

CHAPTER MCCXXXVIII.

AN ACT TO INCORPORATE THE PRESBYTERIAN CONGREGATION IN
DONEGAL TOWNSHIP IN THE COUNTY OF LANCASTER.

(Section I. P. L.) Whereas the minister, elders and members of the Presbyterian church in the township of Donegal in the county of Lancaster, have prayed that their church may be incorporated and by law enabled as a body politic and corporate to receive and hold such charitable donations and bequests as have been or may from time to time be made to their society and vested with such powers and privileges as are enjoyed by the religious societies who are incorporated in the state of Pennsylvania:

And whereas it is just and right and also agreeable to the true spirit of the constitution that the prayer of their said petition be granted:

[Section I.] (Section II. P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the authority of the same, That the Reverend Collin McFarquhar, John Bailie, James Bailie, James Anderson, Robert Spears, Bryce Clark, Samuel Woods, James Muirhead and Joseph Little and their successors duly elected and appointed in such manner and form as hereinafter directed, be and they are hereby made and constituted a corporation and body politic in law and in fact to have continuance forever by the name, style and title of "The Trustees of the Presbyterian Church in the Township of Donegal in the County of Lancaster."

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors by the name, style and title aforesaid shall forever hereafter be persons able and capable in law as well to take, receive and hold all and all manner of lands, tenements, rents, annuities, franchises and other hereditaments which at any time or times heretofore have been granted, bargained, sold, enfeoffed, released, devised or otherwise conveyed to the said

Presbyterian church in the township of Donegal, and county aforesaid, or to the religious congregation worshipping therein, now under the pastoral care and charge of the Reverend Colin McFarquhar or to any other person or persons to their use or in trust for them, and the same lands, tenements, rents, annuities, liberties, franchises and other hereditaments are hereby vested and established in the said corporation and their successors forever, according to their original use and intention: And the said corporation and their successors are hereby declared to be seized and possessed of such estate and estates therein as in and by the respective grants, bargains, sales, enfeoffments, releases, devises or other conveyances thereof, is or are declared, limited or expressed, as also that the said corporation and their successors aforesaid, at all times hereafter shall be able and capable to purchase, have, receive, take, hold and enjoy in fee simple, or of any less estate or estates, any lands, tenements, rents, annuities, liberties, franchises and other hereditaments by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation or devise of any person or persons, bodies politic and corporate capable and able to make the same and further that the said corporation may take and receive any sum or sums of money and any manner or portion of goods and chattels that have or shall be given and bequeathed to them by any person or persons, bodies politic and corporate capable and able to make a bequest or gift thereof, such money, goods and chattels to be laid out by them in a purchase or purchases of lands, tenements, messuages, houses, rents, annuities or hereditaments to them and their successors forever, or the money lent on interest or otherwise disposed of according to the true intention of the donors.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That the rents, issues, profits and interests of the said real and person estate of the said church and corporation shall by the said trustees and their successors from time to time be applied for the maintenance and support of the pastor of said church for and towards the relief of the poor in communion of the said church and in repairing the house of public worship, burial ground, parsonage house or

other houses which now do or hereafter shall belong to the said church and corporation.

[Section IV.] (Section V. P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors shall not by deed, fine or recovery or by any other ways or means, grant, alien or otherwise dispose of any [manors] messuages, lands, tenements, or hereditaments in them or their successors vested or hereafter to be vested nor charge nor encumber the same to any person or persons whatsoever without the consent and approbation of a majority of the congregation then met, first had and obtained.

(Section VI. P. L.) Provided nevertheless, That no deed or other conveyance made by the said corporation or their successors, bona fide and for a valuable consideration for any part of the real estate of the said church and congregation in case the possession thereof pass immediately to the purchaser or purchasers and continue in him, her or them, his, her or their heirs or assigns shall be called in question for want of the consent of the majority of the regular members of the said congregation unless the same be questioned within seven years from and after the sale and delivery of possession of such real estate to the purchaser or purchasers thereof.

[Section V.] (Section VII. P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors or a majority of them met from time to time after public information given the preceding Lord's Day, commonly called Sunday from the desk or pulpit of the said church, immediately after divine service, before the congregation are dismissed or after regular notice in writing at the house of each trustee and the particular business inserted therein at least one week before be authorized and empowered and they are hereby authorized and empowered to make by laws and ordinances, and to do everything needful for the good government and support of the secular affairs of the said church.

(Section VIII. P. L.) Provided always, That the said by-laws, rules and ordinances, or any of them, be not repugnant to the laws of this commonwealth, and that all their proceedings be regularly and fairly entered into a church book to be

kept for that purpose, and also that the said trustees and their successors by a majority of voters of any five or more of them when met as aforesaid after such information or notice as aforesaid, be authorized and empowered to elect and appoint from among themselves a president and also to elect and appoint from among themselves or others a treasurer and secretary, and the same president, treasurer and secretary, or any of them at their pleasure to remove, change, alter and continue as to them or a majority of any five or more of them so met as aforesaid, from time to time shall seem to be most for the benefit of the said church and corporation.

[Section VI.] (Section IX. P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors shall have full power and authority to make, have and use one common seal with such device and inscription as they shall think proper and the same to break, alter and renew at their pleasure.

[Section VII.] (Section X. P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors by the name of "The Trustees of the Presbyterian Church in Donegal Township in the County of Lancaster," shall be able and capable in law to sue and be sued, plead and be impleaded in any court or courts, before any judge or judges, justice or justices in all and all manner of suits, complaints, pleas, causes, matters and demands of whatsoever nature, kind or form they may be, and all and every matter and thing therein to do in as full and effectual a manner as any other person or persons, body politic and corporate within this commonwealth may or can do.

