

No. 58.

An Act

For erecting Trinity Church and All Saints Church, in the county of Philadelphia, and St. Thomas's Church, in the county of Montgomery, into three separate corporations.

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 from and after the passing of this act, All Saints church, in Lower Dublin township, in the county of Philadelphia, shall be and the same is hereby separated from the corporation of "The minister, wardens and vestrymen of the Episcopal churches of Trinity church in Oxford township, and All Saints church in Lower Dublin township, in Philadelphia county, and St. Thomas's church in Whitemarsh township, in Montgomery county, in the Commonwealth of Pennsylvania;" and that the reverend Frederick W. Beasley, rector, Joseph Ashton and George Breck, church wardens, and Benjamin Johnson, Nathaniel Lewis, Samuel Cox and William Lardner, vestrymen, be and they are hereby erected into a separate body politic or corporate, by the name, style and title of the "Rector, church wardens and vestrymen of All Saints church, Lower Dublin township, in the county of Philadelphia;" and by the same name shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded, in all courts of law and elsewhere, and shall be able and capable, in law and equity, to take and hold to them and their successors, for the use of said church, lands, tenements, goods and chattels, of whatsoever nature or quality, real or personal, which now are or shall hereafter become the property of the said corporation, or be held for their use, by any manner of conveyance, devise, bequest or otherwise: *Provided,* That the clear yearly value or income of the estate, real, personal or mixed, of the said corporation of All Saints church, exclusive of the moneys arising from the pews of the said church and opening any ground thereto belonging for burials, shall not exceed the sum of two thousand dollars.

Churches separated.

Wardens and vestrymen erected into a separate body politic and corporate Style.

Privileges & liabilities.

Proviso.

Income not to exceed \$2000.

SECTION 2. That the said rector, church wardens and vestrymen of All Saints church, may have and use one common seal, with such device and inscription as they may think proper, and the same may change, alter, break and renew at their pleasure; and that they and their successors, or a majority of them met, from time to time, shall have power and authority to make rules, by-laws and ordinances, and to do every thing needful for the good government and support of the said church: *Provided,* That the said rules, by-laws and ordinances be not

May have & use a common seal.

Proviso.

repugnant to the constitution and laws of the Commonwealth of Pennsylvania or of the United States.

SECTION 3. That on Easter Monday in every year hereafter, the members of the said All Saints church shall elect six of their number to be vestrymen of the said church, who shall have full power to choose their own officers, and to choose annually one of their own number to be one church warden of the said church, and the rector for the time being shall choose another of the said vestrymen to be the other church warden of the said church: *Provided*, That on and after Easter Monday which shall be in the year of our Lord, one thousand eight hundred and thirty-five, no member of said church shall be entitled to vote at any election of vestrymen, but such as shall appear by the vestry books or otherwise to be contributors to the support and maintenance of the said church, having and paying for a pew or part of a pew in the said church sufficient for one person, and to be of full age, or who shall otherwise contribute a sum of money equal to the yearly rent of a seat in a pew sufficient for one person, and shall not at the time of voting be more than one year in arrears for the said pew or sitting: *And provided*, That in case of a vacancy happening in the office of rector of the said church, by death or otherwise, and until another rector shall be duly appointed, the church wardens for the time being, with the consent of the majority of the vestry, shall have the same power and authority to manage the affairs of the said church, as if there were a rector of the said church consenting thereto.

SECTION 4. That from and after the passing of this act, all estates, lands, tenements, rents, annuities, legacies and bequests, or any of them, heretofore given, granted or devised to the said All Saints church, or to the corporation of the three united churches for the use of All Saints church, shall be and remain to the corporation of All Saints church, and their successors for ever, for the sole and exclusive use of the said church, and for such other uses and trusts as in the grant, devise or limitations of the said estates, real and personal, may be limited and declared; and the said corporation of All Saints church, and their successors for ever, are hereby confirmed in the title, seizin, possession and enjoyment of the said lands, tenements, hereditaments, rents, annuities, legacies and bequests, with the appurtenances, for the sole and exclusive use of the said All Saints church, and the other uses and trusts hereinbefore in that behalf mentioned respectively, in the same full, free and ample manner, as if the same had been conveyed in due legal form to the said corporation of All Saints church, and their successors for ever, by the said corporation of the united churches of Trinity church, All Saints church and St. Thomas's church.

