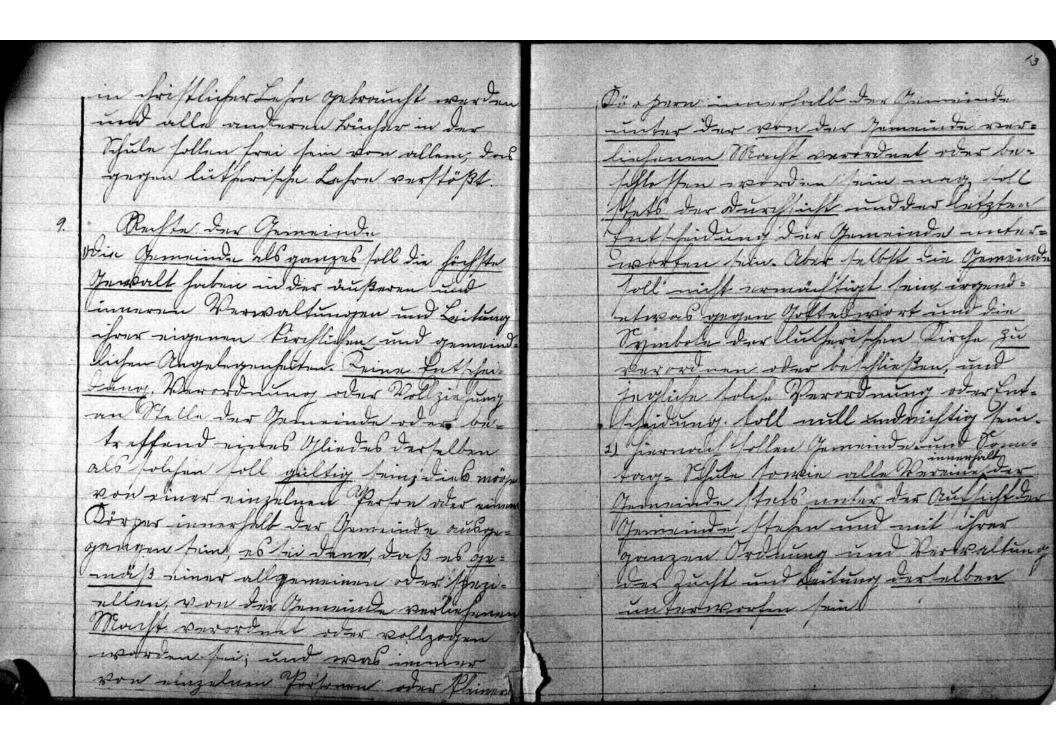


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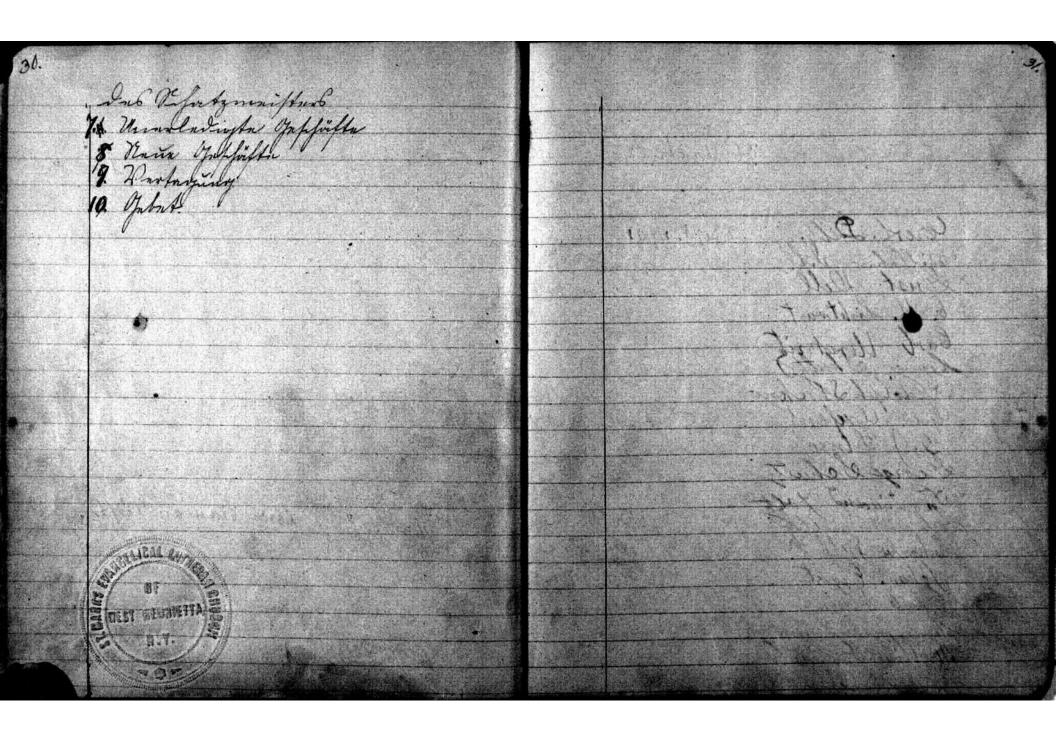
