

before the court of common pleas in Adams county, where said estate lies, that all the money arising from the sales authorized by this act shall, after paying the debts, be so disposed of by them, as will be most for the interest of the heirs of the said James Black, a lunatic.

Passed February 25, 1801.

CHAPTER MMCXCVIII.

AN ACT EMPOWERING THE MINISTERS, VESTRY-MEN AND CHURCH WARDENS OF THE GERMAN LUTHERAN CONGREGATION, IN AND NEAR THE CITY OF PHILADELPHIA, TO CONVEY BY DEED OF GIFT, THE CHURCH AND GLEBE LAND, WITH THE APPURTENANCES, KNOWN BY THE NAME OF BARREN HILL CHURCH, SITUATE IN THE TOWNSHIP OF WHITE MARSH, IN THE COUNTY OF MONTGOMERY, TO CERTAIN PERSONS THEREIN NAMED.

Whereas the ministers, vestrymen and church wardens of the German Lutheran congregation, in or near the city of Philadelphia, by their memorial, have represented to the legislature, that about the year one thousand seven hundred and fifty-nine, a church or house of worship was built at Barren Hill, in the township of White Marsh, then in the county of Philadelphia, but now in the county of Montgomery, by the German inhabitants of Barren Hill and its neighborhood, professing to be Lutherans, on a piece of land bought of Philip Sharp, and which was afterwards conveyed to the said memorialists, as hereinafter mentioned. That in erecting said church, debts had been incurred to the amount of about seven hundred pounds, which the said congregation at Barren Hill was unable to discharge; that upon the same having been made known to a certain person in Germany, to whom was intrusted the distribution of a certain legacy, bequeathed by Count Solms, to be applied to certain charitable and religious purposes in Pennsylvania, he had directed that the said debts should be discharged out of the said legacy in expectation that the said congregation at Barren Hill would be enabled to

repay the same at some future day. That thereupon the said debts had been accordingly paid and discharged out of the aforesaid legacy, by the late Reverend Henry Muhlenberg, D. D., at that time one of the ministers of the Lutheran congregation at Philadelphia, and a member of the corporation thereof, and also one of the attorneys of the director of the said legacy. That upon the said debts having been so paid Philip Sharp, of White Marsh aforesaid, yeoman, and Eva his wife, by indenture under their hands and seals, duly executed, bearing date the eleventh day of October, Anno Domini one thousand seven hundred and sixty-six, and recorded in the office for recording of deeds, &c., for the city and county of Philadelphia, in Book I, Vol. 8, page 394, had granted and conveyed the tract or piece of land whereon the aforesaid church is erected, by the following description, to wit: A certain tract or piece of land situate in the township of White Marsh aforesaid, beginning at a stone, a small distance from the road called the Ridge road, and running the following courses, north forty degrees west six perches two-tenths and one-half of a tenth part of a perch; thence south sixty degrees fifteen minutes west twenty-four perches and two-tenths parts of a perch; thence south forty degrees east five-tenths; thence north seventy-three degrees east twenty-six perches to the place of beginning; containing eighty perches of land, together with the appurtenances unto the said memorialists, by the name, style and title they then bore, to wit: The Rector, Vestrymen and Churchwardens of the German Lutheran Congregation, in and near the city of Philadelphia, in the Province of Pennsylvania, in fee simple. That although the said premises had been so as aforesaid granted and conveyed to the said memorialists in fee simple, the said memorialists were in no wise interested therein, nor had they paid any consideration therefor, but had conceived the same vested in them, in trust, for the director and trustees in Europe, of the aforesaid legacy. That some time after, to wit, on the fourteenth day of January, Anno Domini one thousand seven hundred and seventy-one, the said memorialists had executed a lease for ninety-nine years, of the said church and glebe land, to certain persons in England and Germany, among whom were the directors and the then trustees

in Europe, of the said legacy, in trust, that they and their assigns, should permit and suffer divine service, agreeably to the doctrine and rites of that branch of protestants called Lutherans, to be celebrated in the said church. That the said congregation at Barren Hill were unable to repay the moneys which had been so paid or advanced for them, and not considering the said church to be their own, they had suffered it to go to ruin. That these things having been communicated to the said lessees, director and trustees, in Europe, of the said legacy, they had directed that the said lease should be given up to the said memorialists and canceled (which they state to have been done) and that the said memorialists should grant and convey the said church and glebe land to the said congregation at Barren Hill, in gift in fee simple. That the said congregation at Barren Hill have elected Henry Katz, Leonard Kolb, and John Heins, three of their members, as trustees, and are desirous that the said church and glebe land be conveyed to them, in trust for the said congregation. That according to their charter of incorporation, the said memorialists cannot grant, alien, or otherwise dispose of any real estate vested in them. That agreeably to one of the fundamental articles of the congregation the said memorialists cannot carry any matter of weight into effect, without the consent of two-thirds of the members of the congregation being first obtained. That the said memorialists, being unanimously desirous of making application to the legislature, for an act authorizing them to convey the aforesaid premises, in manner required of them; but not having authority to make such application, without the consent of two-thirds of the congregation as aforesaid, the said proceedings had been duly communicated to the congregation, who had been at the same time legally noticed to meet on Thursday, the twenty-ninth day of January last, in the vestry room of the congregation, and signify, by ballot, their approbation or disapprobation of the said memorialists making such application to the legislature. That accordingly, on the said twenty-ninth day of January, a meeting of the congregation had been had for the aforesaid purpose, when, upon counting the votes, it had appeared that the congregation were unanimously in favor of the said memorialists making such application; the said memorialists therefore praying

the legislature to enact a law authorizing the said memorialists to convey the aforesaid church and glebe land, with the appurtenances, in gift, unto the said Henry Katz, Leonard Kolb, and John Heins, as joint tenants in fee simple, in trust for the use of the said German Lutheran congregation at Barren Hill aforesaid. And whereas it appears just and right that the prayer of the memorialists be granted. Therefore:

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful to and for the ministers, vestrymen and church wardens of the German Lutheran congregation, in and near the city of Philadelphia, in the state of Pennsylvania, by good and sufficient deed or deeds, or by any other instrument of writing, to grant, convey and assure, as a gift, the aforesaid Barren Hill church and glebe land, with the rights, members, privileges and appurtenances, unto Henry Katz, Leonard Kolb, and John Heins, the trustees aforesaid, their heirs and assigns forever, as joint tenants, in trust for the use of the German Lutheran congregation at Barren Hill aforesaid.

Passed February 25, 1801.

CHAPTER MMCCXCIX.

AN ACT ALTERING CERTAIN ELECTION DISTRICTS IN THE COUNTIES OF MIFFLIN AND CENTRE.

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That, from and after the passing of this act, the electors of Lack township district, in the county of Mifflin, shall hold their general elections, at the merchant mill of Doctor Thomas Laughlin, in the town of Waterford, in said district.