) which said Board of Trustees shall proceed to the trial of the accused, and if he or they be found guilty, that they be, and are hereby empowered, to impose on said offender or offenders, and each of them, a fine not exceeding two-hundred and fifty dollars.

SEC. 2.—If any person or persons interrupt the service when assembled for divine worship at any place, in any manner whatever, the **פרנס** [Parnass] shall command order; and if such person or persons persist, he shall cause the offenders to be removed therefrom.

SEC. 3.—The acting **פרנס** [Parnass] shall also possess the power, and it shall be his duty, by and with the advice and consent of a majority of the Board of Trustees *in all cases* where they can be convened, to designate the ground in the **בית חיים** [Beth Haim] and in the **בית חיים שני** [Beth Haim Shanee] for the interring of any deceased member of this Congregation, or of any stranger professing Judaism, *in such manner as may be prescribed*, and that when said Board of Trustees cannot be conveniently assembled, then, and in such case, such power may be exercised by the said **פרנס** [Parnass] solely and exclusively.

### ARTICLE III.

The President of the Board of Trustees shall cause the electors to be notified to attend all elections for Trustees

in manner and form as prescribed in the first volume of the revised laws of the State of New York, page three hundred and thirty-six.

#### ARTICLE IV.

SEC. 1.—It shall be the duty of the Board of Trustees to elect or appoint annually, out of their own body, or from the members of the Congregation, two persons to serve as **התנים** [Hatanim], and should the person or persons so appointed or elected, or either of them, refuse to serve, they and each of them shall be subject to a fine of twenty dollars; and further, that the said persons so appointed or elected shall have at least fifteen days' notice in writing of such appointment, or election, previous to **ראש השנה** [Rosh Hashanah] and should no answer be returned within five days after the delivery of such notice, such silence shall be deemed and taken as an acceptance of said office; and if the person or persons so elected neglect to send such answer, and decline serving, he or they shall pay a fine of forty dollars, and the Trustees shall then appoint two other persons to fill said office, but the persons so as aforesaid last appointed, shall not be subject to a fine for declining to serve.

SEC. 2.—The **התנים** [Hatanim] shall be entitled to carry the **ספרים** [Sepharim] on the first day of **ראש השנה** [Rosh Hashanah], and attend the **חזן** [Hazan] at the **מוסף** [Moosaph], the two first **ספרים** [Sepharim] on **כפור** [Kipur] night, the two first **ספרים** [Sepharim] on **הושענא רבה** [Hoshangna Rabah], and the two first **ספרים** [Sepharim] on **תורה שמרת** [Torah

Simhot] and also the distribution of the מצות [Mitzvoth] on each of their respective days; and should not the פרנס [Parnass] or either of the Trustees be in Synagogue on any day of worship, it shall then be the duty of the התנים [Hatanim] to officiate as סגן [Segan], and to exercise the duties attached to the office of פרנס [Parnass] during that time; the חתן תורה [Hatan Torah] to have seniority.

SEC. 3.—The התנים [Hatanim] so elected or appointed, and accepting and serving, shall be exempt from fines for non-acceptance of any other office to which they or either of them may be appointed or elected during the year of such service as התנים [Hatanim].

## ARTICLE V.

SEC. 1.—Electors shall have the preference of being called to the ס"ת [Sephar Torah] and be entitled to all מצות [Mitzvoth]; and should any stranger attend the place of divine worship, the acting פרנס [Parnass] shall be at liberty to call him to the ס"ת [Sephar Torah], and give him any other מצוה [Mitzva] as he may deem proper.

SEC. 2.—An elector, the annual commemoration of the death of whose parents falling on a שבת [Shabat] or on any other day on which a ספר [Sephar] is taken out, shall on that day be called to the ס"ת [Sephar Torah]; and should the יאר צייט [Yahr Zeit] fall on any day on which a ספר [Sephar] is not taken out, then he shall be called to the ס"ת [Sephar Torah] on the first succeeding Sabbath thereafter, holy days and festivals excepted.

