

CHAPTER MCCL.

AN ACT TO INCORPORATE THE PRESBYTERIAN CHURCH OF SILVER SPRING IN THE COUNTY OF CUMBERLAND.

(Section I. P. L.) Whereas the minister, elders and members of the Presbyterian Church of Silver Springs in the county of Cumberland have prayed that their said church may be incorporated and by law enabled as a body politic and corporate to receive and hold such charitable donations and bequests as have been or may from time to time be made to their society and vested with such powers and privileges as are enjoyed by the religious societies who are incorporated in the state of Pennsylvania:

And whereas it is just and right and also agreeable to the true spirit of the constitution that the prayer of their said petition 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 Andrew Galbraith, Samuel Wallace, David Boyd, John Walker, Hugh Laird, Samuel Vaughn, William McTeer, Francis Silver and David Hoge and their successors duly elected and appointed in such manner and form as hereinafter directed, 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, style and title of "The Trustees of the Presbyterian Church of Silver Spring in the County of Cumberland."

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 other hereditaments, which at any time or times heretofore have been granted, bargained, sold, enfeoffed, released, devised or otherwise conveyed to the said

Presbyterian Church of Silver Spring in the county aforesaid or to the religious congregation worshipping therein now under the pastoral care and charge of the Reverend Samuel Vaugh 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 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 or expressed, as also that the said corporation and their successors 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 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 have or shall be given or bequeathed to them by any person or persons, bodies politic and corporate capable to make a bequest or gift 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 or the money lent on interest or otherwise disposed of according to the true intention of the donors.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That the rents, profits and interests of the said real and personal estate of the aforesaid church and corporation shall by the said trustees and their successors from time to time be applied and laid out for the maintenance and support of the pastor of said church, for repairing and maintaining of their house of public worship, lots of ground, parsonage house, and other buildings which now do or hereafter shall

belong to the said church and corporation, and such pious and charitable uses as shall be agreed on and determined by a majority of the members of said church met together on due notice to give their free vote in such case.

[Section IV.] (Section V. P. L.) And be it further enacted by the authority aforesaid, That when and as often as it may become necessary to rebuild, enlarge or otherwise alter or repair the house of public worship or any other buildings belonging to the aforesaid church and corporation or to erect any new buildings or to make any new purchases for the use of the said congregation, [then] and in such case it and may be lawful for the aforesaid trustees and their successors to make sale of, or otherwise dispose of such part or parcel of the said estate, real or personal as a majority of the regular members of the said congregation duly called and met together shall by their vote direct the money arising from such sale or disposal to be laid out and applied agreeably to the vote of the aforesaid majority.

[Section V.] (Section VI. P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors shall not by any deed, fine or recovery, or by any other ways or means grant, alien or otherwise dispose of any manors, messuages, lands, tenements or hereditaments in them or their successors vested, or hereafter to be vested, nor charge nor encumber the same to any person or persons whatever, without the consent and approbation of a majority of the members of the said congregation, who shall have met together on due notice having been previously and publicly given for that purpose.

[Section VI.] (Section VII. P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors or a majority of them met from time to time after public intimation given the preceding Lord's day, commonly called Sunday, from the desk or pulpit of the said church immediately after divine service, before the congregation are dismissed or after regular notice in writing left at the house of each trustee and the particular business inserted therein at least one week before, 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.

(Section VIII. P. L.) Provided always, That the said by-laws, rules and ordinances or any of them be not repugnant to the laws of this commonwealth, and that all their proceedings be fairly and regularly entered in a church 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 trustees and their successors shall by a majority of votes of any five or more of them, when met as aforesaid after such intimation or notice as aforesaid be authorized and empowered to elect and appoint from among themselves a president and also to elect and appoint from among themselves or others a treasurer and secretary and the same president, treasurer and secretay or any of them at their pleasure to remove, change, alter or continue as to them or a majority of any five or more of them so met as aforesaid from time to time shall seem to be most for the benefit of the said church and corporation.

(Section X. P. L.) And be it further enacted by the authority aforesaid, that the said corporation and their successors shall have full power to make, have and use one common seal with such device and description as they shall think proper and the same to break, alter and renew at their pleasure.

[Section VIII.] (Section XI. P. L.) [sic] And be it further enacted by the authority aforesaid, That the said corporation and their successors by the name of "The Trustees of the Presbyterian Church of Silver Spring in the County of Cumberland," 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, 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, bodies politic or corporate within this commonwealth may or can do.

[Section X.] (Section XII. P. L.) And be it further enacted by the authority aforesaid, That the said corporation shall

always consist of nine members called and known by the name of "The Trustees of the Presbyterian Church of Silver Spring in the County of Cumberland," 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 ten shillings yearly towards the support of the said church, and shall not at any time of voting be more than one year in arrear for the same.

[Section XI.] (Section XIII. P. L.) And be it further enacted by the authority aforesaid, That the first and present trustees hereby incorporated shall be and continue trustees until removed in manner following, (viz:) one-third part in number of the trustees aforesaid being the third part therein first named and appointed, shall cease and discontinue and their appointment determine on the last Monday [in the month] of August, which will be in the year one thousand seven hundred and eighty-seven, and the second third part herein mentioned shall cease and discontinue and their appointment determine on the last Monday in the month of August, which will be in the year one thousand seven hundred and eighty-eight, and in like manner the last third part herein named shall cease and determine on the last Monday [in the month of] August, which will be in the year one thousand seven hundred and eighty-nine, on which days in each of the aforementioned years respectively new elections shall be held of other trustees instead of those whose appointment shall have ceased and terminated, which manner of discontinuance, determination and new appointment or election shall be continued on the last Monday of August in every year hereafter forever, so that no person shall be or continue a trustee longer than three years together without being re-elected, which may be done whenever and as often as the members of said congregation qualified to vote as aforesaid described shall think fit.

(Section XIV. P. L.) Provided always that whenever any vacancy shall happen by the death, refusal to serve or removal of any one or more of the said trustees or in case the members of the said church shall neglect to meet on the last Monday of

August in any year, an election shall be held as soon as conveniently can be done and some fit person or persons chosen and appointed as before directed to supply such vacancy, and the person or persons so elected shall be and remain and continue as a trustee or trustees aforesaid, so long without a new election as the person or persons in whose place and stead he or they shall have been so elected as aforesaid, would or might have 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 trustee or trustees shall be empowered to call a meeting of the electors of said congregation for supplying the said vacancy in like manner as hereinbefore is directed.

(Section XV. P. L.) Provided also, That the pastor of said church for the time being shall be entitled to vote equally with any member of the said church or congregation, and likewise that all and every person or persons qualified as aforesaid to vote and elect shall and may be capable and able to be elected trustees as aforesaid.

[Section XII.] (Section XVI. P. L.) Provided always, and it is hereby 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 Pennsylvania to be taken and esteemed exclusive of the money arising from the annual stated subscriptions or pew rent belonging to the said church which said money shall be received by the trustees and disposed of by them in the manner hereinbefore directed.

Passed September 25, 1786. Recorded L. B. No. 3, p. 155, etc.