

Independent Presbyterian Church of Savannah Charter Reconciliation and Restatement¹

WHEREAS a number of the inhabitants of the city of Savannah and county of Chatham, have by their memorial represented to the Legislature, that on the 16th day of January, 1756, a certain lot of land, situate and being in the city of Savannah, and known by the letter K was granted to James Powell, Robert Bolton, James Miller, Joseph Gibbons, William Gibbons, Benjamin Farley, William Wright, David Fox and John Fox, their heirs and assigns forever, in trust nevertheless, and to the intent and purpose that a Meeting-House or place of public worship for the service of Almighty God, should be erected thereon, for the use of such persons as were then residing, or might thereafter reside in the district of Savannah, as were professors of the doctrines of the Church of Scotland, agreeable to the Westminster confession of faith, with a proviso in the said grant contained, that should such Meeting-House or place of worship not be erected on the said lot within the time therein limited, then the said lot should revert to the grantors, that a Meeting-House was built within the time limited, and the professors of the Presbyterian Religion, held, occupied and used the same as their place of public worship, until the said Meeting-House was destroyed by fire, in the month of November, 1796, and the said lot was afterwards disposed of by the then Trustees, on building leases, and hath ever since been held by the Lessees -- that in the year 1800, the professors of the said Presbyterian religion were enabled by subscription to build a Church on their other lot in the said city of Savannah, known by the letter Q, which is their present place of worship, and have prayed that a certain act of the Legislature relative to the said Church be repealed, and that they, the said memorialists, may be made a body corporate, and Trustees appointed for the said Presbyterian Church or congregation:

*BE it therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That Thomas Newell, Charles Harris, Francis Courvoisie, John G. Williamson, John Scriven, Barrack Gibbons, Thomas F. Williams, Fingal T. Flyming and Benjamin Maurice, and their successors in office, be, and they are hereby declared to be a body corporate, by the name and style of *The Trustees of the Independent Presbyterian Church of Savannah*.²*

³Section 2. The said Trustees and their successors in office, shall be vested with all manner of property, real and personal, all monies due, and to grow due, donations, gifts, grants, privileges

¹ Derived primarily from Act 24 of 1806, except as otherwise indicated. All information is taken from this online archive: <http://onlinebooks.library.upenn.edu/webbin/serial?id=galegacts>. Note that information filed with the Georgia Secretary of State included different Act numbers and, in some cases, syntax than the online archive used here. One possibility is that the later-in-time filing with the Secretary of State consciously changed some of the old fashion usage, for example the spelling of "limited" in the 1806 Act as it appears in the online archive.

² Act 24 of 1821, §1 changed the official name from "The Trustees of the Presbyterian Church of the city of Savannah," which does not appear to have been changed further though the 1917 and 1959 Acts each use the earlier name for the purpose of referencing the 1806 Act, and note that the common usage was "The Independent Presbyterian Church." The 1821 Act also notes that actions "which have been or shall be made...by any other name or style with shall describe the said corporation nor Church" shall be respected.

³ As amended and restated in full by Act 100 of 1959. Also supersedes §2 of Act 41 of 1807.

and immunities whatsoever, which shall or may belong to the said Presbyterian Church, at the time of the passing of this act, or which shall, or may at any time, or times hereafter, be granted, given, conveyed or transferred to them, or their successors in office, to have and to hold the same to the said Trustees and their successors in office, to the only proper use, benefit and behoof of the said Church forever, except that all gifts for benevolences and current expenses, other than endowments, trusts and estates created for such purposes and committed or entrusted to the Trustees, and all subscriptions paid on pledges and all offerings taken during any Church service shall be under the exclusive control of the session of said Presbyterian Church. And the said Trustees, and their successors in office, may have and use a common seal, and shall be, and they are hereby declared to be capable, by the name and style aforesaid, of suing and being sued, impleading and being impleaded in any court or courts of law or equity, and of using and taking all lawful and necessary ways and means for recovering or defending any property whatsoever, which the said Church may have, hold, claim or demand, or the rents, issues and profits thereof, or any part thereof.

⁴SEC. 3. *And be it further enacted*, That the above named Trustees shall continue in office until Easter Monday, in one thousand eight hundred and eight -- and that on the said Easter Monday, one thousand eight hundred and eight, annually, thereafter, the members of the said church shall convene at the said church, between the hours of ten and two o'clock, and then, and there elect, from among the said members nine fit and discreet persons, as Trustees of the said church, who shall be vested with all necessary powers, to carry the several purposes intended by this act into full effect.

SEC. 4. *And be it further enacted*, That nothing herein contained shall be construed to vest in the said Trustees, any right or title, or color of right or title to any estate or property whatsoever, real or personal, other than such as doth, or may rightfully and lawfully belong to the said Presbyterian Church, or congregation, hereby made a body corporate.

⁵Section 5. It shall not be lawful for the said Trustees or their successors in office, at any time or times hereafter, to grant, bargain, sell, alien or convey any real estate whatsoever, belonging to the said Church, to any person or persons, under any pretense or upon any consideration whatsoever, so as to dispose of the fee simple thereof without first obtaining authority from the congregation, nor shall they have the power to incur any debt in the name of the Church unless specifically authorized by the congregation to do so.

SEC. 6. *And be it further enacted*, That an act entitled "An act to increase the funds of the Presbyterian Church of the city of Savannah,"⁶ be, and the same is hereby repealed.

⁴ Indirectly amended by Act 41 of 1807, whereby the Trustees named in §1 shall continue until the first Monday in January in 1808, whereupon five trustees shall be elected, and so repeating each first Monday in January thereafter. Further indirectly amended by Act 260 of 1917, whereby the Trustees shall continue until the first day in February 1918, with and two successors chosen annually by the members at the annual meeting on the third Sunday in January and three successors chosen annually by the Trustees prior to each such annual meeting. Finally amended by Act 100 of 1959, limiting eligible Trustees to active members of at least five years.

⁵ As amended and restated in full by Act 100 of 1959. Also supersedes §2 of Act 24 of 1821.

⁶ Act 9 of 1805.