SEC. 3.—An elector when married, or on the marriage of a son, if not of the age of twenty-one, or on the marriage of a daughter, shall have the distribution of all the מצות [Mitzvoth] on the ensuing שבת [Shabat] of such marriage to any person not disqualified for enjoying the same, provided that on the שבת [Shabat] succeeding such marriage, it does not fall on any holy day or festival, in which case the התן [Hatan] shall be entitled to be called to the ספר תורה [Sephar Torah].

SEC. 4.—An elector having a son born, shall be entitled to all the aforesaid rights, (with the exceptions above stated), on the שבת [Shabat] preceding the ברית [Berith].

SEC. 5.—An elector having a daughter born, shall be entitled to be called to the ס"ת [Sephar Torah] on the first שבת [Shabat] succeeding the birth, and also on the first שבת [Shabat] of his wife's attending synagogue, after the birth of a son or daughter, holy days and festivals excepted.

SEC. 6.—An elector having a son מנין [Minyan] he and his son shall both be entitled to be called to the ס"ת [Sephar Torah] on the succeeding שבת, [Shabat] unless it should so happen that the birthday was on, ראש השנה, ערב כפור [Rosh Hashanah, Ereb Kipur] or a festival; in that case the בר מנין [Bar Minyan] shall be called in his own right on the immediate ensuing festival or holy day; provided always, that in case of the birth of a son or daughter, or the coming of מנין [Minyan] of a son, or the יאר צייט [Yahr Zeit] of an elector, he

notifies the acting **פרנס** [Parnass], and in his absence from the city the **הון** [Hazan] in due time: and it is hereby understood and declared, that a written or verbal notice given to the **פרנס** [Parnass] or **הון** [Hazan] of such event, previous to the commencing or after the closing divine service, on the evening preceding thereof, shall be considered due notice, and should it so happen that more than one person become entitled to distribute the **מצות** [Mitzvoth] on the same day, then it shall be the duty of the acting **פרנס** [Parnass] to distribute the same to them, in such manner as he may deem proper.

#### ARTICLE VI.

Every male person of the age of twenty-one years, and upwards, professing Judaism, and residing, or having resided within the limits of the Corporation of the City of New York, and does not sign the Constitution and By-laws, within three months after the adoption and ratification thereof, or within three months after the return of such person or persons who were absent at the time of its adoption, he or they shall be barred of, and from having or enjoying any of the rights, benefits and immunities, for during, and until the expiration of, three months after signing the same.

#### ARTICLE VII.

SEC. 1. It shall be the duty of the Board of Trustees for the time being, to make and renew all contracts within their cognizance, with the officers of this Congregation, in such manner as they may deem proper and conducive to the interest thereof.

SEC. 2.—They shall have the power to regulate all offerings to be made in Synagogue, not herein provided for.

SEC. 3.—It shall be their duty to appoint annually a suitable person to keep a book for all offerings in the Synagogue, and in the absence of the book-keeper so appointed, it shall be the duty of the acting **פרנס** [Parnass] to appoint a proper person to keep a separate book, who shall deliver an account of the same, with all convenient speed, to said book-keeper.

SEC. 4.—It shall be the duty of the Board of Trustees to cause an Annual Meeting of the Congregation to be held, which meeting will take place in the month of **אייר**\* [Iyar] on such day as the Trustees may designate; at which time the Trustees shall lay before the electors a full and correct statement of their accounts, and also report all resolutions of their Board intended to have the effect of laws; and if such resolutions be adopted they shall have the force and effect and form part of these By-laws, any thing herein contained to the contrary notwithstanding.

