

No. 57.

A Supplement

To the act entitled "An act for incorporating St. Paul's church, in the city of Philadelphia," and to an act entitled "A supplement to the act entitled 'An act for incorporating St. Paul's church, in the city of Philadelphia,'" and for other purposes.

Preamble. WHEREAS, The congregation styled "The Rector, Church Wardens and Vestrymen of the Episcopal church of St. Paul, in the city of Philadelphia, in the Commonwealth of Pennsylvania," have caused to be represented to the legislature that they have experienced much inconvenience under their present charter, requiring the vestry to consist of twenty members, which is found in practice to be less efficient than a smaller number, and prayed that an act may be passed reducing the number of the vestry to twelve members; Therefore,

Vestrymen. 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 said congregation shall, at their next election, and annually thereafter, elect only twelve members of the said congregation to be vestrymen thereof, in lieu of the number of twenty, heretofore required to be elected, and that the said reduced vestry, so to be elected, shall choose out of their number two wardens, and exercise all other rights, powers, and authority heretofore vested in the vestry.

Wardens. SECTION 2. That so much of the acts to which this is a supplement, and of the agreements and concessions therein referred to, as is at variance with this act, be, and the same is hereby repealed.

Trustees and Elders of the Presbyterian church of Clearfield town incorporated. SECTION 3. Robert Wallace, Richard Shaw, Archibald Shaw, James Allport, Thomas McPherson and Matthew Ogden, and their successors, duly elected and appointed in such manner as is hereinafter directed, be, and they are hereby made, declared and constituted to be a body politic and corporate, in law and in fact, to have perpetual succession, by the name, style and title of the trustees and elders of the Presbyterian church of Clearfield town, with all the powers and immunities, and subject to all the rules, regulations and restrictions of the act entitled "An act incorporating the first Presbyterian church in the borough of Easton, in the county of Northampton," passed the tenth day of

March, one thousand eight hundred and eighteen: *Provided*, ^{Proviso.} The number of trustees to manage the said corporation shall be six.

WHEREAS, the congregation of the German Reformed church worshipping at the church called St. Vincent, in East Vincent township, Chester county, have prayed that their said congregation may be incorporated, and made a body politic and corporate, to receive and hold such charitable donations, bequests, grants and enfeoffments as have been or may hereafter be made to the said society, and vested with such powers and privileges as are enjoyed by other religious societies incorporated within this state. ^{Preamble to incorporation of St. Vincent's church in Chester co.}

SECTION 4. The Rev. A. Hoffman, the present pastor of the said congregation, Jacob Waggoner, Jacob Showalter, and Henry Yeager, the present trustees, George Hoffman, Jacob Grubb, John Yeager, George Yeager, Peter Yeager, and John Wagoner, the present elders, and Philip Munshower, John Taney, and Joseph Longaker, the present deacons, and their successors, duly elected and appointed in such manner as is hereinafter directed, be, and they are hereby made, declared and constituted to be a body politic and corporate, in law and in fact, to have perpetual succession, by the name, style and title of the Minister, Trustees, Elders and Deacons of the German Reformed congregation worshipping at the church called St. Vincent, in East Vincent township, in the county of Chester: *Provided always*, ^{Proviso.} That the number of ministers may be increased and diminished from time to time, according to the circumstances or desire of the said congregation, in which case the name, style and title shall be, the Ministers, Trustees, Elders and Deacons of the German Reformed congregation worshipping at the church of St. Vincent, in East Vincent township, Chester county. ^{Style and title.}

SECTION 5. That the said corporation and their successors, by the name, style and title aforesaid, shall forever hereafter be able and capable in law, as well to take, receive and hold 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 congregation and church, now under the pastoral care of the Reverend A. Hoffman, 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 the original use and intent for which such devises, gifts, and ^{Corporate powers.}

grants were respectively made; and the said corporation and their successors, are hereby declared to be seized and possessed of such estate or 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, at all times hereafter, shall be capable and able to purchase, have, receive, take, hold and enjoy, in fee simple, or of 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 and corporate, capable and able to make the same; and further, that the said congregation and their successors, may take and receive any sum or sums of money, and any portion of goods and chattels, that have been, or hereafter shall be given or bequeathed unto them or to the said church, by any person or persons, bodies politic or corporate, able and capable to make a bequest or gift thereof, such money, goods or chattels, to be laid out and disposed of for the use and benefit of the aforesaid congregation, agreeably to the intention of the donors.