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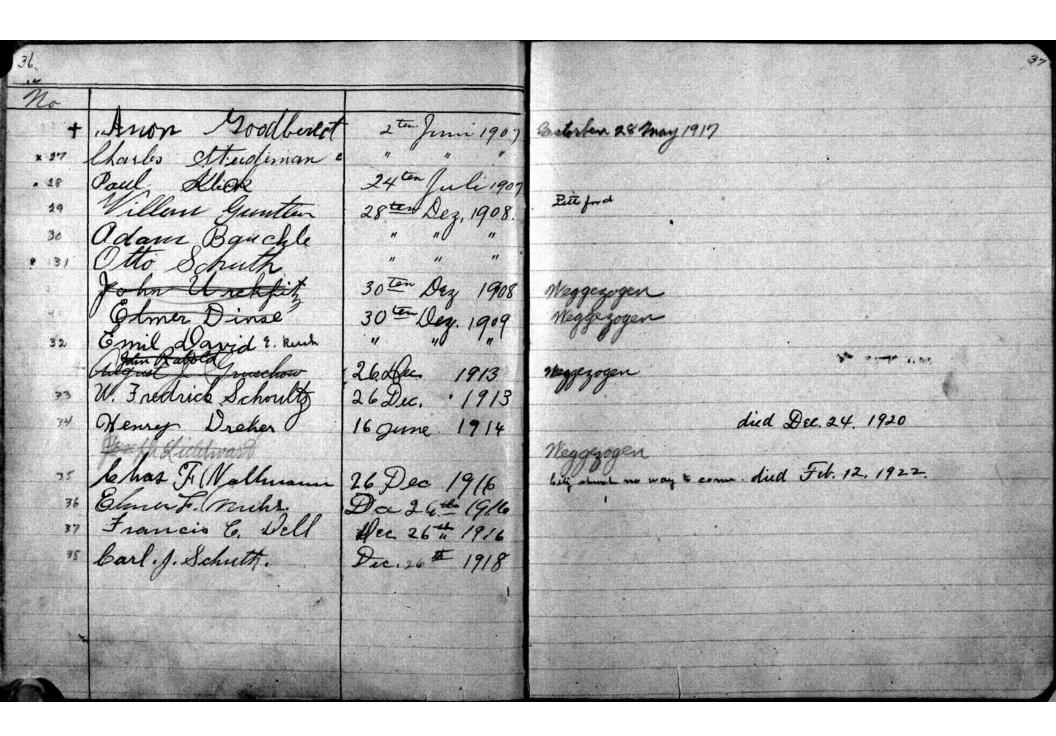
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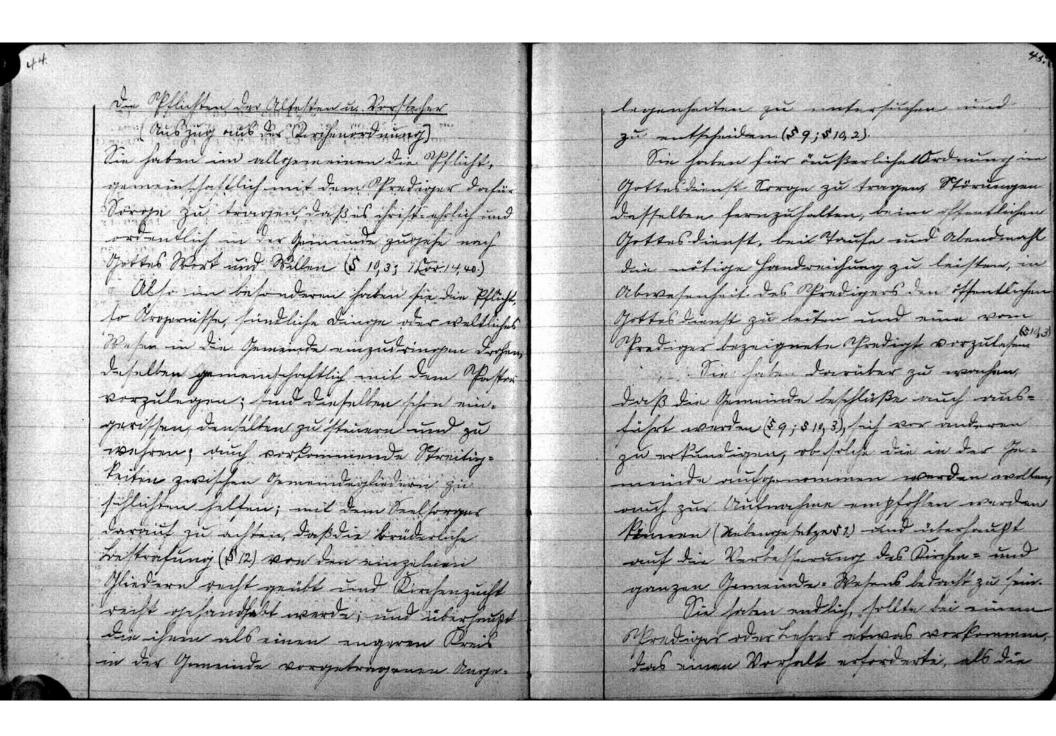