## ARTICLE VIII.

In order further to promote solemnity and order during the time of our worship, without which, prayers cannot be acceptable to ALMIGHTY GOD :

SEC. 1.—It is hereby declared, that every member of this Congregation shall, previous to the singing of any psalm or prayer, remain silent until the **חזן** [Hazan] shall

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\* NOTE BY THE CLERK.—By general consent and acquiescence of the Congregation, the Annual Meetings for many years have been held in the month of October [TEBET, 5625].

signify the tone or key in which the same is to be sung, and those who are so inclined may then join therein, with an equal voice, but neither higher or louder than the חזן [Hazan].

SEC. 2.—That no children, of either sex, under the age of three years, be admitted in Synagogue under any pretence whatsoever, except in cases of ברית מילה [Berith Milah] וברכת גומל [and Beerchat Gomel] or the naming of a child, and that all children of the female sex be confined to that part of the Synagogue appropriated for females.

SEC. 3.—That all umbrellas and canes, excepting canes carried by lame persons, shall be left at the door, and that all garments taken off shall be deposited in the free seats near the door, unless the owners thereof put them in their own seats.

SEC. 4. That any person or persons leaving the Synagogue shall retire in a quiet and orderly manner, and avoid going out together, or in bodies, and more particularly during the reading of the תורה [Torah] and הפטרה [Haphtorah], and that if any person or persons shall act contrary to this law, they and each of them shall be considered as having committed an offence, and punished accordingly.

## ARTICLE IX.

That all applications to have the name or names of any deceased person or persons recorded in a book to be kept for that purpose by the clerk of this Congregation, for the

privilege of an **השכבה**, [Haschcabah] shall be made to the Board of Trustees, a majority of whom shall decide on the same, and if granted, they shall charge therefor, for the benefit of this Congregation, the sum of twelve dollars and fifty cents.

#### ARTICLE X.

It is also declared, that all and every person or persons who shall have been considered of the Jewish persuasion, resident within the limits of the Corporation of the City of New York, that do not commune with us under the Constitution and By-laws now established, shall be assessed and charged by the Board of Trustees ten dollars per annum, and in case of refusal to pay the same, shall not be entitled to any of the rights, benefits and immunities, granted to the electors and members thereof, until he or they shall have paid up his or their arrearages, and the consent of the Board of Trustees had thereto.

#### ARTICLE XI.

All **ספרים** [Sepharim] deposited in the Synagogue shall be under the direction of the acting **פרנס** [Parnass], and no person (owning a **ספר** [Sephar] or **ספרים** [Sepharim]) shall be entitled to any exclusive right of the same in Synagogue.

#### ARTICLE XII.

It is hereby further declared and established, that the foregoing laws shall be permanent, and not subject to any alteration, addition, or amendment, except in the manner prescribed in case of amendments to the Constitution, in the eleventh article thereof.

# AMENDMENTS

TO

## BY-LAWS,

Adopted and Ratified 31st July and 4th September, 1836.

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WHEREAS, the Act of the Legislature of the State of New York, passed 27th day of March, 1801, provides "That no person *belonging* to any Church, Congregation, or Society, intended by the third section of this Act, shall be entitled to vote at any election succeeding the first until he shall have been a stated attendant on divine worship in the said Church, Congregation, or Society, at least one year before such election, and shall have contributed to the support of the said Church, Congregation, or Society, according to the usages and customs thereof, and that the clerk to the said Trustees shall keep a register of the names of all such persons as shall desire to become stated hearers in the said Church, Congregation, or Society, and shall therein note the time when such request was made; and the said clerk shall attend all such subsequent elections, in order to test the qualifications of such electors, in case the same should be questioned." And whereas, it appears that the said section of the law only applies to those already belonging to the Congregation as members thereof, and as it is prudent that some law should be established to admit persons as members of this Congregation who may think proper to apply, in order to qualify

them for electors, as provided by the said Act of the Legislature, therefore,

1. RESOLVED, That any of the Sons of Israel, being of the age of 21 years and upwards, desirous of being a member of this Congregation, and having also resided in the City of New York for at least twelve months, next and immediately preceding his application, and contributed during the same time a sum not less than ten dollars, shall address a letter under his own signature to the President of the Board of Trustees, at least thirty days previous to a meeting of the electors, stating his request so to become a member; and it shall be the duty of the clerk to notify the electors, in the notices issued to them to attend any meeting at which candidates for membership are to be balloted for, of the names of all applicants for, such membership.