SECTION 5. The corporation of All Saints church, and their successors, shall have power to grant, alien, or otherwise dispose of, any messuage or messuages, house or houses, lands,

Annually elect
6 vestrymen.

Their powers.

Proviso.

2d Proviso.

Annuities &
legacies, &c.
vested in
church.

Corporation
may dispose
of any mes-
suage, &c.
except houses
of public
worship.

tenements or hereditaments, other than the houses of public worship or churches aforesaid and the burial grounds which they do now or may hereafter possess, as to them may seem meet and proper: *Provided always*, That in the disposition, sale or alienation of such messuage or messuages, house or houses, lands, tenements and hereditaments, the consent and concurrence of two-thirds of the vestry of All Saints church shall be first had and obtained, and also that the moneys arising from the said disposition or sale shall be appropriated to the purchasing and procuring other more convenient messuages, houses, lands or tenements, as the aforesaid vestry may deem proper and expedient, and to no other purpose or purposes wha soever.

SECTION 6. The reverend George Sheets, rector, Thomas W. Duffield and Lynford Lardner, church wardens, and William Overington, Edward Green, John Fox and Richard Lardner, vestrymen, be and they are hereby created into a separate body politic or corporate, by the name, style and title of the "Rector, church wardens and vestrymen of Trinity church, in Oxford township, Philadelphia county;" and by the same name shall have perpetual succession, and shall be able to sue and to be sued, to plead and be impleaded, in all courts of law and elsewhere, and shall be able and capable, in law and equity, to take and hold to them and their successors, for the use of the said church, land, tenements, goods and chattels, of whatsoever nature or quality, real or personal, which now are or shall hereafter become the property of the said corporation, or be held for their use by any manner of conveyance, devise, bequest, or otherwise: *Provided*, That the clear yearly value or income of the estate, real, personal and mixed, of the said corporation of Trinity church, exclusive of the moneys arising from the pews of the said church and opening any ground thereto belonging for burials, shall not exceed the sum of two thousand dollars.

SECTION 7. The said rector, church wardens and vestrymen of Trinity church, may have and use one common seal, with such device and inscription as they may think proper, and the same may change, alter, break and renew at their pleasure; and that they and their successors, or a majority of them met, from time to time, shall have power and authority to make rules, by-laws and ordinances, and to do every thing needful for the good government and support of the said church: *Provided*, That the said rules, by-laws and ordinances be not repugnant to the constitution and laws of the Commonwealth of Pennsylvania or of the United States.

SECTION 8. On Easter Monday in every year hereafter, the members of the said Trinity church shall elect six of their number to be vestrymen of the said church, who shall have full power to choose their own officers, and to choose annually one of their own number to be one church warden of the said church,

Proviso.

Wardens and vestrymen created into a separate body corporate and politic.

Style.

Privileges & liabilities.

Proviso.

May use one common seal.

Proviso.

Annually elect 6 vestrymen.

Their powers.

Proviso.

and the rector for the time being shall choose another of the said vestrymen to be the other church warden of the said church: *Provided*, That on and after Easter Monday which shall be in the year of our Lord one thousand eight hundred and thirty-five, no member of said church shall be entitled to vote at any election of vestrymen, but such as shall appear, by the vestry books or otherwise, to be contributors to the support and maintenance of the said church, having and paying for a pew, or part of a pew in the said church sufficient for one person, and to be of full age, or who shall otherwise contribute a sum of money equal to the yearly rent of a seat in a pew sufficient for one person, and shall not at the time of voting be more than one year in arrears for the said pew or sitting: *And provided*, That in case of a vacancy happening in the office of rector of the said church, by death or otherwise, and until another rector shall be duly appointed, the church wardens for the time being, with the consent of the majority of the vestry, shall have the same power and authority to manage the affairs of the said church, as if there were a rector of the said church consenting thereto.

2d Proviso.

Annuities and legacies, &c. vested in church.