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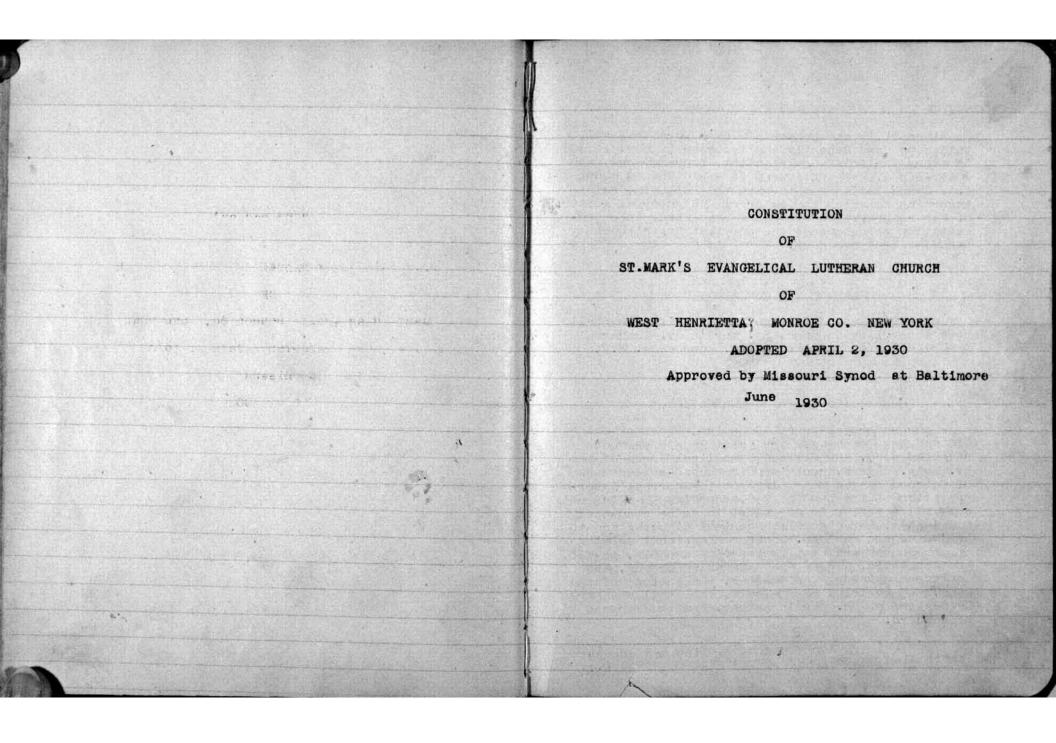
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PREAMPLE

