

No. 157.

AN ACT

To incorporate Emanuel church, Holmesburg, in the county of Philadelphia.

Preamble.

WHEREAS, The rector, church wardens and vestrymen, of All Saints church, Lower Dublin township, in the county of Philadelphia, together with certain members of the said corporation and others, worshipping at Emanuel chapel, Holmesburg, have united in an application to the legislature, praying for the separation of the latter from the former, and their erection into a distinct church and corporation, and also for the grant of permission and authority for said All Saints church, to convey to the proposed new corporation, a certain building and lot of ground situate in Holmesburg, aforesaid, to be held and used for a house of divine worship, and as a burial ground:

And whereas, The grant of the application aforesaid, will conduce to the well-being and prosperity of the said church and chapel, and to the furtherance of the cause of religion; therefore,

Corporators.

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 individuals hereafter to be elected rector of the church, Alexander Brown and Edward J. Glen, church wardens, and Richard P. Lardner, George Fox, Simmons H. Barrett and Joshua B. Smith, vestrymen, and their successors, be and they are hereby erected into a separate

Name.

body politic or corporate, by the name, style and title of "the rector, church wardens and vestrymen of Emanuel church, Holmesburg, 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:

Proviso.

Provided, That the clear yearly value or income of the estate, real, personal or mixed, of the said corporation of Emanuel 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 four thousand dollars.

Income limited.

Seal.

SECTION 2. That the said rector, church wardens and vestrymen, of Emanuel 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.

By-laws.

Proviso.

Rector.

SECTION 3. That the rector of the said Emanuel church shall be elected by the church, wardens and vestrymen, in such manner as the

statutes and by-laws shall ordain; the vestry of the said church shall consist of six persons, members of the said church, who shall continue in office for one year, and until others be chosen; and the election of such vestry shall be made every year, except during the year one thousand eight hundred and forty-four, on Easter Monday, by a majority of such members of the said church, as shall appear by the vestry books to have paid one year, immediately preceding the time of such election, for a pew or sitting in the said church: *Provided*, That until the next Easter Monday after the expiration of one year from the date of their articles of association, members of the said church who shall in any way have contributed to the erection of the church, or to the support of the rector or ministers thereof, shall be entitled to vote at the election of the vestrymen: *And provided*, That in case of the failure to elect vestrymen on that day, the corporation shall not on that account be dissolved, but the election shall be holden on some other day, in such manner as the by-laws may prescribe.

Vestry.

Annual election.

Proviso.

SECTION 4. That the said vestry shall have full power to choose their own officers; and they shall annually, at their first meeting after their election, choose one of their own number to be one church warden; and the rector, for the time being, shall elect another of the said vestrymen, to be the other church warden of the said church. In case of a vacancy in the office of rector at the time of the election, the other church warden shall also be chosen by the vestry, to remain until the election of a rector, or a new election of the vestry; and during such vacancy the church wardens, for the time being, and vestrymen, shall have the same powers and authorities relating to the disposition of the rents and revenues of the said corporation as are hereby vested in the rector, church wardens and vestrymen: *Provided, always*, That it shall be the duty of the said church wardens and vestrymen, to elect another rector to supply the vacancy as soon as conveniently may be.

Officers.

Proviso.

SECTION 5. That the rents and revenues of the said Emanuel church shall be, from time to time, applied for the maintenance and support of the rector, ministers and officers of the said church, and in the erection and necessary repairs of the church and church yard, and parsonage house, and other houses, which now do, or hereafter shall belong to the said corporation, and to no other use and purpose whatsoever.

Revenues.

SECTION 6. That "the rector, church wardens and vestrymen of All Saints church, Lower Dublin township, in the county of Philadelphia," be and they are hereby authorized and directed to make and execute a good and sufficient deed in the law, for such consideration as they may think proper for the purpose of vesting in the said "the rector, church wardens and vestrymen of Emanuel church, Holmesburg, in the county of Philadelphia," their successor and assigns forever, a certain lot of ground situate on the south-easterly side of the public road leading from Philadelphia to Bristol, in the village of Holmesburg, in the township of Lower Dublin, in the county of Philadelphia, containing in front on said public road, one hundred and thirty-two feet, and in depth south-easterly two hundred and twenty-one feet to a twelve feet wide court, with the buildings and improvements thereon erected, as the same lot is described in a certain indenture, dated the twenty-first day of March, Anno Domini one thousand eight hundred and thirty-one, from William Bartolett and wife, to "the minister, wardens and vestrymen of the Episcopal church, in Oxford township, and All Saints church in Lower Dublin township, in Philadelphia county, and St. Thomas' church, in White Marsh township, Montgomery county, in the commonwealth of Pennsylvania," recorded in the office for record-

All All Saints church
Lower Dublin, to
execute deed to
Emanuel church,
Holmesburg.

ing deeds, in and for the city and county of Philadelphia, in deed book A M, number twenty-six, page sixty-three, and so forth: *Provided*, That the provisions of this section shall not interfere with any interest of the St. Thomas' church, in White Marsh township, Montgomery county, in the lot above mentioned.

Government.

SECTION 7. The rules, by-laws and ordinances of the present corporation of All Saints church, as the same now are, shall be, so far as the same are applicable, the rules, by-laws and ordinances of the said corporation of Emanuel church, until the same shall be duly altered.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM BIGLER,

Speaker of the Senate.

APPROVED—The ninth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 158.

AN ACT

Providing for the erection of a house for the employment and support of the poor of the city of Allegheny.

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 select and common councils of the city of Allegheny, be, and they are hereby empowered to direct that a house for the employment and support of the poor of said city, be erected upon land purchased as hereinafter directed, and Thomas Barnett, Henry Hannen, Robert S. Cassat, Thomas Farley, E. W. Stevens, Thomas H. Stewart, and John Morrison, William Tate and S. O. Reynolds, be, and they are hereby appointed commissioners, whose duty it shall be, or a majority of them, on, or before the first day of July next, to select, determine upon and purchase a site within ten miles of said city, on which said buildings shall be erected; and it shall be lawful for the persons above named, or a majority of them, to take conveyances therefor, in the name, and for the use of "the mayor, aldermen and citizens of Allegheny," and they shall certify their proceedings therein, under their hand and seals, to the mayor of said city, to be filed in his office.

Commissioners.

Site.

Election of directors.

SECTION 2. That it shall be the duty of the mayor of said city, on receiving said proceedings, in his proclamation for the next corporation election, to be issued at least ten days before said election, to insert a notice to the voters of said city, qualified to vote for members of councils, to elect three reputable citizens of said city, to be "directors of the poor for the city of Allegheny," for the ensuing year; and the judges of the elections of said city, shall immediately, on receiving the returns