

The Independent Presbyterian Church of Savannah Amended 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is their present place of worship, and have prayed that a certain act of the Legislature relative to the said Church be repealed, and that they, the said memorialists, may be made a body corporate, and Trustees appointed for the said Presbyterian Church or congregation:

Section 1. *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. All property, real and personal, monies, gifts, and donations received by The Independent Presbyterian Church of Savannah must be approved by and shall be under the exclusive control of its Session. The Session may, from time to time as it deems prudent, entrust

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. Finally, the 1821 Act did not capitalize the introductory article "the" in the revised name.

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

such funds to the Trustees to invest, manage, grow and use such funds at the direction of the Session as set forth more particularly in its Constitution and By-Laws.

⁴Section 3. *And be it further enacted*, That the above named Trustees shall consist of five persons, each serving staggered five year terms, as elected annually from and by the active membership of The Independent Presbyterian Church of Savannah pursuant to its Constitution and By-Laws as may be amended from time to time.

Section 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.

Section 6. *And be it further enacted*, That all prior acts of the Georgia General Assembly regarding the Independent Presbyterian Church of Savannah are hereby amended and replaced by this act which shall thereafter constitute the full Charter of The Independent Presbyterian Church of Savannah.

Section 7. *And be it further enacted*, That this Charter may only be amended by a two-thirds vote of the Members of The Independent Presbyterian Church of Savannah present at any annual meeting, with notice of such proposed amendment and the material terms thereof having been given at the previous annual meeting.

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.