

as shall not fall within the lines of the county of Huntingdon herein and hereby erected shall give their votes at the next and succeeding general elections for the [said] county of Bedford, at the town of Bedford, and such of the inhabitants of the fifth district as shall not fall within the lines of said county but continue within the county of Bedford shall vote at the house of William Kerney in the second district till further provision be made for that effect according to law.

Passed September 20, 1787. Recorded L. B. No. 3, p. 329, etc.  
See the Acts of Assembly passed March 2, 1789, Chapter 1392;  
March 27, 1790, Chapter 1497; April 19, 1794, Chapter 1753.

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## CHAPTER MCCCXII.

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### AN ACT TO INCORPORATE THE PROTESTANT EPISCOPAL CHURCH OF SAINT JOHN AT YORKTOWN.

(Section I. P. L.) Whereas the rector, churchwardens and vestrymen of the Protestant Episcopal church at Yorktown in the county of York, have by their petition set forth, that the members of the said Protestant Episcopal church formerly in communion with the Church of England had erected and built a convenient church on a lot of ground in Beaver street in the said town and that they had nearly finished and completed a parsonage house and a large and extensive school house upon the square on Beaver street opposite the said church, and that the lot upon which the said church stands and the ground which has been occupied as a burial place were sometime since conveyed or granted to Joseph Adlum and others for the use of the said church and that as well the said lots upon which the said parsonage house and school house stand as sundry other lots adjoining or near them have been conveyed to the Reverend John Campbell, the present rector of the said church and his heirs, in trust for the use of the rector and churchwardens, and vestry of the Protestant Episcopal church at Yorktown for the time being and their successors forever. And further

represented that the said congregation are already subject to many inconveniences and embarrassments in conducting the affairs of the said church and school, which they fear will increase unless they have the same powers and privileges conferred upon them as are enjoyed by other religious societies and institutions which are incorporated in this state, and prayed that they may be incorporated by the name of "The Rector, Churchwardens and Vestrymen of the Protestant Episcopal Church of St. John at Yorktown," and by law enabled as a body corporate and politic to hold the several buildings, lots, tenements, hereditaments and premises aforesaid with the appurtenances and also be enabled in their corporate capacity to have, receive, take, hold and enjoy, and dispose of the usual quantity of property allowed to other churches or societies:

And whereas it is just and proper and perfectly consistent with the true intent and spirit of the constitution that the prayer of their petition be granted:

[Section I.] (Section II. P. Y.) 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 the Protestant Episcopal rector of the said church for the time being, Thomas Hartley and John Clark, the present Wardens, and William Bailey, Henry Miller, Robert Jones, William Johnston, Garrett Cavode, Joseph Adlum, Robert Hammersley and George Welsh, present vestrymen 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 Rector, Churchwardens and Vestrymen of the Protestant Episcopal Church of St. John at Yorktown in the County of York, in the Commonwealth of Pennsylvania."

[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 able and capable in law as well to take, receive and hold all and all manner of messuages, houses, lands, lots, tenements, rents, annuities, franchises and other heredita-

ments which at any time or times heretofore have been granted, bargained, sold, enfeoffed, released devised or otherwise, which were conveyed or transferred to the said church formerly called the English Episcopal Church at Yorktown, or to the said Reverend John Campbell or to any other person or persons to the use of the said church and school or either of them or in trust for them or either of them or to the use of the said congregation or in trust for them by any name or names, title or description whatsoever, and the same lands, lots, tenements, rents, annuities, liberties, franchises or 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, devises or other conveyances or transfers thereof is or are declared, limited and 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 for any other less estate or estates any messuages, houses, lands, lots, 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 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 shall be given or bequeathed to them by any person or persons, bodies politic or corporate, capable to make a gift or bequest thereof; such money, goods and chattels to be laid out by them in a purchase or purchases of messuages, houses, lots, lands, tenements, rents, annuities or hereditaments to them and their successors forever, or the moneys lent on interest or laid out in public securities or certificates for the use of the said corporation, or otherwise disposed of according to the intention of the donors or grantors.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, that the rents, issues, revenues,

profits and interest of the said church, school house and school and corporation shall by the said rector, church wardens, and vestrymen and their successors or a majority of them from time to time be directed and appropriated for the maintenance and support of the rector or rectors, minister or ministers and officers or the said church and for the maintenance, support and salaries of a proper number of masters and teachers to be elected and appointed by the said rector, church wardens and vestrymen or their successors or a majority of them from time to time for the instruction and education of youth in the learned and foreign languages, reading and writing English, the mathematics and other useful branches of literature in the said school house now called "The York Academy," and also for the necessary repairs of the said church, burial ground, church yard, school house, parsonage house and other tenements which now or hereafter may belong to the said church or corporation and to no other use or purpose whatsoever.

[Section IV.] (Section V. P. L.) And be it further enacted by the authority aforesaid, That the said rector, church wardens and vestrymen and their successors shall and may grant, alien or otherwise dispose of any messuages, houses, lands, lots, tenements or hereditaments other than the sites of the house of public worship or church aforesaid and parsonage house and school house aforesaid and the burial ground or grounds which they do now or may hereafter possess as to them may seem meet and proper.