2. RESOLVED, That it shall be the duty of the President of the Board of Trustees, at the meeting of the Electors, to lay any application he may have received for membership before the Electors then assembled, who shall immediately proceed to ballot by white and black balls; and it shall require at least two-thirds of the balls deposited in the box to be white to admit the applicant to membership, who, on signing the constitution and laws, shall be considered *belonging* to the Congregation Shearith Israel, and by then conforming to the provisions of the Act for Incorporating Religious Societies, will become an *Elector* in the manner prescribed by the said Act.

3. RESOLVED, That any of the Sons of Israel, sons of those who are, or who were at the time of their death, elec-

tors of this Congregation, arriving at the age of twenty-one years and upwards, and not belonging to any other Congregation in this City, may become members, on requiring their names to be registered in the book kept for that purpose by the Clerk, and by signing the constitution and laws, and conforming to the Act for Incorporating Religious Societies, will become an elector in the manner specified in said Act.

4. RESOLVED, That any person marrying contrary to our Religious laws, or renouncing Judaism, shall not be considered an elector or member of this Congregation.

5. RESOLVED, That any elector absent, without paying for a seat, or having contributed at the rate of ten dollars per annum, during his absence, shall forfeit his right as an elector, and in case he returns without having conformed to this regulation, he must conform to the rule for the admission of members, prescribed by the 1st or 3d of these resolutions, before he can again be eligible to become an elector.

6. RESOLVED, and it is hereby declared, that the "Usages and Customs" of this Congregation, as required of the electors by the law Incorporating Religious Societies, are, the leasing and paying for a seat in Synagogue, or contributing to the support of the Congregation an annual payment of not less than ten dollars.

7. RESOLVED, That no person shall be an elector of this Congregation, being, at the same time, an Elector of any other Congregation in this City.

8. RESOLVED, That a quorum at all Congregational Meetings, not otherwise provided for, shall consist of not less than twenty electors.

RESOLUTIONS OF THE TRUSTEES  
RELATIVE TO THE CEMETERY ON LONG ISLAND  
OF THE  
CONGREGATION SHEARITH ISRAEL.

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*Chartered by act of the Legislature of the State of New York,  
5613-1853.*

APRIL 27, 1852:

RESOLVED, That whenever the interment of a married elector, or the wife of an elector, shall take place in the Cemetery of this Congregation on Long Island, a reservation of the space of one adult grave next adjoining shall be made. And on the interment of any person, other than an elector, or the wife of an elector, a similar reservation, on application, may be made by permission of the Trustees. But nothing herein contained shall be construed to authorize interments in said Cemetery otherwise than in regular rows, as commenced and now practiced, without the consent of the Trustees, except as hereinafter provided.

RESOLVED, That the Trustees will hereafter, in all cases of interment in the Cemetery on Long Island, make a charge of five dollars for grave digging and filling.

RESOLVED, That the portion of the Burial Ground belonging to the Congregation on Long Island, situated west

of the knoll, be laid out, under the direction of the Committee on Burial Grounds, in plots of sufficient size to contain not less than five adult graves.

RESOLVED, That any seat holder in the Synagogue of this Congregation not married contrary to our religious laws, shall have, on the payment of such sum as the Trustees may determine, the privilege of interment exclusively within such plot, as he or she may, with the consent of the said Trustees, select, for any number of persons not requiring greater space than the number of adult graves in the plot so selected. Which privilege, however, shall in no case be exercised unless such seat holder, or other person, shall, at the time of decease, be entitled to interment in the burial ground of the Congregation without reference to the payment of the consideration aforesaid.

