

shall in such case have also such relief as is by law given in the case of forcible entries.

(Section XI, P. L.) Provided always, That nothing in this act contained shall injure, lessen or affect in anywise, the claim of the said Isaac Austin to the premises or any part thereof; but the same shall be and remain the same as it would have been if the act aforesaid or this act had not been made.

[Section IV.] (Section XII, P. L.) And be it enacted by the authority aforesaid, That the supreme executive council, be and they are hereby authorized and desired to cause the aforesaid sum of four hundred pounds so as aforesaid paid by the said Isaac Austin and the further sum of three hundred and sixteen pounds three shillings and three pence one farthing also paid by the said Isaac Austin into the treasury on the twelfth day of January last making together the sum of seven hundred and sixteen pounds three shillings and three pence one farthing to be repaid to him out of the treasury of this state within ten days after demand made thereof by the said Isaac Austin his heirs or assigns.

Passed February 18, 1785. Recorded L. B. No. 2, p. 390, etc.

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## CHAPTER MCXXXV.

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### AN ACT TO INCORPORATE THE PRESBYTERIAN CONGREGATION IN ABINGTON TOWNSHIP, IN THE COUNTY OF MONTGOMERY.

(Section I, P. L.) Whereas the ministers, elders and members of the Presbyterian church in the township of Abington in the county of Montgomery have prayed that the said church may be incorporated and by law enabled as a body politic and corporate to receive and hold such charitable donations and bequests as have been or may from time to time be made to their society and vested with such powers and privileges as are enjoyed by the religious societies who are incorporated in the state of Pennsylvania:

(Section II, P. L.) And whereas it is just and right and also agreeable to the true sprit of the constitution that the prayer of their said petition be granted.

[Section I.] (Section III, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That William M. Tennent, Samuel McNear, William Wilson, Joseph McClean, Garret Wynkoop, John Mann, Samuel Leech, Samuel Erwin and John Collom, and their successors duly elected and appointed in such manner and form as herein after directed be and they are hereby made and constituted a corporation and body politic in law and in fact to have continuance forever by the name, style and title of "The Trustees of the Presbyterian Church in the Township of Abington, in the County of Montgomery."

[Section II.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors, by the name, style and title aforesaid shall forever hereafter be persons able and capable in law as well to take, receive and hold all and all manner of lands, tenements, rents, annuities, franchises and other hereditaments which at any time or times heretofore have been granted, bargained, sold, enfeoffed, released, devised or otherwise conveyed to the said Presbyterian church in the township of Abington and county aforesaid or to the religious congregation worshipping therein now under the pastoral charge and care of the Reverend William Mackey Tennent or to any other person or persons to their use or in trust for them and the same lands, tenements, rents, annuities, liberties, franchises and other hereditaments are hereby vested and established in the said corporation and their successors forever according to their original use and intention: And the said corporation and their successors are hereby declared to be seized and possessed of such estate and estates therein as in and by the respective grants, bargains, sales, enfeoffments, releases, devises or other conveyances thereof, is or are declared, limited or expressed, as also that the said corporation and their successors aforesaid at all times hereafter shall be capable and able to purchase, have, receive, take, hold and

enjoy in fee simple or of any less estate or estates any lands, tenements, rents, annuities, liberties, franchises and other hereditaments by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation or devise of any person or persons, bodies politic and corporate capable and able to make the same, and further that the said corporation may take and receive any sum or sums of money and any manner or portion of goods and chattels that have or shall be given or bequeathed to them by any person or persons, bodies politic and corporate, capable to make a bequest or gift thereof, such money, goods and chattels to be laid out by them in a purchase or purchases of lands, tenements, messuages, houses, rents, annuities or hereditaments to them and their successors forever, or the money lent on interest or otherwise disposed of according to the true intention of the donors.

[Section III.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the rents, issues, profits and interests of the said real and personal estate of the said church and corporation shall by the said trustees and their successors from time to time be applied for the maintenance and support of the pastor of the said church, for and towards the relief of the poor in communion of the said church, and in re-pairing the house of public worship, burial ground, parsonage house or other houses which now do or hereafter shall belong to the said church and corporation.

[Section IV.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors shall not by deed, fine or recovery, or by any other ways or means, grant, alien or otherwise dispose of any manors, messuages, lands, tenements or hereditaments, in them or their successors vested, or hereafter to be vested nor charge nor encumber the same to any person or persons whatsoever without the consent and approbation of a majority of the members of the said congregation first had and obtained.

