

cient public notice of the same, the one undivided fourth part of a certain lot of ground in the said borough, bounded on the south by Penn street, on the north by a twenty feet alley, on the east by a lot of Henry Goodhart, and on the west by a lot of — Baum, being in front on Penn street, sixty feet in breadth, and two hundred and thirty feet in depth: *Provided*, That before the said sale shall be confirmed, and the deed given, the same shall be approved by the orphans' court of Berks county: *And provided also*, That before the same be approved, the said Thomas M. O'Brien shall give bond, with two sufficient sureties, to be approved by said court, conditioned for the faithful appropriation of the proceeds of sale under direction of the said orphans' court.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM BIGLER,

Speaker of the Senate.

APPROVED—The fourteenth day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 72.

AN ACT

To incorporate the Evangelical Lutheran congregation of the borough of Lebanon and its vicinity.

Preamble.

WHEREAS, Divers members of the Evangelical Lutheran congregation, of the borough of Lebanon and its vicinity, have prayed for an act of incorporation for the better management of their affairs; therefore,

Corporators.

SECTION 1. *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 Jacob B. Weidman, George W. Klein, John Weidman, Edward A. Uhler, Anthony S. Ely, Henry Derr, Andrew Reinoehl, Levi Uhler, William Ritscher, George Waltz, Henry Zimmerman, John Seagrist, John G. Snaveley, Abraham Shenk, Jacob Swartz, Jonas Mohr, John Lowry, David Fox, John Reinoehl, Abraham Hostetter, Michael Lauser, Joseph Zimmerman, junior, Andrew Fasnacht, Charles Fox, Levi Schools, Henry S. Zimmerman, Henry Rohland, William Derr, Leonard Zimmerman, George Derr, John Fox, senior, Orth Light, George Smith, junior, Cyrus Zimmerman, Henry Karmony, Cyrus Doebler, John Ditz, John Artz, William Smith, Henry Lowry, George Brooks, Henry Emrick, Charles Brotherline, John Stains, Edward L. Shulze, George Shott, G. S., Frederick Embrich, Frederick Beckley, Joseph Dailey, Jonathan Walter, Cornwall, Joseph Weaver, William Coleman, John P. Sanderson, Christian Henry, Jonathan Ruthrauff, Christian Snaveley, John Uhler, Cyrus K. Snaveley, Levi Kline, John Fees, Jacob Readell, Henry Hixenheiser, John Heim, Joseph Zimmerman, Israel

Karch, Henry Rise, Peter Zimmerman, Emanuel Bentz, Jacob Mohr, George Fauber, Jacob Garde, Peter Shott, Peter Fauber, Henry Fauber, Henry B. Oves, Lantz Hitz, Benjamin Moore, John H. Fox, Charles Reinoehl, Peter Strickler, Augustus Reinoehl, John George, Jacob Stoever, Henry Hauser, Joseph Stoever, Conrad Keim, John McCloud, Michael Wagner, Michael Hoffman, David Karmany, Adam Rise, junior, William Reinoehl, Michael Zimmerman, Samuel Lutz, John Phraner, Jacob Miller, Simon U. George, George Frysinger, John H. Elliotdein, John Shott, Gottlieb Kreider, Joseph H. Uhler, and George Snavoley, Conrad R. Shindle, Peter Hess, members of the said congregation, and their successors, be and they are hereby created one corporation and body politic in law, by the name and style of "the Evangelical Name. Lutheran congregation of the borough of Lebanon and its vicinity."

SECTION 2. That the said corporation, by the same name and style, shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in all courts of law and elsewhere; and shall be able and capable in law and in equity, to take, purchase, hold and receive, to them and their successors, in trust for and to the use of the said congregation, lands, tenements, goods and chattels, of whatsoever kind, nature or quality, real, personal or mixed, which is now or shall or may at any time hereafter become the property of the said congregation, or be held for the use of the said congregation, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person or persons whomsoever, capable of making the same; and the same to grant, bargain, sell, mortgage, improve or dispose of for the use of the said congregation, if necessary, to erect or enlarge any building or buildings, for the purpose of worship, residence of the pastor or other purpose, consistent with the advancement of religion, as may be directed by a majority of such persons as are qualified to vote by the fourth section of this act, that may be present at a meeting to be held for that purpose; of which said meeting, at least two weeks notice shall be given from the pulpit, or in any other public manner the trustees, or a majority of them, shall direct; and generally adopt all such measures, and do all and singular, such matters and things as may be lawful to be done for the well being and due management of the said church and congregation: *Provided*, That the yearly value or income of the said estates shall not at any time exceed three thousand dollars. Powers and privileges.