RESOLVED, That by the allowance of the privilege, as before provided, the Trustees do not relinquish the whole or any part of their control or authority over said plots of ground as the property of the Congregation, or surrender or qualify their right of making charge for breaking ground as now authorized by law, or of refusing permission for any interment, though claimed under the payment as aforesaid.

RESOLVED, That the privilege allowed to any seat holder under the foregoing resolutions shall, after decease, descend to the next of kin, but with the same conditions, restrictions, qualifications and requirements, as are contained in said resolutions, and continue until the plot be filled, or no

next of kin of the person to whom the same was originally allowed remain.

RESOLVED, That parties availing themselves of the privilege offered by the foregoing resolutions, and paying the amount required, may, under such regulations and restrictions as the Trustees shall prescribe, enclose and ornament their plots, and place thereon such TOMBS AND INSCRIPTIONS, APPROVED BY THE TRUSTEES, as they may desire—and such plots shall be kept in proper order at the expense of the parties to whom the same may have been allotted.

RESOLVED, That should at any time interments be prohibited by legal authority in any plots the privilege of interments wherein shall have been allowed under the foregoing resolutions, the Trustees will not refund any portion of the original consideration money paid by any party, or be responsible for damages in consequence thereof.

NOVEMBER 1, 1865:

RESOLVED, That no interment be made in plots where the parties to whom they have been allotted are not seat holders, without the consent of the Trustees.

AUGUST 27, 1876:

RESOLVED, That when application is made for an interment and the person claiming the right thereto is at the time of such application indebted to the Congregation either for offerings, or for seats in advance, a permit for such

interment shall not be given until such indebtedness shall have been paid.

RESOLVED, That in all cases the charges for grave digging and the perquisites for opening a grave shall be paid before a permit is given.

OCTOBER 3, 1892 :

“RESOLVED, That from and after the first of January next, Plotholders will be charged with the sum of Five Dollars per annum, and single graves other than in Plots with the sum of One Dollar per annum, payable on January first in each and every year in advance, for the keeping of such Plots and graves in good order; which amount will be collected by the Trustees, and the monies thus collected will be expended under the personal supervision of the Burial Ground Committee *in lieu of any payment heretofore made to the Keeper of the Cemetery for such care.*”

MAY 1, 1893 :

WHEREAS, By a resolution of the Trustees passed Tishri 13, 5653, Oct. 3, 1892, Plotholders in the Cemetery of the Congregation on Long Island are charged with the sum of \$5.00 per annum, for keeping their Plots in good order, and to more effectively carry out said Resolution, now, therefore, be it

“RESOLVED, That, hereafter, no interment shall be made in any Plot in the Cemetery of the Congregation on Long Island, either ‘conditionally’ or otherwise, until all assessments, charges or accumulations against the said Plot,

accruing by virtue of the Resolution of the Trustees hereinbefore mentioned, and remaining due and unpaid at the time said interment is sought to be made, shall have been liquidated and discharged."

NOVEMBER 7, 1892:

The Committee on Burial Grounds recommend to the Board of Trustees for its adoption, the following plan for the proper care and improvement of the Cemetery of our Congregation, located on Long Island.

*Firstly:* The creation of a Fund to be called "The Perpetual Cemetery Improvement Fund of the Congregation Shearith Israel."

*Secondly:* The Fund shall be created and maintained as follows: Any plotholder, or the heirs or successors of a deceased plotholder, or anyone desiring to keep in order any grave or graves in the Cemetery of the Congregation, can contribute or bequeath to such Fund, any amount not less than the sum of One Hundred Dollars (\$100.00).\* The sum of \$5.00† as interest for each One Hundred Dollars so contributed or bequeathed will be expended in each and every year in perpetuity towards the necessary care of each plot (not over 16x25) grave or graves.

*Thirdly:* A separate and special account shall be kept for all monies so received, either by contribution or bequest, and said Fund shall be kept in trust by said

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\* Amended February 1, 1899, to \$150.00.

† Amended February 1, 1899, to \$3.50.

Congregation, exclusively for the use and purpose of said Perpetual Fund.