SECTION 9. From and after the passing of this act, all estates, lands, tenements, rents, annuities, legacies and bequests, or any of them, heretofore given, granted or devised to the said Trinity church, or to the corporation of the three united churches for the use of Trinity church, shall be and remain to the corporation of Trinity church, and their successors for ever, for the sole and exclusive use of the said church, and for such other uses and trusts as in the grant, devise or limitation to the said estates, real and personal, may be limited and declared; and the said corporation of Trinity church, and their successors for ever, are hereby confirmed in the title, seizin, possession and enjoyment of the said lands, tenements, hereditaments, rents, annuities, legacies and bequests, with the appurtenances, for the sole and exclusive use of the said Trinity church, and the other uses and trusts hereinbefore in that behalf mentioned respectively, in the same full, free and ample manner, as if the same had been conveyed in due legal form to the said corporation of Trinity church, and their successors for ever, by the said corporation of the united churches of Trinity church, All Saints church and St. Thomas's church.

May dispose of messuages, &c. except houses of public worship.

Proviso.

SECTION 10. The corporation of Trinity church, and their successors, shall have power to grant, alien or otherwise dispose of, any messuage or messuages, house or houses, lands, tenements or hereditaments, other than the houses of public worship or churches aforesaid and the burial grounds which they do now or may hereafter possess, as to them may seem meet and proper: *Provided always*, That in the disposition, sale or alienation of such messuage or messuages, house or houses, lands, tenements and hereditaments, the consent and concurrence of two-thirds of the vestry of Trinity church shall

be first had and obtained ; and also, that the moneys arising from the said disposition or sale shall be appropriated to the purchasing and procuring other more convenient messuages, houses, lands or tenements, as the aforesaid vestry may deem proper and expedient, and to no other purpose or purposes whatsoever.

SECTION 11. The reverend John Reynolds, rector, Thomas Shay and Charles Burk, church wardens, and John Harmen, Samuel Nash, Samuel P. Nash and William Acuff, vestrymen, be and they are hereby erected into a separate body politic or corporate, by the name, style and title of the " Rector, church wardens and vestrymen of St. Thomas's church, in Whitemarsh township, Montgomery county ;" and by the same name shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded, in all courts of law and elsewhere, and shall be able and capable, in law and equity, to take and hold to them and their successors, for the use of the said church, lands, tenements, goods and chattels, of whatsoever nature or quality, real or personal, which now are or shall hereafter become the property of the said corporation, or be held for their use by any manner of conveyance, devise, bequest, or otherwise : *Provided*, That the clear yearly value or income of the estate, real, personal and mixed, of the said corporation of St. Thomas's church, exclusive of the moneys arising from the pews of the said church and opening any ground thereto belonging for burials, shall not exceed the sum of two thousand dollars.

Wardens and vestrymen erected into a separate body corporate and politic.
Style.

Privileges & liabilities.

Proviso.

SECTION 12. The said rector, church wardens and vestrymen of St. Thomas's church, may have and use one common seal, with such device and inscription as they may think proper, and the same may change, alter, break and renew at their pleasure ; and that they and their successors, or a majority of them met, from time to time, shall have power and authority to make rules, by-laws and ordinances, and to do every thing needful for the good government and support of the said church : *Provided*, That the said rules, by-laws and ordinances be not repugnant to the constitution and laws of the Commonwealth of Pennsylvania or of the United States.

May use one common seal.

Proviso.

SECTION 13. That on Easter Monday in every year hereafter, the members of the said St. Thomas's church shall elect six of their number to be vestrymen of the said church, who shall have full power to choose their own officers, and to choose annually one of their own number to be one church warden of the said church, and the rector for the time being shall choose another of the said vestrymen to be the other church warden of the said church : *Provided*, That on and after Easter Monday which shall be in the year of our Lord one thousand eight hundred and thirty-five, no member of said church shall be entitled to vote at any election of vestrymen, but such as shall appear, by the vestry books or otherwise, to be contributors to the support

Annually elect 6

vestrymen.

Their powers.

