

be packed in casks to contain as follows, viz: the barrel thirty-one gallons and an half wine measure, and the half barrel sixteen gallons:

And whereas it hath been represented to this house that casks of the before mentioned sizes are inconvenient for storage in vessels constructed chiefly for the purpose of carrying flour and are also larger than those used for the like purpose in other states, which disadvantages are not compensated by a proportionate price in foreign markets:

Therefore:

[Section I.] (Section II. P. L.) Be it 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 from and after the publication of this act the casks used for packing shad and herring designed for exportation shall contain as follows, to wit: the barrel twenty-eight gallons wine measure, and the half barrel fourteen gallons of wine measure.

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That so much and no more of the "Act to prevent frauds in the packing and preserving of shad and herring for exportation" as is hereby altered or supplied, be and the same is hereby repealed and annulled."

Passed March 5, 1787. Recorded L. B. No. 3, p. 168, etc.

CHAPTER MCCLXVI.

AN ACT FOR INCORPORATING THE GERMAN LUTHERAN CONGREGATION IN AND NEAR THE BOROUGH OF LANCASTER IN THE STATE OF PENNSYLVANIA.

(Section I. P. L.) Whereas the congregation of the German Lutheran Church in the borough of Lancaster have prayed that their said congregation may be incorporated and by law enabled as a body politic and corporate to receive and hold such charitable donations, bequests, grants and enfeoffments as have been

or that hereafter may be made to their said society and vested with such powers and privileges as are enjoyed by other religious societies who are incorporated in this state:

And whereas this house is disposed to exercise the powers vested in the legislature of the commonwealth for the encouragement of pious and charitable purposes:

[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 Henry Muhlenberg, the present Minister of the said Congregation, Bernard Hubley, Ludwig Lauman and Michael Hubley, the present trustees, Matthias Slough, George Musser, Jacob Krug, George Adam Lindenberger, Michael Musser, Christian App, John Hubley, Paul Zantzinger and Melchior Rudisill the present elders, Ludwig Heck, John Blottenberger, Michael App, Charles Heinitsh, Stophel Heger and John Burg, the present church wardens, and their successors duly elected and appointed in such manner as hereinafter is directed, be and they are hereby made, declared and constituted to be a corporation and body politic and corporate in law and in fact to have continuance forever by the name, style and title of, "The Minister, Trustees, Elders and Church Wardens of the German Lutheran Congregation in and near the Borough of Lancaster in the State of Pennsylvania." Provided always nevertheless, That the number of ministers may be increased and again diminished from time to time according to the circumstances or desires of the said congregation, in which case the name, style and title of the said corporation shall be "The Ministers, Trustees, Elders and Church Wardens of the German Lutheran Congregation in and near the Borough of Lancaster in the State of Pennsylvania."

[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 congregation and church now under the pastoral care of the aforesaid Reverend Henry Muhlenberg, or to any person or persons to their use or in trust for them, and the same lands, tenements, rents, annuities, liberties, franchises and other hereditaments and hereby vested and established in the said corporation and their successors forever according to the original use and intent for which such devises, gifts and grants, were respectively made, 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 at all times hereafter shall be capable and able to purchase, have, receive, take, hold and enjoy, in fee simple or of lesser estate and 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 and their successors may take and receive any sum or sums of money and any portion of goods and chattels that have been or hereafter shall be given or bequeathed to them, or to the said church by any person or persons, bodies politic or corporate, able and capable to make bequest or gift thereof, such money, goods or chattels to be laid out and disposed for the use and benefit of the aforesaid congregation agreeably to the intention of the donors.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That no misnomer of the said corporation and their successors shall defeat or annul any gift, grant, devise or bequest to or from the said corporation, provided, the intent of the party or parties shall sufficiently appear upon the face of the gift, grant, will or other writing whereby any estate or interest was intended to pass to or from the said corporation.

[Section IV.] (Section V. P. L.) And be it further enacted by the authority aforesaid, That the rents, profits and interests of the said real and personal estate of the said congregation and corporation by the said corporation and their successors from time to time be applied and laid out for the maintenance and support of the Gospel ministry in said congregation, for repairing and maintaining their church or churches (in case any more should be added to that already built) places of public worship, lots of land, burial grounds, parsonage houses, school houses, [or] other houses and buildings which now do or hereafter shall belong to the said congregation and corporation and such pious and charitable uses as shall be thought proper by the said corporation and their successors or a quorum of them.