*Fourthly:* It is understood that no charge shall be made for the care or maintenance of plots, grave or graves to the contributors of the said Fund, as required by a resolution of the Board of Trustees passed Tishri 13, 5653, Oct. 3, 1892.

*Fifthly:* It shall be the duty of the Burial Ground Committee to supervise all plots and graves that are endowed by contributions or bequests, and see that such interest arising from the investment of said perpetual Fund is properly expended for the purpose designated.

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#### RESOLUTION ADOPTED BY THE ELECTORS.

NOVEMBER 9, 5624-1863:

RESOLVED, That whenever a Special Meeting of the electors is called for a special purpose, and a statement of such purpose is specified in the call for said meeting, no other matters shall be introduced *and acted upon* without due notice thereof being given to all the electors.

## RELIGIOUS INCORPORATIONS.

### AN ACT

To Provide for the Incorporation of Religious Societies,

*Passed April 5th, 1813,*

SESSION 36, CHAPTER 60, 3d REVISED STATUTES, p. 292.

(Sections 1 and 2 not applicable.)

Other religious  
societies—how  
incorporated.

§ 3. AND BE IT FURTHER ENACTED, That it shall be lawful for the male persons of full age, belonging to any other church, congregation, or religious society now, or hereafter to be, established in this State, not already incorporated, to assemble at the church, meeting-house, or other place where they statedly attend for divine worship, and by plurality of voices, to elect any number of discreet persons of their church, congregation, or society, not less than three, nor exceeding nine in number, as trustees, to take the charge of the estate and property belonging thereto, and to transact all affairs relative to the temporalities thereof; and that at such election every male person of full age, who has statedly worshiped with such church, congregation, or society, and has formerly been considered as belonging thereto, shall be entitled to vote, and the said election shall be conducted as follows: the minister of such church, congregation, or society, or in case of his death, or absence, one of the elders, or deacons, church wardens, or vestrymen thereof, and for want of such officers, any other person being a member or a stated hearer in such church, congregation, or society, shall publicly notify the congregation of the time when, and the place where, the said election shall be held, at least fifteen days before the day of election; that the said notification shall be given for two successive sabbaths or days on which such church, congregation, church, or society shall statedly meet for public worship, preceding the day of election; that on the said day of election, two of the elders, or church wardens, and if there be no such officers, then two of the members of said church, congregation, or society, to be nominated by a majority of the members present, shall preside at such election,

receive the votes of the electors, be the judges of the qualifications of such electors, and the officers to return the names of the persons who, by plurality or voices, shall be elected to serve as trustees for the said church, congregation, or society; and the said returning officers shall, immediately thereafter, certify, under their hands and seals, the names of the persons elected to serve as trustees for such church, congregation, or society, in which certificate the name or title by which the said trustees, and their successors shall forever thereafter be called and known, shall be particularly mentioned and described; which said certificate, being proved or acknowledged as above directed, shall be recorded as aforesaid; and such trustees, and their successors, shall also thereupon by virtue of this act, be a body corporate, by the name or title expressed in such certificate; and the clerk of every county, for recording every certificate of incorporation by virtue of this act, shall be entitled to seventy-five cents, and no more.

Fees of the  
County Clerk.

§ 4. AND BE IT FURTHER ENACTED, That the Trustees of every church, congregation, or society, herein above mentioned, and their successors, shall respectively have and use a common seal, and may renew and alter the same at their pleasure, and are hereby authorized and empowered to take into their possession and custody all the temporalities belonging to such church, congregation or society, whether the same consist of real or personal estate, and whether the same shall have been given, granted or devised, directly to such church, congregation or society, or to any other person for their use; and also by their corporate name or title, to sue and be sued in all courts of law or equity, and to recover, hold and enjoy all the debts, demands, rights and privileges, and all churches, meeting-houses, parsonages and burying places, with the appurtenances, and all estates belonging to such church, congregation or society, in whatsoever manner the same may have been acquired, or in whose name soever the same may be held, as fully and amply as if the right or title thereto had originally been vested in the said trustees; and also to purchase and hold other real and personal estate, and to demise, lease and improve the same, for the use of such church, congregation or society, or other pious uses, so as the whole real and personal estate of any such church, congregation or society, other than the corporation of the ministers, elders and deacons of the Reformed Protestant Dutch Church of the City of New York, and the

Powers of the  
Trustees of  
Churches.