[Section V.] (Section VI. P. L.) Provided always and be it further enacted by the authority aforesaid, That in the disposition, sale or alienation of such messuages, houses, lands, tenements and hereditaments the consent and concurrence of two thirds of the vestry shall be had and obtained: and also the money arising from such disposition or sale shall be appropriated to the purchasing or procuring other more convenient messuages, houses, lands or tenements or shall be vested in some of the public funds or securities bearing interest as the aforesaid majority of the said vestry may deem proper and expedient for the use of the said corporation, and to no other use or purpose whatever.

[Section VI.] (Section VII. P. L.) And be it further en-

acted by the authority aforesaid, That the said rector, church wardens and vestrymen and their successors or a majority of them shall and may convene from time to time to make rules, by-laws and ordinances for the government and support of the said church and school. And the said rector, church wardens and vestrymen and their successors or a majority of them shall and are hereby enabled annually at the first meeting of the vestry after the election of church wardens and vestrymen to elect and choose five persons out of any denomination of christians to assist the said rector, church wardens and vestrymen or their successors in the visitation of the said academy. And that the said rector, church wardens and vestrymen or their successors or a majority of them may from time to time transact everything or things which is or may be thought necessary or proper for the good government and support of the said church and corporation. Provided always, That the said rules, by-laws and ordinances shall not be contrary to the laws of this Commonwealth nor against the usage and practice of the Protestant Episcopal Church of the United States of America.

[Section VII.] (Section VIII. P. L.) And be it further enacted by the authority aforesaid, That the said rector, church wardens and vestrymen shall have full power and authority to make, have and use one common seal with such device or devices and inscriptions as they shall think proper and the same to change, alter and renew at their pleasure.

[Section VIII.] (Section IX. P. L.) And be it further enacted by the authority aforesaid, That the said rector, church wardens and vestrymen and their successors by the name aforementioned, shall be able and capable of covenanting, agreeing or contracting for or concerning the maintenance and support of the said school, and masters and teachers aforesaid, and all matters and things relating thereto and shall be 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 for, in or concerning the said corporation to do in as full and effectual a manner as any other person

or persons, bodies politic or corporate in this commonwealth may or can do.

[Section IX.] (Section X. P. L.) And be it further enacted by the authority aforesaid, That the vestry of the said church shall always consist of ten persons, members of the said church, of which number the church wardens are always to be two. And that the election of such vestry shall be made every year on the fourth day of July (or some day in the same week of which the said congregation shall have notice) by a majority of such members of the said church as shall appear by the vestry books to be contributors to the support and maintenance of the said church, having and paying for a pew or a part of a pew sufficient for one person at least and to be of full age. Such of them qualified as aforesaid who upon notice think proper to attend and such persons only shall have a right to vote for the vestrymen of the said church. Provided always, That the rector of the said church for the time being shall be entitled to vote equally with any member of the said vestry or corporation.

[Section X.] (Section XI. P. L.) And be it further enacted by the authority aforesaid, That the said vestry so elected shall have full power to elect and choose annually and every year two of their number to be such wardens of the said church. Provided always nevertheless, That in case of the death or removal of the rector of the said church, from the death or removal of such rector and until another rector shall be duly appointed and approved of for the said church according to the usage and practice of the Protestant Episcopal Church in this state, the church wardens for the time being with the consent of the major part of the vestrymen in vestry met shall have the same powers and authorities relating to the deposition of the rents and revenues of the said corporation, and the management, direction, support and maintenance of the said school as is hereinbefore vested in the rector, church wardens and vestrymen.

[Section XI.] (Section XII. P. L.) And be it further enacted by the authority aforesaid, That no misnomer of the said corporation shall defeat or annul any gift, grant, devise or

bequest to or from the said corporation, provided the intent of the parties shall sufficiently appear upon the face of the gift, grant, will or other writing, whereby any estate or interest was to pass to or from the said corporation, nor shall any disuser or nonuser of the rights, [privileges,] liberties, jurisdictions and authority hereby granted to the said corporation or any of them create or cause a forfeiture thereof.

[Section XII.] (Section XIII. 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 three thousand pounds lawful money of the state of Pennsylvania in specie exclusive of the moneys arising from the letting of the pews belonging to the said church, and also exclusive of the money arising from the opening of the ground for burials in the church yard belonging to the said church and exclusive of the tuition moneys which may or shall be paid by the youth or pupils in the said school or academy.

Passed September 20, 1787. Recorded L. B. No. 3, p. 325, etc.  
See the Act of Assembly passed March 1, 1799. Chapter 2021.

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## CHAPTER MCCCXIII.

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### AN ACT FOR ESTABLISHING AND BUILDING A BRIDGE ACROSS CONESTOGA CREEK IN THE COUNTY OF LANCASTER.

(Section I. P. L.) Whereas it hath been represented to this house by the petitions of a considerable number of the inhabitants of the county of Lancaster that the erecting of a good and substantial bridge across the Conestoga creek on the great road leading from the city of Philadelphia to the borough of Lancaster in the county of Lancaster would greatly benefit the trade and general interest of the community which at present are considerably impeded by the frequent rise of the waters of