Proviso.

and maintenance of the said church, having and paying for a pew, or part of a pew in the said church sufficient for one person, and to be of full age, or who shall otherwise contribute a sum of money equal to the yearly rent of a seat in a pew sufficient for one person, and shall not at the time of voting be more than one year in arrears for the said pew or sitting: *And provided*, That in case of a vacancy happening in the office of rector of the said church, by death or otherwise, and until another rector shall be duly appointed, the church wardens for the time being, with the consent of the majority of the vestry, shall have the same power and authority to manage the affairs of the said church, as if there were a rector of the said church consenting thereto.

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Annuities
and legacies,
&c. vested in
church.

SECTION 14. That from and after the passing of this act, all estates, lands, tenements, rents, annuities, legacies and bequests, or any of them, heretofore given, granted or devised to the said St. Thomas's church, or to the corporation of the three united churches for the use of St. Thomas's church, shall be and remain to the corporation of St. Thomas's church, and their successors for ever, for the sole and exclusive use of the said church, and for such other uses and trusts as in the grant, devise or limitation to the said estates, real and personal, may be limited and declared; and the said corporation of St. Thomas's church, and their successors for ever, are hereby confirmed in the title, seizin, possession and enjoyment of the said lands, tenements, hereditaments, rents, annuities, legacies and bequests, with the appurtenances, for the sole and exclusive use of the said St. Thomas's church, and the other uses and trusts hereinbefore in that behalf mentioned respectively, in the same full, free and ample manner, as if the same had been conveyed in due legal form to the said corporation of St. Thomas's church, and their successors for ever, by the said corporation of the united churches of Trinity church, All Saints church and St. Thomas's church.

May dispose
of messuages,
&c. except
houses of
public worsh^p.

Proviso.

SECTION 15. The corporation of St. Thomas's church, and their successors, shall have power to grant, alien, or otherwise dispose of, any messuage or messuages, house or houses, lands, tenements or hereditaments, other than the houses of public worship or churches aforesaid and the burial grounds which they do now or may hereafter possess, as to them may seem meet and proper: *Provided always*, That in the disposition, sale or alienation of such messuage or messuages, house or houses, lands, tenements and hereditaments, the consent and concurrence of two-thirds of the vestry of St. Thomas's church shall be first had and obtained, and also that the moneys arising from the said disposition or sale shall be appropriated to the purchasing and procuring other more convenient messuages, houses, lands or tenements, as the aforesaid vestry may deem proper and expedient, and to no other purpose or purposes whatsoever.

SECTION 16. That if any one of the days or times appointed for the election of vestrymen, or church wardens, of either of the corporations created by this act, no such election shall take place; in every such case the vestrymen, or church wardens, for the time being, shall continue in office until the next Monday next following, and until others shall be duly chosen.

SECTION 17. The church records of the present united churches of Trinity church, All Saints church, and St. Thomas's church, shall at all times be, and remain in the possession of the corporation of Trinity church, which shall have the same power to certify copies thereof, with the like effect as the same can now be certified by the corporation of the said united churches; and free access to the same, for the purpose of examining and making extracts and copies, shall always be permitted to the corporations of All Saints church and St. Thomas's church, or their authorized agents.

SECTION 18. The rules, by-laws, and ordinances of the present corporation of "the minister, wardens and vestrymen of the Episcopal churches of Trinity church, in Oxford township, and All Saints church, in Lower Dublin township, in Philadelphia county, and St. Thomas's church, in Whitemarsh township, in Montgomery county, in the commonwealth of Pennsylvania," as the same now are, shall be so far as the same are applicable, the rules, by-laws, and ordinances of the said corporations of Trinity church, All Saints church, and St. Thomas's church respectively, until the same shall be duly altered.

JAMES THOMPSON,

Speaker of the House of Representatives.

JACOB KERN,

Speaker of the Senate.

APPROVED—The twenty-first day of March, one thousand eight hundred and thirty-five.

GEO: WOLF.



No. 59.

A Supplement

To an act entitled An act authorizing the Governor to incorporate the Philadelphia and Trenton Rail Road Company.

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 Philadelphia and Trenton rail-road company, be, and they are hereby authorized and empowered to pur-