Amount of au-  
thorized annual  
income.

The income of those Churches declared and limited.

Further powers of Trustees.

Trustees except of the Episcopal Churches to call meetings.

First Presbyterian Church of the City of New York, and the rector, church wardens and vestrymen of St. George's Church in the City of New York, and of the minister, elders and deacons of the Reformed Dutch Church in the City of Albany, shall not exceed the annual value or income of three thousand dollars; and of the said corporations of the ministers, elders and deacons of the Reformed Protestant Dutch Church of the City or New York, the annual value or income of nine thousand dollars; and of the said First Presbyterian Church of the City of New York, the annual value or income of six thousand dollars; and of the said rector, church wardens and vestrymen of St. George's Church in the City of New York, the annual value or income of six thousand dollars; and of the minister, elders and deacons of the Reformed Dutch Church in the City of Albany, the annual value or income of ten thousand dollars; and also to repair and alter their churches or meeting-houses, and to erect others if necessary, and to erect dwelling houses for the use of their ministers, and school houses and other buildings for the use of such church, congregation or society; and such trustees shall also have power to make rules and orders for managing the temporal affairs of such church, congregation or society, and to dispose of all moneys belonging thereto, and to regulate and order the renting the pews in their churches and meeting-houses, and the perquisites for the breaking of the ground in the cemetery or church yards, and the said churches and meeting-houses for burying the dead, and all other matters relating to the temporal concerns and revenues of such church, congregation or society; and to appoint a clerk and treasurer of their board, and a collector to collect and receive the said rents and revenues, and to regulate the fees to be allowed to such clerk, treasurer and collector, and them or either of them to remove at pleasure, and appoint others in their stead; and such clerk shall enter all rules and orders made by such trustees, and payments ordered by them, in a book to be provided by them for that purpose.

§ 5. AND BE IT FURTHER ENACTED, That it shall be lawful for any two of such trustees, other than the trustees mentioned in the first section of this act, or their successors, at any time to call a meeting of such trustees, and that a majority of the trustees of any church, congregation or society, mentioned in this act, being lawfully convened, shall be competent to do and perform all matters and things

which such trustees are authorized or required to do and perform, and that all questions arising at any such meetings shall be determined by a majority of the trustees present, and in case of an equal division, the presiding trustee shall have a casting vote.

Majority to act and decide.

§ 6. AND BE IT FURTHER ENACTED, That the trustees first chosen according to the third section of this act, shall continue in office for three years from the day of their election, and immediately thereafter such election the said trustees shall be divided by lot into three classes, numbered one, two and three, and the seats of the members of the first class shall be vacated at the expiration of the first year, of the members of the second class at expiration of second year, and the members of the third class at the expiration of the third year, to the end that the third part of the whole number of trustees, as nearly as possible, may be annually chosen; and the said trustees, or a majority of them shall, at least one month before the expiration of the office of any of the said trustees, notify the same in writing to the minister, or in case of his death or absence, to the elders or church wardens, and in case there shall be no elders or church wardens, then to the deacons or vestrymen of any such church, congregation or society, specifying the names of the trustees whose time will expire, and the said minister, or in case of his death or absence, one of the elders or church wardens, or deacons or vestrymen shall, in manner aforesaid, proceed to notify the members of the said church, congregation or society, of such vacancies and appoint the time and place for the election of new trustees to fill up the same, which election shall be held at least six days before such vacancies shall happen, and all such subsequent elections shall be held and conducted by the same persons, and in the manner above directed, and the result thereof certified by them, and such certificate shall entitle the persons elected to act as trustees, and in case any trustee shall die or refuse to act, or remove within the year, notice thereof shall be given by the trustee as aforesaid, and a new election appointed and held, and another trustee be elected in his stead in manner aforesaid.

