

[Section IV.] (Section V. P. L.) Provided nevertheless, That no sale or alienation of the real estate of the said corporation to be made by the said trustees or their successors, bona fide, and for valuable consideration in case the possession thereof pass immediately to the purchaser thereof and continued in him or his heirs or assigns shall be impeached or called in question for want of the consent of the majority of the regular members of the said society and congregation given as required by the act aforesaid, unless the same be done within seven years from and after the sale and delivery of possession to the said purchaser.

Passed March 10, 1787. Recorded L. B. No. 3, p. 180, etc.

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• CHAPTER MCCLXXIII.

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AN ACT FOR INCORPORATING THE UNITED EPISCOPAL CHURCHES OF TRINITY CHURCH IN OXFORD TOWNSHIP AND ALL SAINTS' CHURCH IN LOWER DUBLIN TOWNSHIP IN PHILADELPHIA COUNTY AND SAINT THOMAS'S CHURCH IN WHITEMARSH TOWNSHIP IN MONTGOMERY COUNTY.

(Section I. P. L.) Whereas divers members of the Episcopal Church formerly in communion with the Church of England, did many years ago at a considerable expense erect and build one house for the public worship of God in Oxford township which they nominated and styled Trinity church, one other house in Lower Dublin township, which they nominated and styled All Saints' church both in Philadelphia county, and one other house in Whitemarsh township, in Montgomery county which they nominated and styled Saint Thomas' church:

And whereas it hath been represented to this house by the minister, wardens and vestrymen of the above named churches that they have suffered and still do suffer may inconveniences and disadvantages from the want of legal power as a politic and corporate body and also have petitioned that they the said minister, wardens and vestrymen, together with the other members of the religious society who assemble in the said

churches may be incorporated and furnished with the due and customary privileges in this behalf and that they may have perpetual succession.

And whereas it is just and proper and perfectly consistent with the true intention and spirit of the constitution that the prayer of their said petition should be granted:

[Section I.] (Section II. 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 the Reverend Joseph Pilmore, Rector or Minister of the said churches, Benjamin Cottman and Jacob Ashton, the present wardens of Trinity church in Oxford township, Benjamin Johnson and Jacob Duffield, the present wardens of All Saints' church in Lower Dublin township and Joseph Thornhill, Matthew Ingram, Nathan Whitman and Demos Worrell, present vestrymen for Tripity church, and John Cottman, Josiah Jackson, Thomas Ashton and Joseph Ashton, present vestrymen of All Saints' church, Andrew Redheffer and John Bernard Gilpin, the present wardens, and Edward Burk, Lewis Stangert, Frederick Hitner and William Hicks, the present vestrymen for Saint Thomas' church, in Whitemarsh township, and their successors duly elected and nominated in their place and stead 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 and title 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 Saint Thomas' church in Whitemarsh township in Montgomery county in the Commonwealth of Pennsylvania."

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That the said minister, church-wardens and vestrymen and their successors by the name and style aforesaid shall forever hereafter be persons able and capable in law 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, enfeoffments, re-

lease, confirmation or devise of any person or persons, bodies politic or corporate capable to make the same and further that the said corporation may take and receive any sum or sums of money and any kind, manner or portion of goods and chattels that shall be given or bequeathed to the said minister, church wardens and vestrymen and their successors by any person or persons, bodies politic and corporate capable to make a gift or bequest 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.

[Section III.] (Section IV. P. L.) And be it futher enacted by the authority aforesaid, That the rents and revenues, profits and interest of the said churches and corporation shall by the said minister, church wardens and vestrymen and their successors from time to time be appropriated for the maintenance and support of the minister or ministers and officers of the said churches and for the necessary repairs of the said churches, burial ground, church yard, parsonage house or houses and other tenements or buildings, which do now or hereafter may or shall belong to the said churches and corporation and to no other use or purpose whatsoever.

[Section IV.] (Section V. P. L.) Provided always and be it further enacted by the authority aforesaid, That all estates, lands, tenements, rents, annuities, legacies and bequests or any of them heretofore given, granted or devised to any of the said three churches or purchased by any of them by way of trust or otherwise or which may hereafter be given, granted or devised to, or be purchased by any of them shall be applied and appropriated in all respects whatever to the use of the particular church for which such gift, grant, devise or purchase was or shall be made.