[Section V.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors or a majority of them met from time to time after public intimation given the preceding Lord's day, commonly called

Sunday from the desk or pulpit of the said church immediately after divine service before the congregation are dismissed or after regular notice in writing [left] at the house of each trustee and the particular business inserted therein at least one week before, be authorized and empowered and they are hereby authorized and empowered to make by-laws and ordinances and to do everything needful for the good government and support of the secular affairs of the said church.

(Section VIII, P. L.) Provided always, That the said by-laws, rules and ordinances or any of them be not repugnant to the laws of this commonwealth, and that all their proceedings be fairly and regularly entered into a church book, to be kept for that purpose, and also that the said trustees and their successors by a majority of votes of any five or more of them when met as aforesaid after such intimation or notice as aforesaid be authorized and empowered to elect and appoint from among themselves a president and also to elect and appoint from among themselves or others a treasurer and secretary and the same president, treasurer and secretary or any of them at their pleasure to remove, change, alter or continue as to them or a majority of any five or more of them so met as aforesaid from time to time shall seem to be most for the benefit of the said church and corporation.

[Section VI.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors shall have full power and authority to make, have and use one common seal with such device and inscription as they shall think proper and the same to break, alter and renew at their pleasure.

[Section VII.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors by the name of "The Trustees of the Presbyterian Church in Abington Township in the County of Montgomery" aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded in any court or courts before any judge or judges, justice or justices in all and all manner of suits, complaints, pleas, causes, matters and demands of whatsoever nature, kind or form they may be and all and every matter and

thing therein in as full and effectual a manner as any other person or persons, body politic and corporate within this commonwealth may or can do.

[Section VIII.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That the said corporation shall always consist of nine members called and known by the name of "The Trustees of the Presbyterian Church in Abington Township in the County of Montgomery;" and the said members shall at all times hereafter be chosen by ballot by a majority of such members met together of the said congregation as are stated worshippers with the said church for not less than the space of one year and have paid the sum of seven shillings and six pence yearly towards the support of the said church and shall not at any time of voting be more than one-half year in arrears for the same.

[Section IX.] (Section XII, P. L.) And be it further enacted by the authority aforesaid, That the said William M. Tennent, Samuel McNear, William Wilson, Joseph McClean, Garret Wynkoop, John Mann, Samuel Leech, Samuel Erwin and John Colom, the first and present trustees hereby incorporated shall be and continue trustees aforesaid until they be removed in manner following, That is to say, that all and every of the trustees herein first named and appointed, shall cease and discontinue, and their appointment determine on the first Thursday of April which will be in the year of our Lord one thousand seven hundred and eighty-six upon which day a new election shall be had and held of so many others in their stead and place by a majority of the persons met and qualified agreeable to the true intent and meaning of this act to vote and elect as aforesaid yearly and every year forever.

(Section XIII, P. L.) Provided always, That the same trustees or either of them may be re-elected at such elections, and if by any accident an election shall not be held on said day shall continue trustees until an election shall be made at some future day by them to be appointed so that the same be within a month thereafter.

(Section XIV, P. L.) Provided also, That the pastor of the said church for the time being be entitled to vote equally with any member of the said church or congregation.

(Section XV, P. L.) And provided also, That all and every person or persons qualified as aforesaid to vote and elect shall and may be capable and able to be elected trustees aforesaid.

(Section XVI, P. L.) And when any vacancy shall happen by the death, refusal to serve or removal of any one or more of the trustees aforesaid pursuant to the directions of this act an election shall be held of some fit person or persons in his or their stead, so dying, refusing or removing as soon as conveniently can be done and the person or persons so elected shall be, remain and continue as a trustee or trustees aforesaid so long without a new election as the person or persons in whose place and stead he or they shall have been so elected [as aforesaid, would or might have continued and remained] and no longer, and that in all cases of a vacancy happening by the means in this act last mentioned the remaining trustees shall be empowered to call a meeting of the electors for supplying the said vacancy such meeting to be notified and published in like manner as herein before is directed and appointed for notifying and publishing the meeting of the trustees.

[Section X.] (Section XVII, P. L.) Provided always and it is hereby enacted by the authority aforesaid, That the clear yearly value or income of the messuages, houses, lands, tenements, rents, annuities or other hereditaments and real estate of the said corporation shall not exceed the sum of five hundred pounds lawful money of the state of Pennsylvania to be taken and esteemed exclusive of the money arising from the annual stated contributions belonging to the said church and also exclusive of the moneys arising from the opening of the ground or burials, which money shall be received by the trustees and disposed of by them in the manner herein before directed.

Passed February 22, 1785. Recorded L. B. No. 2, p. 425, etc.