[Section VIII.] (Section XI. P. L.) And be it further enacted by the authority aforesaid, That the said corporation shall always consist of nine members called and known by the name of "The Trustees of the Presbyterian Church in Donegal Township in the County of Lancaster." And the said members shall at all times hereafter be chosen by ballot by a majority of such members met together of the said congregation, as are stated worshippers with the said church and have paid the sum of ten shillings yearly towards the support of the said church,

and shall not at any time of voting be more than one year in arrear for the same.

[Section IX.] (Section XII. P. L.) And be it further enacted by the authority aforesaid, That the said first and present trustees hereby incorporated shall be and continue trustees aforesaid until they be removed in manner following, that is to say; that all and every of the trustees herein first named and appointed shall cease and discontinue and their appointment determine on the second Tuesday of May which shall be in the year of our Lord one thousand seven hundred and eighty-seven, upon which day a new election shall be had and held of so many others in their stead and place by a majority of the persons met and qualified, agreeable to the true intent and meaning of this act to vote and elect as aforesaid yearly and every year forever.

(Section XIII. P. L.) Provided always, That the same trustees or any of them may be re-elected at such elections. And if by any accident an election shall not be held on said days, they shall continue trustees until an election shall be made at some future day by them to be appointed so that the same be within one month thereafter.

[sic.] (Section XIV. P. L.) Provided also, That the pastor of the said church for the time being, shall be entitled to vote equally with any member of the said church or congregation.

[sic.] (Section XV. P. L.) And provided also, That all and every person or persons qualified [as aforesaid] to vote and elect shall and may be capable and able to be elected trustees aforesaid.

And when any vacancy shall happen by the death, refusal to serve or removal of any one or more of the trustees aforesaid, pursuant to the directions of this act, an election shall be held of some fit person or persons in his or their stead so dying, refusing or removing, as soon as conveniently can be done; and the person or persons so elected shall be, remain and continue as a trustee or trustees aforesaid so long without a new election as the person or persons in whose place and stead he or they shall have been so elected as aforesaid would or might have continued and remained and no longer; and that in all cases

of a vacancy happening by the means in this act last mentioned the remaining trustees shall be empowered to call a meeting of the electors for supplying the said vacancy, such meeting to be notified and published in like manner as hereinbefore is directed and appointed for notifying and publishing the meeting of the trustees.

[Section X.] (Section XVI. P. L.) And be it further enacted by the authority aforesaid, That the trustees when admitted to their office shall receive into their hands all the deeds, vouchers, papers or accounts relative to any lands, moneys, rents or effects belonging and due to said congregation and shall be accountable for the same during their continuance in office.

[Section XI.] (Section XVII. P. L.) And be it further enacted by the authority aforesaid, That upon the day of the annual election of trustees, three men, members of said congregation, shall be chosen by a majority of votes of the electors present as a committee of accounts to examine the conduct, papers and accounts of the trustees for the former year, and if this committee shall find that through the neglect or wilful mismanagement of said trustees the estate of the corporation hath been damaged the said trustees shall indemnify the congregation for the loss thereby sustained, and if the said trustees shall neglect or refuse to give a just and full account of their proceedings in every necessary article required by this committee with the space of one month after the day of the annual election they shall be subject to the penalty of one hundred pounds of lawful money of Pennsylvania for the use of said corporation.

[Section XII.] (Section XVIII. P. L.) Provided always and it is hereby enacted by the authority aforesaid, That the clear yearly value or income of the messuages, houses, lands, rents, annuities or other hereditaments or real estate of the said corporation shall not exceed the sum of five hundred pounds lawful money of Pennsylvania to be taken and esteemed exclusive of the moneys arising from the annual stated contributions belonging to the said church and also exclusive of the moneys arising from the opening of the ground for burials which said

money shall be received by the trustees and disposed of by them in the manner hereinbefore directed.

Passed September 11, 1786. Recorded L. B. No. 3, p. 134, etc.

CHAPTER MCCXXXIX.

AN ACT FOR CONFIRMING AND AMENDING THE CHARTER OF THE GERMAN REFORMED CONGREGATION IN THE BOROUGH OF LANCASTER IN THE COUNTY OF LANCASTER IN THE STATE OF PENNSYLVANIA.

(Section I. P. L.) Whereas the members of the corporation called and known by the name of "The Minister, Trustees, Elders and Deacons of the German Reformed congregation in the borough of Lancaster, in the county of Lancaster, in the province of Pennsylvania," by their petition have shown that on the sixteenth day of February in the year of our Lord one thousand seven hundred and seventy-one by the charter of the then proprietaries Thomas Penn and Richard Penn, esquires, they were incorporated by the name, style and title aforesaid:

And whereas the said congregation have not acted or proceeded under the said charter, and as doubts have arisen whether the said charter is now become forfeit by reason of non-user.

[Section I.] (Section II. P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the authority of the same, That the said corporation be confirmed and established as a body corporate and politic in law and in fact to have continuance for ever by the name, style and title of "The Minister, Trustees, Elders and Deacons of the German Reformed Congregation in the Borough of Lancaster, in the County of Lancaster, in the state of Pennsylvania," and the said corporation is hereby vested, confirmed and established in all and singular the estates, rights, privileges and immunities which to them in and by the said charter were granted and