SECTION 6. That no misnomer of the said corporation and their successors, shall defeat or annul any gift, grant, devise or bequest, to or from the said corporation: *Provided*, the intent of the party or parties shall sufficiently appear upon the face of the gift, grant, will, or other writing, whereby any estate or interest was intended to pass to or from the said corporation.

SECTION 7. That the rents, profits and interests of the said real and personal estate of the said congregation and their successors, shall, by the said corporation and their successors, from time to time, be applied and laid out for the maintenance and support of the gospel ministry in said congregation, for maintaining and repairing their church, or churches, in case any more should be added to that already built, places of public worship, lots of land, burial grounds, parsonage houses, school houses, or other houses and buildings which now do, or hereafter shall belong to the said congregation and corporation, and such pious and charitable uses as shall be thought proper by the said corporation and their successors, or a quorum of them.

SECTION 8. That the said corporation and their successors shall not, by deed or otherwise, grant, alien, convey, or otherwise dispose of any part or parcel of the estate, real or personal, in the said corporation, vested, or to be vested, or charge or encumber the same to any person or persons what-

soever, except by and with the consent of a majority of the regular contributing members of the said congregation, convened for that purpose. Majority required to dispose of estate.

SECTION 9. 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 fit and proper, and the same to break, alter, and renew at their pleasure. Seal.

SECTION 10. That the said corporation and their successors, by the name of the Minister, Trustees, Elders and Deacons of the German Reformed church worshipping at the church of St. Vincent, in East Vincent township, in the county of Chester, or in case there shall be more than one minister belonging to the said congregation, by the name of the Ministers, Trustees, Elders and Deacons of the German Reformed church worshipping at the church of St. Vincent, in East Vincent township, in the county of Chester, shall be able and capable in law to sue and be sued, plead and be impleaded in any court, or before any judge or justice, in all manner of suits, complaints, pleas, matters and demands, of whatsoever kind, nature, and form, that may be, and all and every matter and thing therein to do, in as full and effectual a manner as any other person, bodies politic or corporate, within this commonwealth, may or can do. May sue and be sued, &c.

SECTION 11. That the said corporation shall at all times hereafter consist of the minister or ministers of the said congregation, duly chosen, from time to time, and of three trustees, six elders, and three deacons, and that the said trustees, elders and deacons, shall be and continue until removed in manner following, that is to say: one third in number of the trustees, being the one first named, and one third part in number of the elders, being the two first named, and one third part in number of the deacons, being the one first named, shall cease and discontinue, and their appointment determine on Easter Monday, which will be in the year of our Lord one thousand eight hundred and thirty-eight, at which time a new election shall be had and held, of an equal number, in their stead and places, by a majority of votes of the members met and qualified to vote and elect, according to the purport, true intent and meaning of the fundamental articles of the said congregation, and of this act, and on Easter Monday which will be in the year of our Lord one thousand eight hundred and thirty-nine, the second and third part in number of the said remaining trustees, elders and deacons, shall in like manner cease and discontinue, and their appointment determine, and a new Members of said corporation. Continuanee in office. Rotation by new elections.

Elections to be held annually on Easter-Monday. election be had and held, in like manner, of an equal number, in their places and stead, and on Easter Monday which will be in the year of our Lord one thousand eight hundred and forty, the last third part in number of the said remaining trustees, elders and deacons, shall cease and discontinue and their appointment determine, and a new election be had and held, of an equal number in their places and stead, in like manner, and that in the same manner, and by the like mode of rotation, one third part in number of the trustees, of the elders, and of the deacons, shall cease and discontinue, and their appointment determine, and a new election of the said third part be had and held in manner aforesaid, on Easter Monday in every year, forever, so that no person or persons shall continue to be a trustee, elder or deacon, any longer time than three years, without being re-elected, but that the members of the said congregation qualified to vote as aforesaid, shall and may be at liberty to re-elect one or more of the trustees, elders and deacons, whose time shall have expired on the day of the said annual election, whenever and so often as they shall think fit.

Vacancies—
manner of
filling them.

SECTION 12. That whenever a vacancy shall happen, by the death, refusal to serve, or removal from office of any one or more of the trustees, elders or deacons, the said corporation shall have power, at their discretion, to appoint the time and place for electing others in their stead, whereof they shall give public notice to the congregation, on the preceding Sunday, and that at the time and place so appointed, some fit person or persons shall be elected in the place and stead of him or them so dying, refusing, or being removed, as aforesaid, and that the person or persons so elected to the office, or in the place and stead of any trustee, elder, or deacon, be, remain and continue in office, so long as the person or persons in whose place and stead he or they shall have been so elected, would or might have continued.