Since it is the behest of God's Word that all things be done decently and in order (1 Cor. 14:40) in every Christian congregation, therefore we, the undersigned, have considered it expedient to adopt this Constitution and to make the following rules according to which the external and internal affairs of our congregation are to be regulated, this Constitution to supersede the one that has hitherto been in force among us.

ARTICLE 1

NAME OF THE CONGREGATION

Our church and congregation, as hitherto shall bear the following name, St. Mark's Ev. Lutheran Congregation of West Henrietta, Monroe Co. N.Y.

ARTIGHE 2

CONFESSION OF THE CONGREGATION

In our congregation all Cononical Books of the Old and New Testaments are acknowledged as God's revealed Word, and all the Symbolical Books of the Ev. Luth. Church, contained in the so-called Book of Concord of the year 1580 as the correct interpretation of the Word of God, according to which not only all teaching in our midst is to be conducted and tested, but also all doctrinal disputes are to be judged and decided. These confessional writings of the Church are: the three chief symbols, to-wit, the Apostolic, Nicene and Athanasian Creeds, the Unaltered Augsburg Confessions, the Apology of the same, the Articles of Smalcald, the Small and Large Catechisms of Dr. Martin Luther, and the Formula of Concord.

For this reason the congregation may connect itself with an orthodox Lutheran synod only, i.e.

one that occupies the same confessional standpoint in doctrine and practice with ourselves, as laid down in 1 of this Article.

ARTICLE 3

MEMBERSHIP IN THE CONGREGATION

51

No person can, therefore, become or remain a member, still less an officer, in this congregation, nor share the rights of a member, save he who

- a) is baptized;
- b) confesses the Holy Scriptures to be the only divine rule of faith and life, and makes the above mentioned Confessions of the Lutheran Church, particularly the Small Catechism of Luther and the Unaltered Augsburg Confession, his own;
- c) does not live in the manifest works of the flesh (Gal. 5:19-21) but leads a Christian life; d)is a diligent attendant at divine service and
- at Holy Communion;
- e) submits to the regulations that have been adopted, or may still be adopted, by the congregation, inasfar as they are not contrary to God's Word, and allows himself to be corrected in a brotherly spirit of love, whenever he has sinned;
- f) is not a member of any secret, oath-bound society.

Only those male members of the congregation who are at least 21 years of age and have been admitted to this privilege by resolution of the congregation and have signed this Constitution, shall have the right to vote; and only those who are at least 25 years old and have been voting members for at least one year, shall be eligible to an office in the congregation.

