

## Religious Societies.

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**A supplement to an act entitled "An act to incorporate trustees of religious societies," (revision), approved April ninth, eighteen hundred and seventy-five.**

Approved March 8, 1877.

P. L. 1877, p. 72.

1. That it shall be lawful for any diocesan convention, presbytery, classis, synod, annual conference, or other governing body having jurisdiction over a number of churches, congregations, or societies of any church or religious denomination in this state, now or hereafter to be constituted or established, and not already incorporated, at any stated meeting thereof, by a plurality of voices, to elect any number of discreet persons, not less than three nor exceeding nine in number, as trustees to take charge of the estate and property belonging to such convention, presbytery, classis, synod, annual conference or other such body, and of other property as hereinafter provided, and to transact all affairs relating to the temporalities thereof; the presiding officer and clerk of such governing body shall immediately thereafter certify, under their hands and seals, the names of the persons elected as trustees as aforesaid, in which certificate the name or title by which the said trustees and their successors shall be known shall be particularly mentioned; which said certificate, being duly acknowledged by the said presiding officer and clerk, shall be recorded by the clerk of one of the counties situated, in whole or in part, within the bounds of the jurisdiction of such governing body, and in the book kept for the record of religious corporations; and such trustees, and their successors, shall thereupon, by virtue of this act, be a body corporate by the name or title expressed in such certificate.

Election of trustees to take charge of estate and property.

Certificate of election to be made.

2. That such trustees shall be capable of taking for religious, educational and charitable purposes, by gift, devise, bequest, grant or purchase, and of holding and disposing of the same, any real and personal estate held for the benefit of any such governing body, or of any parish, congregation, society, church, chapel, mission, or religious, benevolent, charitable or educational institution; existing or acting under such governing body at the time of their election, or which had then or may thereafter be given for any such purposes; *provided*, that the net yearly income received from the said property shall not, at any time, exceed the sum of twenty-five thousand dollars.

Trustees may receive and hold real and personal estate by gift, devise or bequest.

Proviso.

3. That whenever any parish, congregation society, church, chapel, mission, or religious, benevolent, charitable or educational institution in connection with any such governing body owning any property shall become extinct, by reason of the death or removal of its members, it shall be lawful for the trustees elected by such body as aforesaid to take possession of the temporalities and property belonging to such extinct church or other organization and manage and apply the same to the uses and purposes of the church or religious denomination to which such extinct church or organization belonged in the locality in which such extinct church or organization was located.

Proceedings when governing body shall become extinct.

4. That the trustees elected by virtue of this act shall hold their offices at the pleasure of the governing body by which they are elected; and all vacancies shall be filled by such body as they occur.

Vacancies, how filled.

P. L. 1877, p. 76.

## Supplement.

Approved March 8, 1877.

Real estate not to be aliened by trustees of any Episcopal church without consent of the bishop and standing committee.

Proviso.

5. SEC. 1. That the thirty-first section of the act to which this is a supplement, which reads as follows: The rector, wardens and vestrymen, appointed as aforesaid, shall be a body corporate and politic, in law and in fact, to have continuance forever under the same restrictions and with the same rights, powers and privileges as are granted to and imposed on trustees in and by the first eight sections and the twelfth section of this act; *provided, nevertheless*, if at any time the church be without a minister or rector, the same rights and privileges shall be vested in the wardens and vestrymen; which section refers to and adopts the third section and the eighth section of said act, which read as follows: (*Vide ante*, pp. 958, 959), be amended so that the same shall read as follows: The rector, wardens and vestrymen, appointed as aforesaid, shall be a body corporate and politic, in law and in fact, to have continuance forever under the same restrictions, and with the same rights, powers and privileges as are granted to and imposed on trustees in and by the first eight sections and the twelfth section of this act; *provided, nevertheless*, if at any time the church be without a minister or rector, the same rights and privileges shall be vested in the wardens and vestrymen; *and provided further*, that it shall not be lawful for the rector, wardens and vestrymen of any Protestant Episcopal Church, or in case the church be without a minister or rector, then for the said the wardens and vestrymen or for the wardens and vestrymen for the time being of any Protestant Episcopal Church who are trustees of the same, to alien, grant, assign, demise, let or mortgage any real church property without the previous written consent of the bishop and of a majority of the standing committee of the diocese within which such real church property may be situated, or in case of a vacancy in the office of bishop or of his absence from said diocese then of a majority of the standing committee thereof; which consent shall be acknowledged or proved and recorded with the deed, lease, mortgage or instrument of conveyance and without such consent the alienation, grant, assignment, demise, lease or mortgage shall be void.

P. L. 1877, p. 148.

## Supplement.

Approved March 9, 1877.

Number of vestrymen may be increased or decreased.

Proviso.