SECTION 3. The business of the said corporation shall be conducted by nine trustees, of whom five shall be a quorum, who shall choose from among their number a president and secretary, and appoint a treasurer, who shall receive and account for all moneys coming into his hands belonging to the corporation; shall give ample security, on his accepting the office, and shall have his accounts annually settled by the trustees, to be laid before and approved of by the congregation, at their annual election of trustees; and may appoint such other officers as the said trustees, or a majority of them, may from time to time deem necessary, for the better government of the secular affairs of the said congregation. Trustees.
Quorum.
Officers.

SECTION 4. The following named persons shall be trustees until others are or shall be elected as is hereinafter provided, viz: Joseph Zimmerman, Jacob B. Weidman, George W. Kline, John George, Jacob Readel, Jacob Stoever, Leonard Zimmerman, Henry Derr and Peter Shott, to continue in office until the last Saturday in December, Anno Domini, eighteen hundred and forty-four, on which day the male members of the said congregation, qualified to vote by the fourth section of this act, shall elect nine persons to serve as trustees, three of whom shall serve First trustees.

Election & classification of trustees. three years, three two years, and three one year, the term of service to be designated by the electors on their ballots, and their places respectively shall be supplied at the annual election to be held for that purpose on that day in every year thereafter, by the election of three persons to serve for three years : *Provided*, That in case of vacancy by death or otherwise, the remaining trustees shall appoint a person or persons to supply the same until the next election : *And provided, further*, That no person shall be eligible as a trustee unless he is a citizen of this commonwealth, and has participated in the Lord's supper, according to the formula for the government and discipline of the Evangelical Lutheran church, within one year, unless prevented by sickness or absence, or is an original member of this corporation, or a male child of such original member of full age, the ancestor being deceased, and professing the tenets and doctrines of the Evangelical Lutheran church, and shall have paid his contribution toward the discharge of the annual expenses of the congregation, according to his ability within one year : *And provided, further*, If the congregation neglect on the day of the annual election to hold their election as is herein directed, the said corporation shall not be dissolved ; but a majority of the trustees remaining in office may appoint any subsequent time not exceeding one month, at which the election may be held to supply vacancies, of which time and place at least two weeks notice to the congregation shall be given by announcement from the pulpit, or in any other public manner a majority of the remaining trustees may direct.

Proviso.

Qualification of trustees.

Proviso.

Membership. SECTION 5. Any male member of the said congregation who shall have participated in the Lord's supper, according to the formula for the government and discipline of the Evangelical Lutheran church within two years, unless prevented by sickness or absence, or who shall be an original member of the corporation, or the male child of such original member of full age, the ancestor being deceased, and professing the tenets and doctrines of the Evangelical Lutheran church, and shall have paid contribution toward the discharge of the yearly expenses of the congregation, according to his ability, within one year, and no others shall be entitled to vote at the elections of the said congregation, of all which elections, at least two weeks notice shall be given, by announcement from the pulpit, or in any other public manner a majority of the trustees may direct.

Council. SECTION 6. The church council shall consist of the pastor, for the time being, six elders and six deacons, who shall be elected at the annual election to be held by the corporation on the last Saturday in December, in every year ; three elders and three deacons to serve for two years, and three elders and three deacons to serve for one year, the term of service to be designated by the electors on their ballots, and their places respectively shall be supplied by the election of the requisite number of elders and deacons, at the annual election happening at the time of the expiration of their respective terms of service to serve for two years : *Provided*, That in case of vacancy by death or otherwise, the remaining members of the church council, or a majority of them, shall appoint a person or persons to supply the same until the next election.

Elders and deacons.

Classification.

Pastor invited and elected. SECTION 7. The pastor of the congregation shall be invited by the church council or a majority of them, and being approved of by them, or a majority of them, shall be elected by ballot by a majority of such persons as are qualified to vote by the fourth section of this act, that may be present at a meeting to be held for that purpose, after two weeks notice given as directed in the fourth section of this act.

SECTION 8. The pastor of the congregation may be discharged from his office by a majority of such persons as are qualified to vote by the fourth section of this act, who may be present at a meeting to be held for that purpose, and to be called by the church council upon the written request, stating the object and design to be for that purpose, of thirty persons qualified to vote as aforesaid, at which meeting the vote shall be taken by ballot by the president and secretary of the board of trustees, and two weeks notice of the time and place of said meeting shall be given as directed in the fourth section of this act. Discharged.

