

sylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be, and he is hereby authorized to draw his warrant on the state treasurer, in favor of Alexander Ogle, for forty dollars, to be paid out of any unappropriated monies in the treasury, to be applied to the use of Christian Shockey; and that an annuity of forty dollars be granted the said Christian Shockey, to be paid half yearly to the said Alexander Ogle of Somerset county, his executor or executors, administrator or administrators, his or their lawful attorney, to commence from the first day of January, one thousand eight hundred and eight, on warrants drawn by the governor on the state treasurer; which annuity shall be expended by the said Alexander Ogle, his executor or executors, administrator or administrators, his or their lawful attorney, in providing clothing, lodging and diet for the said Christian Shockey; and it shall, and it is hereby made the duty of the said Alexander Ogle, his executor or executors, administrator or administrators, his or their lawful attorney, to make an annual return to the orphans' court of Somerset county, on oath or affirmation, how and [in] what manner he or they have executed the trust in him or them confided by this act.

Approved March 24, 1808. Recorded in L. B. No. 11, p. 209.

CHAPTER MMCMLV.

AN ACT INCORPORATING THE ROMAN CATHOLIC CONGREGATION OF CHRIST CHURCH, IN THE BOROUGH OF WEST CHESTER, IN THE COUNTY OF CHESTER, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Whereas it has been represented by the clergyman and trustees of the Roman Catholic congregation of Christ church, in the borough of West Chester, in the county of Chester, that John Hannum late of said borough, and Alice his wife by their

indenture bearing date the twenty-eighth day of March, one thousand seven hundred and ninety-three, did convey to Stephen Moylan, Anthony Hearn, Mark Wilcox, Daniel Fitzpatrick, Peter M'Gurk, Edward M'Closkey, Lewis Jenkins and Jacob Wisinburg, their heirs and assigns, a certain lot of land situate in the borough of West Chester, late of the township of Goshen, in the county of Chester, containing forty perches more or less, bounded and described as in the said indenture specified in trust for the use and benefit of the congregation of the Roman Catholic church aforesaid. It is further represented that the said indenture also specifies, that as often as the trustees or their successors, should by death or disunity be reduced to one half or less, of the whole number of trustees, that, then the said surviving trustees with the advice, order and direction of the congregation, should convey the aforesaid lot of land unto eight or more of said congregation, their heirs and assigns, and so on in perpetual succession. That in consequence of the death of some of the trustees above mentioned, and by means of other bequests, and monies belonging to the congregation and not under the care of any particular person, great inconveniences may arise, they therefore pray that the same may be remedied by incorporating the aforesaid clergyman, trustees and congregation: Therefore,

Section I. (Section I, P. L.) 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 reverend Patrick Kenny, clergyman of the said church, Anthony Hearn, Mark Wilcox, Charles Kenny and John M'Laughlin, present trustees of the said church, 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 clergyman and trustees of the Roman Catholic congregation of Christ church, in the borough of West Chester, in the county of Chester."

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said clergyman and trustees and their successors, by the name and title 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 lesser 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 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 proportion of goods and chattels that shall be given or bequeathed to the said clergyman and trustees 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 applied by them to the purposes of their incorporation.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the rents, revenues, profits and interest of the said church and corporation, shall by the said clergyman and trustees and their successors from time to time be appropriated for the support and maintenance of the clergyman of the said church, except when there be an agreement made with the clergyman for a less sum than the annual income, and for improvements and necessary repairs of the said church, burial ground, church yard and other tenements, which do now or hereafter may or shall belong to the said church and corporation and to no other purpose whatever.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said clergyman and trustees and their successors, shall and may grant, alien or otherwise dispose of any messuages, houses, lands, tenements and hereditaments, other than the site of the house of public worship or church aforesaid, and the burial ground or grounds which they do now or hereafter may possess as to them may seem meet and proper. And also the monies arising from the said disposal or sale shall be appropriated to the purchase and

