

Laws enacted in the Fourth Sitting of the Fifth General Assembly of the Commonwealth of Pennsylvania, which commenced at Philadelphia, on Tuesday, the fourth day of September, A. D. 1781.

CHAPTER CMXLIX.

AN ACT TO INCORPORATE THE GERMAN SOCIETY CONTRIBUTING FOR THE RELIEF OF DISTRESSED GERMANS IN THE STATE OF PENNSYLVANIA.

(Section I, P. L.) Whereas the arrival of Germans from Europe, and the numerous settlements made by them in Pennsylvania, have greatly contributed to the present wealth and strength of this state; and the means of encouraging these foreigners to come and settle among us, by removing or lessening their distresses in a new country, have, on sundry occasions, deservedly engaged the attention of the former government of this country:

(Section II. P. L.) And whereas a number of German inhabitants of the city of Philadelphia and its neighborhood by their humble petition to the general assembly of this state, have represented and shown, that some time in the year of our Lord, one thousand seven hundred and sixty-four, some of the petitioners and divers other persons, all Germans by birth or descending from Germans who had settled in this state, moved by the sufferings of their countrymen then newly arrived, formed themselves into a charitable society, under the name of "The German Society of Philadelphia, in the province of Pennsylvania," and by voluntary subscriptions and stated contributions from time to time supplied the poor, the sick and otherwise distressed Germans brought to the city of Philadelphia, and have aided and assisted such passengers as for want of

acquaintance with the language and laws of the country were in danger of being oppressed. Also, that some of the petitioners aforesaid have purchased two contiguous lots in the said city of Philadelphia, in order to build thereon for the reception and accommodation of their countrymen when need shall be. Also, that they have it in view to enlarge upon and further to extend the benefit of their first institution, by applying part of the fund of money in their hands, and which hereafter they may raise, for and towards other charitable purposes, such as to teach and improve poor children, both in the English and German languages, reading and writing thereof, and to procure for them such learning and education as will best suit their genius and capacities, and enable the proper objects to receive the finishing of their studies in the university established in the said city of Philadelphia; likewise to erect a library and to do any other matter or thing which, without any prejudice to other inhabitants of this state, in charity they might do for the relief and benefit of their own countrymen; wherefore, they have humbly prayed that they might be incorporated by a law for this purpose:

[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 Henry Keppeler, president; Lewis Weiss, vice-president; Lewis Farmer and Henry Leighouser, secretaries; Christopher Ludwick, Peter Ozeas, Andrew Burckhart, John Fritz, Peter Kraft and Melchior Steiner, overseers; Michael Shubart, treasurer; Henry Kammerer, solicitor; and William Lehman, deacon; the present officers of the said German Society, elected and chosen at the last meeting of the members of that society, on the twenty-sixth day of December last past, and their successors in the respective offices and all persons who have subscribed and hereafter shall subscribe the rules and regulations of the said society, and have continued, and shall from time to time continue to contribute towards the aforesaid charitable purposes of the said society, be, and they are hereby made and constituted a corporation and body politic in law and in fact to have continuance forever

by the name, style and title of The German Society contributing for the relief of distressed Germans in the state of Pennsylvania.

[Section II.] (Section IV, 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, liberties, 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 German Society, or to any person or persons for 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. And the said corporation and their successors are hereby declared to be seized and possessed of such estate or estates therein as in and by the respective grants, bargains, sales, enfeoffments, releases, devises or other conveyances thereof is or are declared, limited and 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 any other lesser estate or estates, any lands, tenements, rents, annuities, liberties, franchises or 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 manner and portion of goods and chattels that shall be given and bequeathed to them by any person or persons, bodies corporate and politic, capable to make a gift or bequest thereof, such money, goods and chattels to be laid out by them in a purchase or purchases of lands, tenements, messuages, houses, rents, annuities or other hereditaments, to them and their successors forever, or the moneys lent on interest or otherwise disposed of according to the articles and by-laws of the said society and the intention of the donors.

[Section III.] (Section V, P. L.) And be it further enacted

by the authority aforesaid, That at every the four quarterly meetings of the said society. That is to say: On the twenty-sixth day of December, on the twenty-fifth day of March, on the twenty-fourth day of June and the twenty-ninth day of September in every year or when either of those days shall happen to be on a Sunday, then on the day following, each and every of the members of the said society, may propose any person or persons to be ballotted for as a member of the said society or corporation, and such person or persons, so proposed and balloted for, upon being elected by two-thirds in number of the members present, by ballot as aforesaid, and signing the articles of said society, and paying the entrance money, shall, from thenceforth become a member of the said corporation, and whilst he shall, from time to time, contribute towards the purposes aforesaid, shall remain a member of the said corporation, and not otherwise, making nevertheless proper and reasonable allowance of delay for his residence in the frontiers of this state, or his being engaged in the land or sea service of this state, or any of the United States, or a prisoner war, or beyond sea on a fair trade.

