

and examination of the general assembly and supreme executive council or either of them and of any committee or committees of them or either of them which shall or may be appointed to view the same.

Passed September 30, 1789. Recorded L. B. No. 4, p. 36. See the Act of Assembly passed April 1, 1790, Chapter 1506.

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#### CHAPTER MCDLXIV.

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AN ACT FOR INCORPORATING THE GERMAN LUTHERAN CONGREGATION WORSHIPPING AT THE CHURCH CALLED ZION IN PIKELAND TOWNSHIP IN THE COUNTY OF CHESTER.

(Section I, P. L.) Whereas the congregation of the German Lutheran church worshipping at the church called Zion in Pikeland township in the county of Chester 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 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 Ludwig Voigt, the present minister of the said congregation, John Hass, John Walter and Henry Christmen the present trustees, Nicholas Schneider, Conrad Herleman, Stephen Heilman, George Christman, Philip Miller and Henry Knerr, the present elders, John Fertich, Nicholas Lahr and George Emrich, the present deacons 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 Deacons of the German Lutheran Congregation worshipping at the church called Zion in Pikeland Township in the county of Chester." Provided always nevertheless, That the number of ministers may be increased and again diminished from time to time according to the circumstances or desire of the said corporation in which case the name, style and title of the said corporation shall be "The Ministers, Trustees, Elders and Deacons of the German Lutheran congregation worshipping at the church called Zion in Pikeland Township in the County of Chester."

[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 Reverend Ludwig Voigt 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 the original use and intent for which such devises, gifts and grants were respectfully 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, 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 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 congregation 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 unto them or to the said church by any person or persons, bodies politic or corporate able and capable to make a 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 shall 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 maintaining and repairing 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 parcel 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 whatso-

ever 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 device 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 Deacons of the German Lutheran Congregation worshipping at the church called Zion in Pikeland township in the county of Chester" or in case there shall be more than one minister belonging to the said congregation by the name of "The Ministers, Trustees, Elders and Deacons of the German Lutheran Congregation worshipping at the church called Zion in Pikeland township in the county of Chester," 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, six elders, and three deacons, and that the said trustees, elders and deacons shall be and continue until removed in the manner following that is to say, one third part in number of the trustees being the one first named, and one third part in number of the elders being the two first named and one third part in number of the deacons being the one first named, 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 ninety, 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 fundamental articles of the said congregation and of this act, and on Easter Monday which will be in the year of our Lord one thousand seven hundred and ninety one the second third part in the number of the said remaining trustees elders and deacons 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 Easter Monday which will be in the year of our Lord one thousand seven hundred and ninety-two the last third part in number of the said remaining trustees, elders and deacons 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 trustees of the elders and of the deacons 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 trustee, elder or deacon 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 one or more of the trustees, elders and deacons whose time shall have expired on the day of the said annual election whenever and so often 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 the trustees, elders or deacons, 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 or in the place and stead of any trustee, elder or deacon, 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 entitled to elect or be elected to office who is not a regular member of the said congregation and otherwise qualified there-to agreeably to the fundamental articles of said congregation excepting the minister or ministers who may from time to time be chosen or elected by a majority of the trustees, elders, deacons 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 circumstances or concurrence of circumstances shall happen to prevent the holding of an election at the periods in this act before mentioned for trustees, elders and deacons 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 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 now are in force and duly entered and registered in their church books as are not altered and 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 en-

acted by the authority aforesaid, That the members of the aforesaid 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 empowered 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 seven 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 seven shall be a quorum) shall be authorized and empowered to make by-laws and ordinances and 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 messuages, houses, lands, tenements, rents, annuities and other 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 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 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 September 30, 1789. Recorded L. B. No. 4, p. 28.

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#### CHAPTER MCDLXV.

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##### AN ACT TO ASCERTAIN THE SECURITY TO BE GIVEN BY THE TREASURER OF THE STATE FOR THE TIME BEING.

(Section I, P. L.) Whereas it is expedient from the large sums of money intrusted to the treasurer of the state that adequate security should be given for the faithful performance of the duties of his office.

[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 treasurer of the state already appointed and every treasurer of the state hereafter to be appointed before he shall enter upon the duties of his office shall become bound in an obligation with two or more sufficient sureties to be approved by the speaker of the house of general assembly for the time being in the sum of thirty thousand pounds lawful money of Pennsylvania conditioned for the true and faithful performance of the trusts and duties enjoined and required by law to be performed by such treasurer, and that all such obligations shall be taken in the name of the commonwealth and the execution thereof being the first duly proved shall be entered of record in the office of