procuring other more convenient messuages, houses, lands or tenements as the aforesaid majority of the said corporation may deem proper and expedient, and to no other purpose or purposes whatsoever.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said clergyman and trustees 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 church: Provided always, that the said rules, by-laws and ordinances be not repugnant to the laws and statutes in force within this commonwealth.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the said clergyman and trustees shall have full power and authority to make, have and use one common seal with device or devices and inscription as they shall think proper, and the same to change, alter and renew at their pleasure.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the said clergyman and trustees 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 manner of suits, complaints, causes, matters and demands of whatsoever kind, nature or form they be, and all and every other matter and thing therein to do, in as full and effectual a manner as any other persons, bodies politic or corporate in this commonwealth, in the like cases, may or can do.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the clergyman and trustees of said church shall always consist of not less than three, nor more than five members of said church of which number the presiding clergyman for the time being shall be always one, unless it should so happen that no resident clergyman be stationed there at the time of choosing the clergyman and trustees as aforesaid, and that the election of said

clergyman and trustees shall be made every year on Easter Monday, by a majority of such members of the said church present as shall appear by the treasurer's books to be contributors to the support and maintenance of the said church, and to be of the age of twenty-one years; such only shall have a right to vote for the clergyman and trustees.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said clergyman and trustees so elected shall have full power to elect and choose annually, one of their number to be treasurer of said corporation; Provided always, that in case of the death or removal of the clergyman, and until another shall be duly appointed for the said church, the treasurer shall be accountable to the trustees duly elected as aforesaid, for all sums of money which may remain in his hands, and the said trustees shall have the same power and authority relating to the disposal of the same, and also of the rents and revenues of the said corporation, as is hereinbefore vested in the clergyman and trustees.

Section X. (Section X, P. L.) And be it further 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 four thousand dollars.

Section XI. (Section XI, P. L.) And be it further enacted by the authority aforesaid, That the surviving trustees appointed by the indenture, referred to in the preamble of this act or their successors duly elected, may assign and transfer by such conveyance as they may deem expedient, the lot or piece of land specified in the said indenture, alluded to in the preamble aforesaid, conveyed to them in trust and for the use of the aforesaid congregation and church; and generally all property of whatsoever kind held by them in trust as aforesaid, to the corporation named in the first section of this act; and the said corporation is hereby authorized to accept and receive such conveyance which shall be as effectual and

available in law to all intents and purposes, and the title thereby as complete and vested in the said corporation as if the same had been made to eight or more of the aforesaid congregation, according to the directions specified in the said indenture aforesaid.

Approved March 24, 1808. Recorded in L. B. No. 11, p. 210.

CHAPTER MMCMLVI.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE COUNTY OF NORTHAMPTON TO AFFIRM A CONTRACT MADE WITH JACOB STROUD.

Whereas it has been represented, that in the year of our Lord, one thousand seven hundred and ninety-eight, the commissioners of the county of Northampton, in pursuance of the directions of the court and grand jury, made a contract in writing, with a certain John Stroud to build a stone bridge over Jones's creek, in lower Smithfield township; that the first payment was received from the commissioners by John Stroud, according to agreement, the bridge was built and fell as soon as completed, owing to the bad quality of the stone of which it was composed, though the best the country for some miles afforded were made use of; that two of the commissioners for the year one thousand eight hundred and five, convinced, by an examination of the premises and a full enquiry, that materials for erecting a durable stone bridge could not be had in the neighborhood, made a parole agreement with Jacob Stroud, (to whom John Stroud had assigned his contract) for the erection of a wooden bridge, with stone abutments, instead of the stone bridge that had fallen, and to pay him the amount which the said bridge should cost, after deducting the sum already paid to John Stroud; that the said Jacob Stroud prepared the principal and most expensive part of the materials for the execution of his agreement, but the subsequent boards of commissioners have de-