

No. 299.

AN ACT

To authorize the school directors of the borough of Columbia district, Lancaster county, to borrow money for school purposes; to incorporate the German Reformed church of Lancaster; and relative to the assessment of machinery in the county of Delaware.

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 the board of school directors of the Columbia borough district, in the county of Lancaster, be and they are hereby authorized and empowered to borrow any sum or sums of money not exceeding in the whole more than one thousand five hundred dollars, at any rate of interest not exceeding six per cent. per annum, for the payment of the debts of said school district, and for the improvement of the school houses and grounds attached to the same, of the said school district; and it shall and may be lawful for the board of directors of said school district, to secure the money so borrowed by bond of said directors, and mortgage upon the real estate of said school district, or otherwise as said directors may direct.

Board of school directors of the borough of Columbia authorized to borrow money.

SECTION 2. That the said board of school directors and their successors in office, are hereby authorized and empowered to lay an increased taxation each and every year, as long as it may be necessary, over and above the limit of taxation for school purposes fixed by the present or any subsequent law, so as to raise the sum of two hundred dollars, to be specially pledged for the payment of the interest on said loan, and to provide a sinking fund for its eventual liquidation.

Increase taxes.

SECTION 3. That the reverend N. A. Keys, the present minister, Peter Long, David Longenecker and P. K. Breneman, the present trustees, Daniel Heitscher, Abraham Cole, Jacob L. Hoffmeier and Christian Gast, the present elders, and George Spurrier, Joseph Welchans, Henry Metzger, Charles M. Erben, David King and George Gundaker, junior, the present deacons, and their duly elected and appointed successors in office, as hereinafter required, together with the communicant members of the German Reformed church of the city of Lancaster, whose stated religious services are now and shall continue to be conducted in the English language, and their successors, shall be and they are hereby created and erected into one body politic and corporate, in deed and in law, by name, style and title of "The minister, trustees, elders and deacons of the German Reformed church of the city of Lancaster," and by the same name shall have perpetual succession, and be able and capable in law to sue and be sued, plead and be impleaded, in any court of law or equity in this state, and to make and have a common seal, and the same to break, alter or renew at their pleasure, and to take, purchase, hold and receive, to them and their successors in trust for, and also, to the use of the said congregation, any lands, tenements, goods and chattels, of whatsoever kind, nature or quality, real, personal or mixed, which are now or shall or may at any time hereafter become the property of the said congregation or body politic, by purchase, gift, grant, bargain, sale, conveyance, devise, bequest

Corporators.

Style.

Privileges.

or otherwise, from any person or persons whomsoever capable of making the same, and the same to grant, bargain, sell, improve, or dispose of for the use of the said congregation, as may be hereinafter directed and authorized, and generally to adopt and do all such matters and things as may be lawful to be done for the well being and due management of the said congregation; and the said minister, trustees, elders and deacons, shall have full power and authority to ordain and establish such by-laws, ordinances, rules and regulations as shall be necessary and proper for regulating the temporal concerns of the said congregation, and for promoting religion in the same: *Provided*, They be not repugnant to the constitution or laws of this state or of the United States: *And provided further*, That the same shall be in conformity with the constitution, rules and principles of the German Reformed church in the United States of North America: *And provided also*, That the clear yearly value or income of the estates of the said corporation shall not at any time exceed the sum of three thousand dollars, and shall not be used for any other than benevolent or religious purposes.

By-laws.

Proviso.

Trustees, elders
and deacons.

SECTION 4. The business of the said corporation shall be conducted by one minister, three trustees, four elders and six deacons, who shall be called the consistory, and be elected and chosen in the manner hereinafter provided for; and whenever a majority of the members of the congregation, at any congregational meeting to be held for such purpose, and of which due notice shall be given, shall, by resolution, determine upon increasing the number of elders to six, such additional number shall be voted for at the next annual election, for such term and period as may be fixed and arranged by an ordinance to be enacted by the consistory for said purpose; and such additional elders, when elected, shall be admitted to and have all the rights, powers and privileges of original members of the consistory.

Consistory.