6. SEC. 1. That whenever any congregation of the Protestant Episcopal Church in this state, which shall have become incorporated in accordance with the provisions of the act to which this is a supplement, and shall have filed a certificate thereof, therein stating the number of vestrymen to be elected for such congregation as required by section thirty of said act, shall be desirous of increasing or decreasing the number of said vestrymen, it shall be lawful for said congregation to do so by a majority vote of those present at any annual election, notice of such contemplated action having been given for the time, and in the manner designated in section twenty-nine of said act; *provided*, that no church shall have more than ten nor less than five vestrymen; a certificate of the proceedings of the meeting and of such change, under the hands and seals of the president and secretary shall be transmitted to the clerk of the court of common pleas of the county for record, and shall thereafter be considered a part of the act of incorporation of such congregation.

Property, rights or estates not changed.

7. SEC. 2. That any property, rights, or estates heretofore acquired by any such corporation shall be in no wise changed, diminished or defeated by such increase or decrease in the number of its vestrymen.

P. L. 1877, p. 177.

## Supplement.

Approved March 9, 1877.

Preamble.

WHEREAS, it frequently happens that conveyances of real estate are made to religious societies or corporations, in the deeds whereof the corporate name or designation of such religious societies or corporations, through error or misapprehension of the grantor, are not correctly stated.

Statement setting forth date of deed, &c., and erroneous title of society to whom

8. SEC. 1. That in all cases where a conveyance of any real estate is made to any religious society or corporation, incorporated under or by virtue of any general or special laws of this state, and in the deed of such conveyance the corporate name or designation of such religious society

or corporation as the grantees in such deeds of conveyance is not correctly stated, and where the intention of the grantor or grantors in any such deeds is signified by the use of the principal words of the corporate name or designation of any such religious society or corporation, and where such religious society or corporations have entered into possession and occupation of such real estate, it shall be lawful for such religious society or corporation to file, in the office of the clerk or register of the county wherein such real estate is located, a statement setting forth the date of such deed of conveyance, the date of the recording, and the number and page of the book of record thereof, the names of the grantor or grantors, the description of the property conveyed, the erroneous title of such religious society or corporation, as expressed in such deeds, and also the correct title thereof, which statement shall be verified by the affidavit of any duly authorized officer of such religious society or corporation, taken by any person authorized to take the acknowledgment and proof of deeds; and it shall be the duty of such clerk or register to file the said statement so verified as aforesaid in his office, and to record the same in a book to be kept for that purpose, for which such clerk or register shall receive the same fees as are now allowed for the recording of deeds.

deed or conveyance is made to be filed with the clerk or register of deeds.

Statement to be verified.

9. SEC. 2. That upon filing and recording such statement as aforesaid the said religious societies or corporations shall be deemed to be vested in as good and perfect title to said real estate, so conveyed to them by an erroneous corporate name and designation, as though the same had been conveyed to them by their proper corporate name or designation, and the said verified statements, or duly certified copies thereof, shall be received as evidence in any of the courts of this state.

Certified copy of statement to be received in evidence.

10. SEC. 3. That it shall be lawful for any religious society or corporation, by the votes of two-thirds of all the members of such society or corporation, at a meeting called for the purpose in the manner that meetings of such society or corporation are called, according to the form of government thereof, to change the name of such society or corporation; and upon the filing of a certificate of such action, verified by the affidavit of any duly authorized officer of such society or corporation, setting forth the change of name so determined upon, with the clerk or register of the county wherein such society or corporation is situate, it shall be the duty of such clerk or register to file such certificate in his office and to record the same in the book referred to in the first section of this act, and thereafter such society or corporation shall be known by the name determined upon as aforesaid and set forth in such certificate; but the said society or corporation shall be entitled to the same rights and privileges and be subject to the same responsibilities as if no such change of name had been made.

Name of society or corporation may be changed.

Certificate to be filed and recorded in office of clerk or register of deeds.

## Roads.

**A further supplement to an act entitled "An act concerning roads," (revision), approved April sixteenth, eighteen hundred and forty-six.**

Approved March 27, 1874. P. L. 1874, p. 118.

[The first two sections of this act will be found *ante*, pp. 1020 and 1021, (Sec. 129 and 130); the following sections were overlooked in making up the title ROADS].

3. That like notices required to be put up by the second section of the act to which this is a supplement, shall be given of the time and place of meeting of said surveyors.

And to be posted.

4. That said three surveyors, so selected, when met as aforesaid, or a majority of them, on due proof being made to them of the putting up of the notices of their said meeting, as required by this supplement on which said surveyors shall decide, and their decision shall be final and conclusive, and they shall thereupon proceed, as surveyors are now required to proceed by the fifth section of the act to which this is a supplement, and

Meeting and duties of surveyors.