[Section V.] (Section VI. P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors, shall not by deed or otherwise grant, alien, convey or otherwise dispose of any part or parcels of the estate- real or personal, in the said corporation vested or to be vested or charge or encumber the same to any person or persons whatsoever except by and with the consent of a majority of the regular contributing members of the said congregation convened for that purpose.

[Section VI.] (Section VII. 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 devise and inscription as they shall think fit and proper and the same to break, alter and renew at their pleasure.

[Section VII.] (Section VIII. P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors by the name of "The Minister, Trustees, Elders and Church Wardens of the German Lutheran Congregation, in and near the Borough of Lancaster in the State of Pennsylvania," or in case there shall be more than one minister belonging to the said congregation, by the name of "The Ministers, Trustees, Elders and Church Wardens of the German Lutheran Congregation, in and near the Borough of Lancaster in the State of Pennsylvania," shall be able and capable in law

to sue and be sued, plead and be impleaded in any court or before any judge or justice in all and all manner of suits, complaints, pleas, matters and demands, of whatsoever kind, nature and 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, bodies politic or corporate within this commonwealth may or can do.

[Section VIII.] (Section IX. P. L.) And be it further enacted by the authority aforesaid, That the said corporation, shall at all times hereafter, consist of the minister or ministers of the said congregation duly chosen from time to time and of three trustees, nine elders and six church wardens, and that the said trustees shall be, remain and continue during their respective lives, or so long as they shall continue to behave themselves conformably to the fundamental articles of the said congregation registered in their church books and not altered by this act and to the by-laws, rules and ordinances which shall or may be made in pursuance of the powers hereby given, and that one third part in number of the nine elders being the three first named and one third part in number of the church-wardens being the two first named of the said church-wardens shall cease and discontinue and their appointment determine on Easter Monday which will be in the year of our Lord one thousand seven hundred and eighty-seven, at which time a new election shall be had and held of an equal number in their stead and places by a majority of votes of the members met, and qualified to vote and elect according to the purport, true intent and meaning of the aforesaid fundamental articles and of this act, and on Easter Monday which will be in the year of our Lord one thousand seven hundred and eighty-eight, the second third part in number of the said remaining Elders and of the Church-wardens shall in like manner cease and discontinue and their appointment determine and a new election be had and held in like manner of [an] equal number in their places and stead, and on [the] Easter Monday which will be in the year of our Lord one thousand seven hundred and eighty-nine, the last third part in number of the said remaining Elders and of the church-wardens aforesaid shall cease and discontinue

and their appointment determine and a new election be had and held of an equal number in their places and stead in like manner, and that in the same manner and by the like mode of rotation one third part in number of the elders and of the church-wardens shall cease and discontinue and their appointment determine and a new election of the said third part be had and held in manner aforesaid on the Easter Monday in every year forever, so that no person or persons shall continue to be an elder or church-warden for any longer time than three years without being re-elected, but that the members of the said congregation qualified to vote as aforesaid shall and may be at liberty to re-elect any or more of the elders and church-wardens whose time shall have expired on the day of the said annual election whenever and so often as they shall think fit.

[Section IX.] (Section X. P. L.) And be it further enacted by the authority aforesaid, That whenever a vacancy shall happen by the death, refusal to serve or removal from office of any one of more of the trustees, elders or church-wardens, the said corporation shall have power at their discretion to appoint the time and place for electing others in their stead, whereof they shall give public notice to the congregation on the preceding Sunday, and that at the time and place so appointed some fit person or persons shall be elected in the place and stead of him or them so dying, refusing or being removed as aforesaid, and that the person or persons so elected to the office of trustee shall be, remain and continue during his or their respective lives or so long as he or they shall continue to behave him or themselves conformably to the fundamental articles of the said congregation not altered by this act, and to the by-laws, rules and ordinances which shall or may be made in pursuance of the powers hereby given, and that the person or persons so elected in the place and stead of any elder or church-warden shall be, remain and continue in office so long as the person or persons in whose place or stead he or they shall have been so elected would or might have continued.

[Section X.] (Section XI. P. L.) And be it further enacted by the authority aforesaid, That no person or persons shall be en-

titled to elect or be elected to office, who is not of the age of twenty-one years, and otherwise qualified thereto, agreeably to the fundamental articles of the said congregation, excepting the minister or ministers, who may, from time to time, be chosen or elected, by a majority of the trustees, elders, church-wardens and regular members of the said congregation to officiate in the said congregation.