[Section V.] (Section VI. P. L.) And be it further enacted by the authority aforesaid, That the said minister, church wardens and vestrymen and their successors shall and may grant, alien or otherwise dispose of any messuage or messuages, house or houses, lands, tenements or hereditaments other than the site of 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.

[Section VI.] (Section VII. P. L.) Provided always and be it further enacted by the authority aforesaid, 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 shall be had and obtained and also 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 majority of the vestry may deem proper and expedient and to no other purpose or purposes whatsoever.

[Section VII.] (Section VIII. P. L.) And be it further enacted by the authority aforesaid, That the said minister, church-wardens and vestrymen and their successors or a majority of them shall and may convene from time to time to make rules, by-laws and ordinances and to transact everything requisite for the good government and support of the said churches. Provided always, That the said rules, by-laws and ordinances be not repugnant to the laws and statutes in force within this commonwealth and that all the said rules, by-laws, ordinances and transactions requisite for the good government and support of the said churches shall be entered in a book or books which shall be kept by the said wardens for that purpose.

[Section VIII.] (Section IX. P. L.) And be it further enacted by the authority aforesaid, That the said minister, church-wardens and vestrymen shall have full power and authority to make, have and use one common seal with such device or devices and inscription as they shall think proper and the same to change, break, alter and renew at their pleasure.

[Section IX.] (Section X. P. L.) And be it further enacted by the authority aforesaid, That the said minister, church-wardens and vestrymen and their successors by the name before mentioned 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, causes, matters and demands of whatsoever kind, nature or form they may be and all and every other matter and

thing [therein] to do in as full and effectual a manner as any other person or persons, bodies politic or corporate in this commonwealth in the like cases may or can do. And that they shall have full power to demand, receive, and if need be to sue for and recover all former debts or legacies or arrearages of debts or legacies which are or may be due to the said churches or either of them or to the minister of the said churches and also all deeds, books, writings or other things which were heretofore the right and property of the said churches or either of them.

(Section XI. P. L.) Provided always, That nothing in this section contained shall authorize the said minister, church-wardens and vestrymen or their successors to apply the estates real or personal given or devised [or] to be given or devised to any of the said three churches or purchased or to be purchased by any of the said churches or the rents or profits of such estates to any other use than to the use of such particular church as is or shall be mentioned in the gift, grant, devise or purchase deeds made or to be made to [such] church.

[Section X.] (Section XII. P. L.) And be it further enacted by the authority aforesaid, That the vestry of the said united churches shall always consist of eighteen persons, members of the said churches, of which number six shall be chosen for each church respectively, that the six persons so to be chosen for each church as aforesaid shall reside in the vicinage or neighborhood of each church for which they are chosen, that one and the same person shall not be chosen or serve as a vestrymen for more than one of the said churches at the same time, and that the election of vestrymen for each division or district shall be holden and made at each of the said churches on Easter Monday in every year by a majority of such members only of the said churches as shall appear by the vestry books or otherwise to be contributors to the support and maintenance of the said churches, having and paying for a pew or part of a pew in one of the said churches sufficient for one person at the least and to be of full age, or who shall otherwise contribute a sum of money equal to the rent of a seat in a pew sufficient for one person at the

least yearly, and shall not at any time of voting, be more than one-half year in arrears for the same.

[Section XI.] (Section XIII. P. L.) And be it further enacted by the authority aforesaid, That the said vestrymen so elected for each church or district shall have full power to elect and choose annually and every year two of their number to be church-wardens for each of the said churches respectively. Provided always nevertheless, That in case of the death or removal of the rector or principal minister of the said churches, then from the death or removal of such minister and until another minister shall be duly appointed and approved for the said churches, agreeably to former method and usage, the church-wardens for the time being with the consent of the major part of the vestrymen in vestry met, shall have the same powers and authority relating to the collection and disposition of the rents and revenues of the said corporation as is hereinbefore vested in the minister, church-wardens and vestrymen.

[Section XII.] (Section XIV. P. L.) And it is hereby enacted by the authority aforesaid, That the clear yearly value 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 in gold or silver at the present value thereof in the commonwealth of Pennsylvania for each of the said churches exclusive of the moneys arising from the letting of the pews belonging to the said churches or either of them and also exclusive of the moneys arising from the opening of the ground for burials in the church yards belonging to the said churches or either of them, which said moneys shall be received and disposed of by the church wardens and vestrymen for the purposes hereinbefore mentioned and directed.

Passed March 10, 1787. Recorded L. B. No. 3 p. 181, etc.