Trustees how long to continue in office.

Rotation in office.

Notice to be given to the Minister whose seats expire.

Election how to be held.

Special elections to supply vacancies.

§ 7. AND BE IT FURTHER ENACTED, That no person belonging to any church, congregation or society, intended by the third section of this act, shall be entitled to vote at any election succeeding the first, until he shall have been a stated attendant on divine worship in the said church, congrega-

Members qualified to vote for Trustees.

tion or society, at least one year before such election, and shall have contributed to the support of the said church, congregation or society, according to the usages and customs thereof; and that the clerk to the said trustees shall keep a register of the names of all such persons as shall desire to become stated hearers in the said church, congregation or society, and shall therein note the time when such request was made, and the said clerk shall attend all such subsequent elections, in order to test the qualifications of such electors, in case the same should be questioned.

Salaries of Ministers how ascertained and paid.

§ 8. AND BE IT FURTHER ENACTED, That nothing in this act contained shall be construed or taken to give to any trustee or any church, congregation or society, the power to fix or ascertain any salary to be paid to any minister thereof, but the same shall be ascertained by a majority of persons entitled to elect trustees, at a meeting to be called for that purpose, and such salaries, when fixed, shall be ratified by the said trustees, or a majority of them, by an instrument in writing under their common seal, which salary shall thereupon be paid by the said trustees out of the revenues of such church, congregation or society.

And paid by Trustees.

Trustees may be reduced in number to three.

§ 9. AND BE IT FURTHER ENACTED, That whenever any religious corporation within this State, other than the chartered corporations, shall deem it necessary and for the interest of such religious corporation to reduce their number of trustees, that it shall and may be lawful for any such religious corporation to reduce their number of trustees at any annual meeting: PROVIDED, That such reduction shall not be such as have a less number than three trustees in any one of the religious corporations.

# TABLE

OF THE

HOUR TO COMMENCE THE SABBATH IN THE  
CITY OF NEW YORK.

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|                                      |             |
|--------------------------------------|-------------|
| From the 22d Jan'y to the 22d Feb'y, | half-past 4 |
| 22d Feb'y " 15th March,              | - - - 5     |
| 15th March " 8th April,              | half-past 5 |
| 8th April " 1st May,                 | - - - 6     |
| 1st May " 15th "                     | half-past 6 |
| 15th May " 22d July,                 | - - - 7     |
| 22d July " 22d August,               | half-past 6 |
| 22d August " 15th Sept'r,            | - - - 6     |
| 15th Sept'r " 8th Oct'r,             | half-past 5 |
| 8th Oct'r " 1st Nov'r,               | - - - 5     |
| 1st Nov'r " 22d "                    | half-past 4 |
| 22d Nov'r " 22d Jan'y,               | - - - 4     |

This calculation of time was made by the Rev'd הו"ן  
Joseph Jeshurun Pinto, Anno Mundi 5519, and common  
year 1759, for the meridian of New York; which being  
by him established, was also confirmed by הסכמה of the  
Parnassim and Junta of the Congregation. It may with  
a small variation, answer well for all the Northern States  
of America.

## CONTENTS.

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|                                | PAGE |
|--------------------------------|------|
| LIST OF SYNAGOGUES, .. .. .    | 2    |
| CONSTITUTION, .. .             | 3    |
| BY-LAWS, .. .. .               | 7    |
| AMENDMENTS TO BY-LAWS, .. .. . | 17   |
| CEMETERY RESOLUTIONS, .. .. .  | 20   |
| ELECTORS' RESOLUTION, .. .. .  | 25   |
| ACT OF INCORPORATION, .. .. .  | 26   |
| SABBATH TABLE, .. .            | 31   |