[Section IV.] (Section VI, P. L.) Provided always, and be it enacted by the authority aforesaid, That the members of the said society shall not at any time hereafter be less than seventy-five in number nor more than three hundred.

[Section V.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors, or the majority of such as shall be convened at any of the four quarterly meetings of the said society, shall be authorized and empowered and they are hereby authorized and empowered, to make rules, by-laws and ordinances, and to do everything needful for the good government and support of the affairs of the said corporation. Provided always, That the said by-laws, rules and ordinances, or any of them, be not repugnant to the laws of this commonwealth, and that all their proceedings be fairly and regularly entered in a book to be kept for that purpose, which book and all papers and other documents of the said society shall at all times be liable to the inspection of the president and vice-president of the supreme executive council, the speaker of the general assembly

and chief justice of the state for the time being, and that at the general meeting of the members of the said society or corporation on the days aforesaid, they, the said members, or a majority of such as shall be present, be authorized and empowered to elect and choose by ballot, one president, one vice-president, six overseers, a treasurer, two secretaries, one solicitor and one deacon; the said officers to be inhabitants of the said city of Philadelphia, and to remain in office until the next meeting of the said corporation on the twenty-sixth day of December then next following; and in case of death, removal or refusal to serve of any one or more of the officers so chosen, his or their place so dying, removing, or being removed or refusing, shall be supplied by an election in like manner at the next quarterly meeting and the person or persons so chosen shall remain in his said office by virtue of the said election until the next December meeting aforesaid.

[Section VI.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the rents, interest and profits arising from the said real and personal estate of the said corporation shall, by the officers of the said corporation and their successors, chosen and appointed in such manner and form as hereinbefore is directed and required, from time to time be applied for the relief and support of the poor, distressed Germans arriving in this state from parts beyond sea, for the erecting or supporting schools and seminaries of learning, and one or more library or libraries within this state, for the better educating and instructing the children and youth of the Germans and descendants of Germans, and in building, repairing and maintaining school houses, and other houses necessary for the purposes aforesaid, for salaries to schoolmasters and teachers and for such other charitable uses as are conformable to the true design and intent of the same society.

[Section VII.] (Section IX, P. L.) Provided always, and be it enacted by the authority aforesaid, That in the disposal and application of the public moneys of the said corporation, the aforesaid president, vice-president, overseers, secretaries, treasurer, solicitor and deacon, and their successors in office, or any seven of them, the said officers, may make orders and direc-

tions, for the relief of poor and distressed persons, and supporting scholars, schoolmasters and others, coming under their notice, and that upon emergent occasions, when immediate relief is wanted, an order signed by one of the presidents, and two of the overseers, directed to the treasurer, shall be a sufficient authority for the said treasurer to discharge and pay such order. Provided also, That neither of the said officers shall at any time during the execution of his office, or afterwards, be entitled to demand, sue for or recover any pay, reward or commission for his service in any of the said offices respectively.

[Section VIII.] (Section X, 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 proper and the same to break, alter and renew at their pleasure.

(Section IX, 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 be able and capable in law to sue and be sued, plead and be impleaded in any court or courts, before any judge or judges, justice or justices, in all and all manner of suits, complaints, pleas, causes, matters and demands of whatever kind, nature and form they may be, and all and every matter or thing therein to do, in as full and effectual a manner as any other person or persons, bodies politic and corporate within this commonwealth may or can do.

[Section X.] (Section XII, P. L.) Provided always, and be it further enacted by the authority aforesaid, That the clear yearly value or income of the messuages, houses, lands, tenements, rents, annuities or other hereditaments, and real estate of the said corporation and interest of money lent, shall not exceed the sum of two thousand and five hundred pounds, lawful money of Pennsylvania, to be taken and esteemed exclusive of the moneys arising from annual or other stated subscriptions or payments, which said moneys shall be received by the treasurer of the said corporation, and disposed of by him upon the order of the other officers, or a majority of them, in

the manner hereinbefore described, pursuant to a vote or votes of the members of the said society, appropriating the same at one of their quarterly meetings.

Passed September 20, 1781. Recorded L. B. No. 1, p. 452, etc.

CHAPTER CML.

AN ACT TO MAKE MORE EFFECTUAL PROVISION FOR THE DEFENSE OF THIS STATE.

(Section I, P. L.) Whereas the intelligence received of the preparations made by the enemy at New York indicate an invasion of the state, against which it is our duty to make every provision of defense which the circumstances of this commonwealth admit, and that the executive authority of the state be furnished with sufficient powers to draw forth the resources thereof with the utmost vigor and dispatch:

[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 president (or vice-president) in council be and is hereby authorized to call forth such and so many wagons as shall appear to them necessary for the transportation of the necessary baggage and stores of such troops, either continental or militia; as may be called forth into actual service on this emergency, or for the transportation of the records, books and papers, or other public property, either of the United States or of this state.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the late wagon-masters of the several counties in this state, and their deputies (or such other persons as shall be appointed by the supreme executive council) and the constables be empowered and are hereby required to do the several duties in the premises which were enjoined by the former wagon laws of this state, and that the