

## CHAPTER MCOVIII.

AN ACT FOR REMOVING THE PROTESTANT EPISCOPAL CHAPEL OF SAINT THOMAS IN CARNARVAN TOWNSHIP BERKS COUNTY AND FOR INCORPORATING THE CONGREGATION THEREOF.

(Section I.) Whereas divers inhabitants of the township of Carnarvan in the county of Berks by their petition to this house have set forth that Thomas Morgan late of Carnarvan township aforesaid by his last will and codicil thereto severally bearing date the sixth day of December, Anno Domini one thousand seven hundred and forty did devise to his four sons, John, Francis, William and Jacob and their heirs in trust one acre of land in the township of Carnarvan aforesaid then in the county of Lancaster but now in the county of Berks for the purpose of erecting thereon a church or house of worship and for a burying ground, and also a tract of ninety-three acres of land in the same township to apply the rents issues and profits thereof forever towards building a church or house of worship on the one acre tract aforesaid, and for maintaining a gospel ministry therein: that agreeably to the intent of the said testator a building was erected on the said one acre lot, and was called Saint Thomas' Chapel wherein public worship was performed and a Gospel Ministry was maintained, and also a public school kept therein, but that the said house is too small to contain the congregation and is so situated that the roads thereto are rough and difficult and in the winter season very dangerous and frequently impassable, especially when the water rises high in Conestoga Creek, and that it would be more convenient to the members of said congregation and the youth instructed at said school if the materials of said church were removed and a church and school house built at a place called Morgan's Town in the township of Carnarvan aforesaid.

And whereas the same petitioners and among them the said Jacob Morgan who has survived the said John Morgan, Francis Morgan and William Morgan in whom together with the said Jacob the land so as aforesaid devised in trust, was vested,

have prayed that the said congregation may be incorporated, and enabled as a body politic and corporate to receive and hold such charitable donations, devises and bequests as have been or hereafter may be made to the said congregation either for maintaining the said church or house of worship and gospel ministry therein or for the use of the said school vested with such powers and privileges as are enjoyed by other religious and charitable societies incorporated within this state, and also to be empowered to remove the materials of the said church or building called "Saint Thomas' Chapel," and in lieu thereof to erect a church or house of public worship and school house in Morgan's Town in Carnarvan township aforesaid and to apply the estate belonging to the present church or house of worship aforesaid to the use of the church or house of worship intended to be built in lieu thereof as aforesaid.

And whereas this House is disposed agreeably to the powers vested in them by the constitution to promote and encourage pious and charitable institutions.

[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 Jacob Morgan, Esquire, and David Morgan be the present Church Wardens and Mordecai Piersol, Thomas Bull, Esquire, Daniel Clymer, Esquire, Samuel Vanlear, John Jones, John Jones, Junior, Aaron Rattew, Richard Piersol, Nathan Evans, John Hudson and Joseph Jenkins be the present vestry Vestrymen and their successors duly elected and appointed in such manner as herein after is directed, and they are hereby made, declared and constituted to be a corporation and body politic and corporate in law and in fact to have continuance forever by the name, style and title of "The Church Wardens and Vestrymen of Saint Thomas' Chapel in the township of Carnarvan in the county of Berks," and that the said church wardens and vestrymen and their successors shall also be the managers of the public school to be established in the township aforesaid.

[Section II.] (Section III. 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 all other hereditaments which at any time heretofore have been granted, bargained, sold, enfeoffed, released, devised or otherwise conveyed to the said church called "Saint Thomas' Chapel," or to the religious congregation worshipping therein or to any 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 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 and expressed: And also that the said church wardens and vestrymen and their successors as aforesaid by the name, style and title 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 either for the support of the said church or house of worship and gospel ministry or for the use and support of the said public school, 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 shall be given or bequeathed to them by any person or persons, bodies politic or corporate capable to make bequest or gift thereof either for the support of the said church or house of worship and gospel ministry therein or for the use of the said public school, such money, goods and chattels to be laid out by them in purchases of lands, tenements, messuages, houses, rents, annuities or hereditaments to them and their successors forever or to be lent out on interest or otherwise disposed of according to the intention of the donors.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That the rents, profits and interest of the real and personal estate of the said church and corporation shall by the said church wardens and vestrymen and their successors from time to time be applied for maintenance and support of the minister or pastor of the said church, for salaries to the clerk and sexton, for the maintenance and support of a school, for the relief of the poor in communion of the said church, and for maintaining their lot and house of public worship, burial ground, parsonage house or houses and other tenements which now do or hereafter shall belong to the said church and corporation.