Who may
vote, and who
are eligible
to office.

SECTION 13. That no person or persons shall be entitled to elect, or be elected to office, who is not a regular member of the congregation, and otherwise qualified thereto, agreeably to the fundamental articles of the said congregation, excepting the minister or ministers who may from time to time be chosen or elected by a majority of the trustees, elders, deacons, and regular members of the said congregation, to officiate in the said congregation.

Special elec-
tions.

SECTION 14. That whenever any circumstance, or concurrence of circumstances, shall happen to prevent the holding an election at the periods in this act before mentioned, for trustees, elders and deacons, instead and place of those whose appointment shall have ceased and deter-

mined, an election shall be held as soon as conveniently can be done, in the manner before directed, and that the remaining members of the said corporation have power to call a meeting of the electors of the said congregation for such purposes.

SECTION 15. That such and so many of the fundamental articles tending to the orderly and good government of the said church, which now are in force, and duly entered and registered in their church books, as are not altered and repealed by this act, and are not repugnant to the constitution and laws of the United States or of this commonwealth, shall be, remain and continue forever valid and effectual, unless the same be altered by the consent of a majority of the members of the said congregation, qualified to vote at elections, according to the purport and meaning of said fundamental articles and this act.

SECTION 16. That the members of the aforesaid corporation shall and may from time to time, as often as occasion may require, elect by vote or ballot, from amongst their own number, a president and vice president, agreeably to the fundamental articles aforesaid, as they now are or shall be made, pursuant to the foregoing section; that they may elect, by vote or ballot, a treasurer and secretary, and may remove them at pleasure; that the president or vice president for the time being, or any three members of the said corporation, shall be empowered to call a meeting of the corporation, when and so often as he or they shall find it to be necessary, or shall be requested so to do by any six regular members of the said congregation; that the said corporation and their successors, or a majority of seven in number of them, met and convened upon due notice, given either in the church on the preceding Sunday, after divine service, and before the congregation is dismissed, or in any other convenient manner, (which seven shall be a quorum,) shall be authorized and empowered to make by-laws and ordinances, and do every thing needful for the support and government of the said congregation: *Provided always*, The said by-laws, rules and ordinances, or any of them, be not repugnant to the constitution and laws of the United States or of this commonwealth, and be duly published in the said church, on the succeeding Sunday after they have been made, and not dissented to by a majority of the regular contributing members of the said congregation, within one week after such publication; and also, that all their laws and proceedings be fairly and regularly entered in the books of records of the said congregation.

Validity of the fundamental articles.

Election of the president and vice president.

Treasurer & Secretary.

Meetings.

Quorum

By-laws

Proviso

Relative to
building ad-
ditional
churches.

SECTION 17. That the said congregation shall and may be empowered, at any time or times hereafter, to build one or more church or churches, or places of public worship, in addition to the one already built, and that the clear yearly value of messuages, houses, lands, tenements, rents, annuities, and other hereditaments and real estate of the said corporation, shall and may be of any amount not exceeding —, for each and every of the said churches or places of public worship, the said yearly value or amount to be taken exclusive of the moneys arising from the letting of the pews of the said church or churches, or for opening the ground for burials in the church yards belonging to them, and also of the voluntary contributions of the members for the support of their minister or ministers, duly officiating in the said congregation, which yearly income of the said real estate, ascertained and limited as aforesaid, shall be disposed of by the said corporation, for the purposes hereinbefore described and directed.

Public
school at
Germantown
in Phil'a. co.
Part of for-
mer act re-
lative thereto,
repealed, &c.

SECTION 18. That so much of the supplement to an act entitled "An act to establish and incorporate a public school at Germantown, in the county of Philadelphia," passed the sixth day of September, Anno Domini, one thousand seven hundred and eighty six, as requires the payment of forty shillings for the qualification of persons entitled to vote for trustees of said public school at Germantown, be repealed, and that hereafter it shall be lawful for all citizens residing within the limits of the township of Germantown, qualified to vote for county or state officers, to be entitled to vote at all elections for the choice of trustees to manage the concerns of said public school; that Germantown and its vicinity, as far as the eligibility of trustees for the said public school is concerned, be composed of and defined to be the townships of Germantown, Bristol, and Roxborough, and the parts of Penn township and Northern Liberties, included in a line drawn from the Wingohocking creek and Second street, along the lane leading through the Rising Sun village, to its junction with the Philadelphia, Germantown and Norristown Railroad, thence up the Manyunk branch of said railroad to the Nicetown lane, thence along said lane to the river Schuylkill, thence up said river to Roxborough township aforesaid, and that none but citizens residing within the above limits, shall be eligible to serve as trustees of the said public school of Germantown, and that the provision in the charter relating to a German school be complied with.