[Section XI.] (Section XII. P. L.) And be it further enacted by the authority aforesaid, That whenever any circumstance or concurrence of circumstances shall happen to prevent the holding an election at the periods in this act before mentioned for trustees, elders, and church wardens, in stead and place of those whose appointment shall have ceased and determined an election shall be held as soon as conveniently can be done in the manner before directed and that the remaining members of the said corporation have power to call a meeting of the electors of the said congregation for such purposes.

[Section XII.] (Section XIII. P.L.) And be it further enacted by the authority aforesaid, That such and so many of the fundamental articles tending to the orderly and good government of the said church which are now in force and duly entered and registered in their church books as are not altered or repealed by this act and are not repugnant to the laws of this commonwealth shall be, remain and continue forever valid and effectual unless the same be altered by the consent of a majority of the members of the said congregation qualified to vote at elections according to the purport and meaning of said fundamental articles and this act.

Section XIII. (Section XIV. P.L.) And be it further enacted by the authority aforesaid, That the members of the said corporation shall and may from time to time as often as occasion may require, elect by vote or ballot from among their own number a president and vice-president agreeably to the fundamental articles aforesaid as they now are or shall be made pursuant to the foregoing section, that they may elect by vote or ballot a treasurer and secretary and may remove them at pleasure, that the president or vice-president for the time being or any three members of the said corporation shall be empow-

ered to call a meeting of the corporation when and so often as he or they shall find it to be necessary or shall be requested so to do by any six regular members of the said congregation, that the said corporation and their successors or a majority of eleven in number of them met and convened upon due notice given either in the church on the preceding sunday after divine service and before the congregation is dismissed or in any other convenient manner (which eleven shall be a quorum) shall be authorized and empowered and they are hereby authorized and empowered to make by-laws and ordinances and to do everything needful for the support and government of the said congregation.

Provided always, That the said by-laws, rules and ordinances or any of them be not repugnant to the laws of this commonwealth, and be duly published in the said church on the succeeding Sunday after they have been made and not dissented to by a majority of the regular contributing members of the said congregation within one week after such publication and also that all their laws and proceedings be fairly and regularly entered in the books of records of the said congregation.

[Section XIV.] (Section XV. P.L.) And be it further enacted by the authority aforesaid, That the said congregation shall and may be empowered at any time or times hereafter to build one or more church or churches or places of public worship in addition to the one already built and that the clear yearly value of the messuages, houses, lands, tenements, rents, annuities, and either hereditaments and real estate of the said corporation shall and may be of any amount not exceeding the sum of five hundred pounds gold or silver money at the present current value thereof in the commonwealth of Pennsylvania for each and every of the said churches or places of public worship, the said yearly value or amount to be taken and computed exclusive of the moneys arising from the letting of the pews of the said church or churches or for opening the ground for burials in the church yards belonging to them, and also exclusive of the voluntary contributions of the members for the support of their minister or ministers duly officiating in the said congregation, which yearly income of the said real

estate ascertained and limited as aforesaid shall be disposed of by the said corporation for the purposes hereinbefore described and directed.

Passed March 5, 1787. Recorded L. B. No. 3, p. 169, etc.

CHAPTER MCLXVII.

AN ACT TO EXONERATE AND DISCHARGE DAVID CLOYD LATE TREASURER OF STATE TAXES IN AND FOR THE COUNTY OF CHESTER FROM THE PAYMENT OF TWO HUNDRED AND SEVENTY POUNDS NINE SHILLINGS SPECIE OF WHICH HE WAS ROBBED.

(Section I. P.L.) Whereas during the late war, and for some time after the peace was concluded this State was infested by bands of armed men who committed divers robberies and burglaries upon some of the good people thereof particularly upon the officers appointed for collecting the public revenues.

And whereas it appears to this house that the said David Cloyd was robbed of the sum of Two Hundred and Seventy Pounds Nine Shillings Specie the same evening on which he received from several collectors the sum aforesaid, by which circumstance it was wholly out of his power to send the same to the state treasury or to any other place of security.

And whereas the said David Cloyd hath by petition applied to this house to be exonerated and discharged from the payment of the said sum of two hundred and seventy pounds nine shillings specie of which he was robbed as aforesaid.

And whereas it appears just and right that he should be exonerated and discharged from the payment thereof:

Therefore:

[Section I.] (Section II. P. L.) Be it 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 David Cloyd, late treasurer of state taxes in and for the county of Chester, be and he hereby is acquitted, discharged, and forever exonerated from the pay-