

## CHAPTER MCLXXXIII.

[In original roll Chapter CCXX.]

AN ACT TO ENABLE THE HONORABLE EDWARD SHIPPEN, ESQUIRE, AND JOHN SWIFT, ESQUIRE, THE ONLY SURVIVING TRUSTEES NOW RESIDENT WITHIN THIS STATE, TO GRANT, BARGAIN, SELL, CONVEY AND ASSURE A CERTAIN MESSUAGE AND LOT OF GROUND IN THE CITY OF PHILADELPHIA, COMMONLY CALLED THE MASONS' LODGE AND TO APPLY THE MONEYS ARISING FROM SUCH SALE TO THE USES THEREIN MENTIONED.

(Section I. P. L.) Whereas a number of the members of the grand and first lodges of Free Masons residing within the city and neighborhood of Philadelphia, did, by indenture dated the first day of April in the year of our Lord one thousand seven hundred and fifty-four, purchase upon ground rent from Thomas Gordon and Mary his wife, a lot of ground situate in Lodge Alley in the said city, as in and by the same indenture duly recorded in the office for recording of deeds for the city and county of Philadelphia fully appears:

And whereas the said Members of the said Lodgers entered into a subscription of moneys to be added to the stock of the said first Lodge and therewith to defray the expenses of erecting a building thereon, which was accordingly done, and the same has ever since been called and known by the name of the Free Mason's Lodge:

And whereas by the said indenture the estate of inheritance in fee simple of and in the said lot of ground was vested in William Plumstead, Thomas Bond, Hugh Davey, Edward Shippen, Samuel Mifflin, John Swift, Daniel Roberdeau, John Wallace and William Franklin, Esquires, and their heirs as joint tenants to their own use forever; and although no other use or trust is specified or declared in the said deed, yet from the minutes of the said first Lodge it appears that the same was intended for the accommodation of the said Lodges at their periodical meetings, and in all intermediate times to be rented to any private assembly or company of people to meet in, and that the rents and profits arising therefrom were to be applied in manner following, viz., first to distribute and pay to the several subscribers

towards the erecting the said building their several proportions of two-thirds of the said rents and profits as the same should grow due and be received, and the other third part of the said rents and profits were to be applied to the use of the said first Lodge, those being the just proportions which the moneys subscribed bore to the stock of the said first Lodge; and by the said minutes it further appears that it was agreed by and between all the said subscribers, that as they or any of them should depart this life, or remove out of the then province with design to settle in another place, the shares of those so dying or removing should devolve on the remaining subscribers, saving to them and their heirs, executors and administrators the right of disposing of their [said] shares to any of the members of the said first or grand Lodge, if done within one year after their deaths or removal as aforesaid, but not otherwise:

And whereas from the length of time since elapsed a considerable number of the subscribers are dead, and the survivors by their petition to this House have represented that their number is so small that the said building is no longer necessary for their accommodation or for the purposes originally intended, and they are desirous to sell the same but doubts had arisen whether the surviving grantees could sell, convey and assure the same, discharged from the said parole trusts or agreement without the aid of the Legislature, wherefore they prayed leave to bring in a bill to enable the surviving trustees now resident in this state, to sell the house and lot for the benefit of the said remaining owners, as to two-thirds of the produce thereof, and as to the remaining one-third thereof, to the use of the said first Lodge, to be applied to such charitable use as they may think proper, and this house having thereupon ordered that public notice should be given for four weeks successively in the Pennsylvania Journal of the city of Philadelphia of such their application for the space of four weeks, which having been done, and the time expired without any objection appearing thereto, it is reasonable to grant the object of the said petition:

Therefore,

[Section I.] (Section II. P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Common-

wealth of Pennsylvania in General Assembly met and by the authority of the same, That it shall and may be lawful for the honorable Edward Shippen, Esquire, and John Swift, Esquire, the only surviving grantees in the said recited deed mentioned, now resident in this State, and the Survivor of them to expose to sale by public auction at such time and place as they shall think proper and then and there to sell to the highest bidder all that the said messuage or building commonly called the Free Masons' Lodge and the lot of ground thereunto belonging with the appurtenances, and upon receipt of the purchase money bid for the same or satisfactory security therefor, to make, execute and in due form of law deliver and acknowledge one or more deed or deeds of bargain and sale therefor to the purchaser or purchasers, his, her or their heirs and assigns, to his, her or their proper use and behoof forever, charged nevertheless with the payment of the said rent-charge mentioned and reserved in and by the said recited indenture to the said Thomas Gordon his heirs and assigns forever, which said deed or deeds so to be made and executed shall by force and virtue of this act enure to vest in the purchaser or purchasers, his, her or their heirs and assigns a good, sure and indefeasible estate of inheritance in fee simple of and in the said messuage and lot of ground with the appurtenances, charged nevertheless with the said rent payable to the heirs or assigns of the said Thomas Gordon, but free, clear and freely and clearly acquitted, exonerated and discharged of and from all and all manner of trusts or agreements raised, made or intended to have been raised or made thereupon or thereout by or for the benefit of the said original grantees in the said recited indenture mentioned, and of the persons who subscribed moneys for the purpose of erecting the said messuage or their or any of their heirs, executors, administrators or assigns, or of the members of the said first or grand lodges of Free Masons or their successors, saving nevertheless to all other persons their rights, if any they have, of, in, to or out of the same.

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That the said Edward Shippen and John Swift, Esquires, their executors or administrators shall

dispose of and apply the moneys which shall come to their hands from the said sale in manner following, that is to say, one equal third part thereof to the members of the said first Lodge of Free Masons in the state of Pennsylvania for the use of the said Lodge, to be by them distributed and applied to such charitable uses as they shall think proper; and shall distribute and pay the remaining two-third parts thereof to and among all and every the persons who originally subscribed moneys for erecting the said building, who are now living and resident within this state, and the executors and administrators of all such original subscribers who disposed of the shares respectively belonging to them to some member or members of the said first or grand Lodges within one year after the death or removal from this state of such dead or removed subscribers according to the true intent of the said recited minutes of the said first Lodge in just and ratable proportions to the several and respective sums of money subscribed by themselves or the persons whom by such assignment as aforesaid they represent.

Passed September 6, 1785. Recorded L. B. No. 2, p. 552.

---

#### CHAPTER MCLXXIV.

---

In original roll Chapter CCXXII.

A SUPPLEMENT TO THE ACT ENTITLED "AN ACT FOR ERECTING AND OPENING A LOAN OFFICE FOR THE SUM OF FIFTY THOUSAND POUNDS AND FOR OTHER PURPOSES THEREIN MENTIONED." (1)

(Section I. P. L.) Whereas by an act of the general assembly passed the fourth day of April in the year of our Lord one thousand seven hundred and eighty-five the sum of fifty thousand pounds in bills of credit was ordered to be emitted on loan by the trustees therein appointed in manner as directed by the said act.

And whereas by the said act it was provided that if the said trustees or any of them should neglect or refuse to act as trustees or should happen to die or be removed, some other fit per-

---

<sup>1</sup> Chapter 1159.