[Section IV.] (Section V. P. L.) And be it further enacted by the authority aforesaid, That it shall be lawful for the said corporation and their successors to take down the said church or house of worship at present used by the said congregation and to remove the materials thereof, and to erect a church or house of public worship and school house in Morgan's Town aforesaid (on a lot distinguished in the plan of said town by the number thirty-two) in Carnarvan township aforesaid for the use of the said congregation.

[Section V.] (Section VI. P. L.) And be it further enacted by the authorities aforesaid, That the said church wardens and vestrymen and their successors shall not by any ways or means whatsoever, grant, alien or other wise dispose of any messuages, lands, tenements or hereditaments in them or their successors vested or hereafter to be vested, nor charge or 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 VII. P. L.) Provided nevertheless that no deed or other conveyance made by the said church wardens and vestrymen, and their successors bona fide and for a valuable consideration for any part of the real estate of the said church and congregation in case the possession thereof pass immediately to the purchaser, and continue in him, his heirs or assigns, shall be called in question for want of the consent of the majority of the regular members of the said congregation, unless the same

be questioned within seven years from and after the sale and delivery of possession of such real estate to the purchaser or purchasers thereof.

Section VI. (Section VIII. P. L.) And be it further enacted by the authority aforesaid, That the said church wardens and vestrymen and their successors or a majority of them met from time to time 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 and school. Provided always, That the said by-laws, ordinances and rules be not repugnant to the laws of this commonwealth, and that all their proceedings be fairly and regularly entered into a book to be kept for that purpose.

[Section VII.] (Section IX. P. L.) And be it further enacted by the authority aforesaid, That the said church wardens and vestrymen and their successors or a majority of them be authorized to appoint from among themselves a president and also to elect and appoint from among themselves or other members of the congregation a treasurer and secretary, [and the same president, treasurer and secretary,] or any of them at pleasure to remove, change, alter or continue as to them or a majority of any seven or more of them so met as aforesaid from time to time shall seem to be most for the benefit of said church and school: And 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 VIII.] (Section X. P. L.) And be it further enacted by the authority aforesaid, That the said church wardens and vestrymen and their successors by the name of "The Church wardens and vestrymen of Saint Thomas' Chapel in the township of Carnarvan in the county of Berks," shall be a body corporate and politic able and capable in law to sue and to be sued, plead and be impleaded in any court or courts, before any judge or judges, justice or justices in all the 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 to do 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 IX.] (Section XI. P. L.) And be it further enacted by the authority aforesaid, That the said corporation shall always consist of thirteen members called and known by the name of "The Church Wardens and Vestrymen of Saint Thomas' Chapel in the township of Carnarvan in the county of Berks," 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 at least yearly for the support of the said church, and shall at the time of voting not be more than one year in arrear for the same.

[Section X.] (Section XII. P. L.) And be it further enacted by the authority aforesaid, That the said Jacob Morgan and David Morgan the present church wardens and Mordecai Peirsol, Thomas Bull, Daniel Clymer, Samuel Vanlear, John Jones, John Jones, Junior, Aaron Rattew, Richard Peirsol, Nathan Evans, John Hudson and Joseph Jenkins, the present vestrymen hereby incorporated shall be and continue church wardens and vestrymen aforesaid until they be removed in manner following, that is to say: That all and every of the church wardens and vestrymen herein first named and appointed shall cease and discontinue and their appointment determine on the second Monday after Easter, which will be in the year of our Lord one thousand seven hundred and eighty-seven, 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: Provided always, That the same church wardens and vestrymen 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, an election for the purpose aforesaid shall be held as soon afterwards as may be convenient to the members of the said congregation. And

when any vacancy shall happen by the death, refusal to serve or removal of anyone or more of the church wardens or vestrymen 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 fit person or persons so elected shall be, remain and continue as a church warden or church wardens, vestryman or vestrymen aforesaid so long without a new election as the person or persons in whose place or stead he or they shall have been so elected as aforesaid would or might have been 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 church wardens and vestrymen shall be empowered to call a meeting of the electors for supplying the said vacancy.

[Section XI.] (Section XIII. P. L.) Provided always and it is hereby further 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 money arising from the opening of the ground for burials, which said money shall be received by the trustees and disposed of by them in the manner herein before directed.

Passed March 6, 1786. Recorded L. B. No. 3, p. 86, etc.

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## CHAPTER MCCIX.

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AN ACT FOR COMPLYING WITH THE REQUISITION OF THE UNITED STATES IN CONGRESS ASSEMBLED FOR THE SERVICES OF THE YEAR ONE THOUSAND SEVEN HUNDRED AND EIGHTY-FIVE AND FOR PAYING ONE YEAR'S INTEREST ON THE FOREIGN AND DOMESTIC DEBTS.

(Section I. P. L.) Whereas the United States in Congress assembled by their act bearing date the twenty-seventh day of