SECTION 5. That the Rev. N. A. Keyes, the present minister, Peter Long, David Longenecker and P. K. Breneman, the present trustees, Daniel Heitscher, Abraham Cole, Jacob L. Hoffmeier and Christian Gart, the present elders, and any additional elders, if any there be, elected *elect* hereafter, and George Spurrier, Joseph Welchans, Henry Metzger, Charles M. Erben, David King and George Gundaker, Jr., the present deacons, and their duly elected and appointed successors in office, as hereinafter provided for, are hereby confirmed, constituted and appointed to be and forever remain the officers of the said congregation, and shall always be called and known as the consistory of the said church; and shall serve for the several terms and periods of three years and less, for which they were severally chosen, according to the arrangement entered in the records of the church aforesaid.

Regulations, or-
dinances, &c.

SECTION 6. All regulations and ordinances made, enacted and ordained in relation to the congregation, as provided for in the first section of this act, shall be published from time to time as enacted on the same occasion of public worship thereafter; and all the property, real, personal or mixed, to be taken and held by the said consistory and their successors, and by the said congregation, shall be taken and held according to the stipulations of the charter of the First German Reformed church.

Consistory, pow-
ers of.

SECTION 7. The said consistory shall have full power and authority at any time to borrow money on bonds, notes or mortgages, for any amount not exceeding the sum of one thousand dollars in the aggregate; but for any sum required above that amount, the consent of the members of the congregation shall be first had and obtained by a resolution to be adopted at a meeting to be called on due notice for that purpose,

and a certificate thereof entered on the church records : *Provided*, That it shall always be the duty of the consistory to make a report in writing, on the day of the annual election for church officers, of the financial condition of the congregation, specifying the receipts and expenditures of the financial year then closing.

SECTION 8. All elections shall be by ballot, and the members of the said corporation shall, on the first Tuesday in February, A. D., 1851, and on the same day annually thereafter, (so long as four elders shall be deemed a sufficient number,) elect an elder to serve four years, (and when it is decided by the congregation, as hereinafter provided, to to place six elders in office, then two elders, each to serve three years,) two deacons and one trustee, to serve three years; and whenever any vacancy shall occur by death, resignation or removal, the remaining members of the consistory shall supply such vacancy, to continue until the next annual election, when a candidate shall be elected for the unexpired term of the person so deceased, resigning or removing; but no person shall be elected to or hold the office of elder, deacon or trustee, who is not at least twenty-one years of age, a member of the German Reformed church, and entitled to vote at all elections under this act of incorporation; and nothing in this act shall be so construed as to prevent any officer from being re-elected to the same office at any election of said corporation; but should any ten or more members of the church, within ten days after any vacancy occasioned as aforesaid, by death, resignation or removal as aforesaid, present a written request signed by them to the consistory, requesting a meeting of the congregation for that purpose, the consistory shall appoint such meeting for the holding of an election to supply such vacancy.

SECTION 9. The time for entering upon official duties shall be immediately upon installation or induction into office, according to the forms of the German Reformed church of the United States of North America, and which, whenever practicable, shall be on the Sunday next succeeding the election.

SECTION 10. In the election of a minister, the consistory shall first select the candidate, but in no case shall the election be between two or more candidates at any one time; one candidate only shall be proposed by the consistory, and his case shall be finally disposed of before a second candidate is proposed.

SECTION 11. Every communicant male member of the German Reformed church, twenty-one years of age, connected with the said congregation, and all members of the consistory, shall have a right to vote at any elections for minister, trustees, elders and deacons, and on questions that may be submitted by the consistory to the congregation for their decision; and any pew-holder being a communicant member, who has paid his rent to the officers of the congregation regularly for the term of one year next immediately preceding such election or meeting, shall have a right to vote and participate in the deliberations of such meeting, in conformity with such rules and regulations as may be adopted by the consistory: *Provided*, That all such persons whose rents may be remitted by the consistory, shall nevertheless be permitted to vote at any such election and participate in any such meeting: *And provided further*, That male communicant members of the congregation shall have the right to vote at elections for officers, and on all other questions, at any time before the expiration of the first year.

SECTION 12. All male persons who after the adoption of this act of incorporation regularly attend divine worship with the said congregation, and pay pew rents for two successive years next immediately preceding an election, and shall contribute to the support of divine worship,

Annual elections.

First election of officers.

Election of minister.

Votes.

Proviso.