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It shall be the duty of every communicant member to contribute toward the maintenance of the congregation and of the kingdom of God at large, according as the Lord hath prospered him or her, and to help bear the burdens of the congregation according to ability.

5 4

If any member of the congregation commits some gross sin and shows himself impenitent, so that, after a fruitless application of the three stages of admonition prescribed in God's Word(Matth.18: 15-20) where these are possible, he is excluded from the congregation, he thereby loses all rights of a member of the congregation, and also all rights of ownership in the property of the congregation, as long as he is not re-instated to membership. The same applies to members, who voluntarily withdraw from the congregation or move from its confines, if thereby they sever their connection with the congregation.

ARTICLE 4

OFFICES

51

The office of PASTOR can be conferred upon such a preacher only, who confesses all the Cononical Books of the Old and New Testaments to be God's revealed Word, and accepts all the Symbolical Books of the Ev, Luth. Church, which have been derived therefrom, to which he is bound at his installation.

5 2

Valid reasons for the removal from office of the Pastor shall be the following: obstinate adherence to false teaching, offensive conduct, or wilful unfaithfulness in the administration of his office.

5 3

The AUXILIARY OFFICES in the congregation shall be the following: The office of the Elders, Trustees, the Secretary, Treasurer and Financial Secretary.

5 4

The DUTIES of the respective officers shall be:
a) The ELDERS shall assist the Pastor in the
rule of the congregation and in the exercise of
church discipline.

- b) The TRUSTEES shall administer the church property. It shall be entrusted to them in such a way, that they administer it in the name of the congregation, as foreign property which they merely hold in trust, with reference to which they may make contracts, pay out and collect moneys and receipt for them, subscribe documents, appear in court, in short perform all those acts which the congregation, as owner, would be called upon to perform itself, provided, however that they shall not have the right to do these things according to their own pleasure, but only in accordance with valid resolutions and instructions of the congregation. In all those things that the Trustees perform by resolution and authority of the congregation, the latter shall stand good with its property and indemnify them for all losses; if on the other hand the Trustees manage the property of the congregation according to their own pleasure, they are personally responsible to the congregation.
- c) The ELDERS and TRUSTEES together shall form the Church Council, which shall assemble at the call and under the presidency of the Pastor as often as may be necessary, in order to consult with him about the interior and exterior affairs of the congregation.
- d) The Secretary shall keep the minutes in the congregational meetings and enter them on the minute book. He shall also conduct such correspondence as he is charged with.

- e) The Treasurer shall take charge of the moneys collected for various purposes, receipt therefor, disburse them according to resolution of the congregation, and render account thereof in the regular congregational meetings and whenever required, and submit his books for auditing at the end of the year.
- f) The Financial Secretary shall collect the contributions of the members of the congregation, and receive all ether moneys for various purposes, give receipt therefor and turn them over to the Treasurer and render account thereof in the regular congregational meetings and submit his books for suditing at the end of the year.
- g) All these officers may be removed from office by the congregation in a Christian, orderly way.

ARTICLE 5

POWERS OF THE CONGREGATION

51

The congregation, as a body, has the highest power in the management of all internal and external ecclesiastical and congregational affairs. Therefore the pastor has no right to make any decision or regulation for the congregation without its consent in matters that are not commanded by the Word of God. Nor shall any arrangement or decision for the congregation or for a church member as such have any validity, whether it proceed from an individual or from a body in the congregation, if it is not made in the name of, and by virtue of authority given by the congregation; and that which is arranged or decided by individuals or small bodies in the name and by the authority of the congregation, may at any time be brought before the congregation as the highest tribunal, for final decision. Nevertheless also the congregation shall have no right,

as a matter of course, to arrange or decide anything contrary to the Word of God and the Symbols of the Ev. Luth. Church; should she do so, all such arrangements shall be null and void.