SECTION 9. That the pews which may be put up in the church about to be erected by the said congregation, shall be annually drawn for by such of the male and female members of the congregation, and all persons qualified to vote by the fourth section of this act, as may desire to do so on the day of the annual election for trustees, by placing a sufficient number of tickets, each having the number of a pew inscribed thereon, in a box or other convenient receptacle, from whence they shall be drawn by the said members and voters, and the full and entire property of the pew numbered with the number which shall be drawn by a member, shall be in him or her until the next annual drawing: *Provided*, That the trustees may at any time propose a plan for disposing of the pews in a different manner, which shall have the same force and effect as if herein enacted, if approved of by two-thirds of such persons as are qualified to vote by the fourth section of this act, who may be present at an election, by ballot, to be held for that purpose, of which election two weeks notice shall be given, as provided in the fourth section of this act. Pews.

SECTION 10. The said corporation and its successors shall have power at all times to adopt, alter, amend, and enforce such rules for the discipline of its members as shall be sanctioned by two-thirds of the members thereof, at an election to be held by ballot, of which election two weeks notice shall be given, according to the provisions of the fourth section of this act; but such rules for the discipline of its members shall not in any manner interfere with, alter, or affect the rights of any one qualified to vote by the fourth section of this act, nor of any one qualified to be elected a trustee by the third section of this act, nor contain any thing repugnant to the provisions of this charter, the constitution and laws of the United States, or of this commonwealth: *Provided*, That nothing in this act contained shall be so construed as to prevent the said corporation or its successors from expelling any member thereof, according to its rules for the discipline of the members thereof, and by such expulsion depriving him or her of all rights and privileges hereby granted. Rules. Expulsion.

SECTION 11. The said trustees, and their successors, or a majority of them, shall have full power to enact and enforce such by-laws and ordinances as they shall think proper, for their own government, and for the regulation and transaction of the secular business of the said corporation; and to make, use, and have a common seal, and the same to break, alter and renew at their pleasure; and shall have power, also, to change the time of holding the general election, if the same should be deemed advisable: *Provided*, That the same by-laws and ordinances, and all the acts of the said trustees, framed, enacted and promulgated, shall not be contrary to this charter, nor to the constitution of the general synod of the Evangelical Lutheran church in the United States of North America; nor to the formula for the government and By-laws. Seal. Proviso.

discipline of the Evangelical Lutheran church; nor to the constitution and laws of the United States, or of this commonwealth.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM BIGLER,

Speaker of the Senate.

APPROVED—The fourteenth day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 73.

A FURTHER SUPPLEMENT

To the act entitled "An Act relating to county rates and levies, and township rates and levies," passed the fifteenth day of April, one thousand eight hundred and thirty-four.

SECTION 1. *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 the duty of the supervisors of the highways, of every township and borough in the counties of Schuylkill, Northumberland and Carbon, annually, to select one of their number, or appoint some suitable inhabitant of the township or borough, to be collector of the road taxes levied or assessed for such township or borough; which supervisor, or other person appointed collector as aforesaid, shall give bond, with two or more sufficient securities, to be approved by the township or borough auditors, and deposited with them; which said bond shall be in the name of such township or borough, and the condition thereof shall be, that such collector shall well and truly collect and pay over to the township or borough treasurer, if one be elected or appointed, and if not, then to the supervisors, or account for according to law, the whole amount of the taxes charged and assessed, in the duplicate delivered to such collector: *Provided,* That nothing herein contained shall be construed to prevent all persons rated for road taxes, from working out their respective taxes, in the manner now provided by law.

Schuylkill county

Northumberland county.

SECTION 2. That it shall and may be lawful for the electors of every township and borough in the counties of Schuylkill and Northumberland, annually, at the time and place of electing supervisors, to elect a township or borough treasurer, who shall give such bond, and perform such duties, and be subject to the like penalties, as are provided for in the ninety-fifth, ninety-sixth, ninety-seventh and ninety-eighth sections of act of the fifteenth of April, one thousand eight hundred and thirty-four, entitled "An Act relating to counties and townships, and county and township officers."

Bucks county.

SECTION 3. In lieu of the commissions and per centage now by law allowed to collectors of state, county, township and school tax, in the county of Bucks, the said collectors shall be allowed and permitted to retain as compensation for their services, three per cent. on the amount collected, and no more.