Trustees of
said school to
reside within
certain
bounds.

SECTION 19. That James Ferguson, Joseph Henry, John Ferguson, Junr. Joseph Wiley, William Reed, and John Henry, the present trustees, and their successors, duly elect-

ed and appointed in such manner as is hereinafter directed, Associate. be, and they are hereby made, declared and constituted to be a congregation body politic and corporate, in law and in fact, to have per- of Pike t'p. petual succession, by the name, style and title of the Trus- in Clearfield tees, Elders and Members of the Associate Congregation of co. incorpor- Pike township, in the county of Clearfield, with all the pow- rated. ers, and subject to all the rules, regulations, and restric- tions of the act entitled "An act incorporating the First Presbyterian Congregation in the Borough of Easton, in the county of Northampton," passed the tenth day of March, one thousand eight hundred and eighteen: *Provided*, The Proviso. The number of trustees to manage the said corporation shall be six.

WHEREAS, many of the citizens of this Commonwealth Preamble derive the title to the lands on which they live, or of which relative to they are possessed within this state, by, through, or from the titles to citizens or subjects of foreign states, or countries, and in ded- estates der- ucing the title to such land, it is frequently necessary to vied from citi- prove the death of some of the persons under or through zens of for- whom the title has passed, which, from the circumstance eign states & countries. of their living and dying abroad, it is difficult to do without great expense; for remedy whereof,

SECTION 20. That the registry of burials of any religious society or corporate town, in places out of the United States, shall be prima facie evidence of the death of any person whose burial is therein registered, and of the time of his in- death and terment, if the time be stated in the registry, and extracts burial. from such registries, certified by the proper officers, in the mode of authentication usual in the place in which they are made, shall be received as copies of such registries, and be evidence accordingly, and the certificate of the consul of the United States, at or near to the place from which they are taken, under his hand and consular seal, testifying that the officer certifying is the proper officer, and the mode of authentication the usual mode, shall be prima facie evidence that they are so.

SECTION 21. If any such extract shall be in a foreign lan- Translation guage, a translation thereof into English, made by the said of the evi- consul, a certificate by him under his hand and consular seal, dence into English to be made by the to be a translation, shall be received as prima facie evidence consul.

SECTION 22. That the church belonging to the German Relative to religious society of Roman Catholics, called the Holy Trin- the Holy ity church, in the city of Philadelphia, shall be continued Trinity ch. as a German Roman Catholic church, and conducted ac- of Roman cording to the provisions of the act incorporating the said Catholics in church, so long as the same shall be required by at least Phil'a.

Relative to twenty regular contributing members, qualified to vote at St. Stephens, the elections held under the said act of incorporation.

church in SECTION 23. That from and after the first January next, the borough of HARRISBURG, shall be eight, any five of whom, with the rector, shall constitute a quorum, any provision in their charter to the contrary notwithstanding.

the borough of HARRISBURG, Vestrymen, Quorum.

LEWIS DEWART,

Speaker of the House of Representatives.

J. R. BURDEN,

Speaker of the Senate.

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

JOS: RITNER.



No. 58.

A Supplement

To the act entitled, "An act for the conveyance of certain real estate, and for other purposes," approved the twenty-eighth day of March, A. D., one thousand eight hundred and thirty-six.

Relative to sales of real estate of Samuel Bechtel, late of Bedford county, deceased.

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 all such sale or sales of any part of the real estate of Samuel Bechtel, late of Bedford county, deceased, and conveyances made therefor to the purchaser or purchasers thereof, which have been, or shall hereafter be made by David Hunter and Hugh Rankin, of said Bedford county, under and in pursuance of the eighth section of the act entitled "An act for the conveyance of certain real estate, and for other purposes," approved the twenty-eighth day of March, Anno Domini, one thousand eight hundred and thirty-six; shall be held and deemed valid, any mistakes in the printing, contained in the said eighth section, to the contrary notwithstanding.

Mountain land in Air township, Bedford co.

SECTION 2. That the said David Hunter and Hugh Rankin, shall have power to sell two-thirds of a tract of mountain land, part of the estate of said Samuel Bechtel, deceased, situated in Air township, in said Bedford county, and convey