9 2

Admission of new members, transactions referring to doctrine and church discipline, furthermore the calling of a pastor, as well as his suspension and removal from office, finally also the election and removal of all other officers shall always be reserved to the entire congregation.

5 3

The officers therefore have any power only so long and so far as entrusted with it by the congregation.

ARTICLE 6

CONGREGATIONAL MEETINGS

51

Business meetings of the voting members shall be held at stated times. These shall be announced in the public service at least one week in advance. Either the pastor, or any member elected for the purpose, may preside in them. Special meetings may be held by resolution of the congregation or the church council, provided that they shall be announced previously in public service. In case of necessity the pastor shall have the right to call such a meeting at the close of divine services.

5 2

One third of the voting members shall constitute a quorum for the valid transaction of business, and a majority vote of those present shall be requisite for the valid adoption of any resolution in matters not affecting doctrine and conscience. In such matters a unanimous vote is required.

\$ 3

It shall be the duty of every voting member to attend the congregational meetings, whenever possible, and those who absent themselves waive their vote in that meeting.

ARTICLE 7

CHRISTIAN INSTRUCTION OF THE YOUTH

We recognize it as our duty to see to it, also as a congregation, that our children are brought up "in the nurture and admonition of the Lord" (Eph.6.4) by all means at our disposal, and by thorough catechetical instruction for confirmation on the part of the pastor. It shall be the duty of all the members, therefore, to send their children as long and as regularly as possible to the catechetical instruction and to assist the pastor in this work in every possible manner.

ARTICLE 8

BOOKS TO BE USED IN PUBLIC WORSHIP AND IN THE INSTRUCTION OF THE YOUNG

In our various meetings and public services as well as in the instruction of the young only such books shall be used as are in harmony with the confession and teachings of our Church (Article2)

ARTICLE 9

THE CHURCH PROPERTY

If at any time a seperation should take place in the congregation because of doctrinal differences (which God forbid) the church property and all its advantages shall belong to that party which remains faithful in its adherence to the unaltered Augsburg Confession and in accordance herewith binds the pastor of the congregation to all the Symbolical Books of the Lutheran Church and desires him to be judged by these.

ARTICLE 10

AMENDING THIS CONSTITUTION

Amendments to this Constitution may be proposed in any congregational business meeting by any voting member, If the majority of the members present shall vote in favor of the proposition, the subject matter shall be announced in the public services on the two Sundays immediately preceding the next regular meeting. Thereupon the final vote shall be taken in this meeting, and a two-third's majority of the members present shall be required for adoption.

9 2

The following articles of this constitution, which concern our doctrine and practice, shall be unchangeable, to-wit: Art. 2 Art. 3 \$1 & 4 Art. 4 \$1 & 2 Art. 8; Art 10 \$2

BY-LAWS

1

The Church Council shall consist of 3 Elders and 4 Trustees, and shall be elected for the term of three years. Every year one new Elder and one Trustee shall be elected by ballot. The Secretary, Treasurer, and Financial Secretary shall be elected from the members of the Church Council, and serve for one year.

9

The election of new officers shall take place in the first regular meeting of each year. It shall be made by ballot. If no individual receives a majority of votes in the first ballot, those receiving the highest numbers shall be considered as candidates, one of whom shall be chosen by further balloting, which is to be continued until one of them receives a majority, the one having the lowest number being eliminated after each ballot.

.3

Two regular congregational meetings shall be held each year, the first Sunday after the first Monday in January and the third Sunday in June.

4

The Trustees shall have the right to expend up to \$ 10.00 for congregational purposes

5

These By-laws may be amended or revised in any regular meeting by a vote of a two thinds Majority.

HE the undersigned do herewith subscribe to Alred deed dust ble is Decks dad

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165 Margaret E. Hansel 10-28-84	197 Susan Lowe	12/9/90
166 Dorothy Halton-Luglan 4/21/85	188 Dan Sfohn	12/9/90
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