Further provision relative to voting.

and comply with the by-laws, rules and ordinances of the consistory, and in all other respects demean themselves as church members, although they are not communicants, shall be entitled to vote at elections for pastor and trustees, and on any question touching the property or merely temporal interests of the congregation: *Provided*, Such person or persons be not a member or members of another church, or of other churches; and persons of the character above specified who are not members, who have been and are now attending divine worship with the congregation hereby incorporated previous to the passage of this act, who comply with and continue to conform to the conditions specified in this section, shall enjoy the privileges granted in the same, and be permitted to participate in the transactions of the congregation, so far as specified, simultaneously with the members of the church: *Provided*, That if in the judgment of two-thirds of the members of the consistory the above privileges are abused, to the injury of the church, they shall lay the matter before the communicant voting members of the church, and in all cases where a majority of them so decide, the privilege shall be withdrawn.

Corporation not to be dissolved in consequence of failure to hold annual election.

SECTION 13. If the said congregation shall neglect, on the day and at the time of the annual election as is hereinafter directed, to hold such election as aforesaid, then said corporation shall not be dissolved, but the consistory may appoint any subsequent time, not exceeding four weeks from the time of the first notice, at which the election may be held: *Provided*, That in case the consistory should neglect or refuse to call a meeting for the purpose of holding an election as is directed in this act, then ten or more members qualified to vote as is herein provided for, may call a meeting for the purpose of holding such election, by giving two weeks' notice of the time, place and object of such meeting, in the manner prescribed in this act.

Charges against the character of officers elect to be made immediately, &c.

SECTION 14. If any objection of a serious nature shall be made against the character of any officer elect, and be presented in writing with any number of signatures attached thereto to the consistory, they shall immediately investigate and decide upon the case before such officer is installed; but an appeal may be made and had from this decision to the voting members of the church, if the objection be against an elder or a deacon elect, or to those entitled to vote for a trustee, if against a trustee elect; and if they, or a majority of them, as the case may be, respectively decide in favor of installing such officer elect, it shall be done, and if against it, then another candidate shall be elected.

Notices of elections.

SECTION 15. All notices of elections and meetings of the congregation shall be published from the pulpit on an occasion of public worship, or in such other way as the consistory shall direct; and in all cases a majority of the legal voters shall govern at meetings of the church or congregation; and all meetings of the church or congregation shall in the first place be called and ordered by the consistory; but if they refuse to call such meeting at any time upon the written request of any ten or more voting members of the church, any twenty or more members may appoint one without the consistory, and upon their own motion, by giving public notice thereof for at least two weeks previous to the holding of such meeting, either by publication from the pulpit during divine service, or by advertisement for two successive weeks in any English newspaper printed and published in the city of Lancaster.

Quorum.

SECTION 16. A majority of the acting consistory shall upon all occasions, and for the transaction of all business, constitute a quorum; and they shall appoint a secretary, who shall keep a full and complete record of all their proceedings, and also a treasurer, from one of the trustees, who shall take charge of all moneys belonging to the said corporation;

and all bonds, notes, judgments and mortgages to be given, made and executed, and all deeds for any real estate sold at any time, shall be made, signed, sealed, executed and delivered by the trustees alone, or a majority of them for the time being; and the consistory shall appoint all officers for superintending, holding and conducting all elections of the said corporation.

SECTION 17. That it shall be lawful for the assessors of the several townships of the county of Delaware, at the time of making the county assessments, to assess and value the machinery in all woollen and cotton manufactories, and make return thereof to the county commissioners of said county, as the returns of other assessments are made; and after said assessments have been adjusted, the same shall be included in the copy of the valuation of property made taxable for school purposes, and required to be furnished to the president and secretary of the said school districts; and the directors of the said school districts are hereby authorized and directed to levy the same rate of school tax on said assessment, as is laid on the assessments of other property of said district for school purposes: *Provided*, That the assessment of said machinery for the present year may be made any time before the first day of May, one thousand eight hundred and fifty.

Assessors of Delaware county authorized to assess and value machinery in manufactories.

SECTION 18. That the directors of the public schools of the townships of Radnor, Haverford and Upper Darby, in the county of Delaware, are hereby authorized to levy a sufficient amount of tax to enable them to keep their schools open during the whole year.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The ninth day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 300.

AN ACT

Authorizing the canal commissioners to investigate the claim of Margaret F. Brady, of Cumberland county.

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 the canal commissioners be and they are hereby authorized to examine and assess the damages claimed by Margaret F. Brady, for damage done