

representative for the general assembly; but the inhabitants of the county of Fayette aforesaid, shall at the ensuing election, elect censors, a counsellor and representatives in assembly in conjunction with the inhabitants of Westmoreland county agreeable to the directions of the constitution and the laws now in force.

Passed September 26, 1783. Recorded L. B. No. 2, p. 194, etc. See the Acts of Assembly passed March 21, 1784, Chapter 1093; January 19, 1793, Chapter 1649.

CHAPTER MLVII.

AN ACT FOR INCORPORATING THE BAPTIST CHURCH IN THE TOWNSHIP OF MONTGOMERY AND COUNTY OF PHILADELPHIA.

(Section I, P. L.) Whereas the minister, elders and members of the Baptist church in the township of Montgomery in the county of Philadelphia have prayed that their said church may be incorporated and by law enabled as a body corporate and politic 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 David Loofbourrow, minister, Isaac James, Peter Evans, Jenkin Evans and George Smith and their successors duly elected and appointed in such manner and form as hereinafter is 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 Baptist Church in Montgomery township in the county of Philadelphia."

[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 Baptist church in Montgomery township and county aforesaid or to the religious congregation worshipping therein, now under the pastoral charge and care of the Reverend David Loofbourrow, 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 the original use and intent for which such devises, gifts and grants were respectively made. 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 lesser 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 corporate and politic, 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 been, 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 moneys, goods and chattels to be laid out by them in a purchase or purchasers of lands, tenements, messuages, houses, rents, annuities or hereditaments, to them and their successors forever.

[Section III.] (Section IV, P. L.) Provided always, and be it further enacted by the authority aforesaid, That in the disposal and application of the public moneys of the said corporation or in the making sale or disposition of any part or parcel of the real or personal estate of the said corporation for any purposes and public notice being given to the congregation attending the worship of the said church as herein after directed the consent and concurrence of the major part of the said congregation who shall meet in consequence of such notice and who shall be qualified as hereinafter is directed shall be had and obtained; and the votes hereinafter directed to be taken shall be by ballot and also that the said trustees in like manner qualified shall be admitted to vote therein as members of the said congregation.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors or a majority of them from time to time after public notice given the preceding Lord's day commonly called Sunday from the desk or pulpit of the said church immediately after divine service and before the congregation shall be dismissed or after regular notice in writing left at the house of each trustee and the business having been previously mentioned at one meeting at the least of the said trustees, be authorized and empowered and they are hereby authorized and empowered to make rules and by laws and ordinances and to do everything needful for the good government and support of the secular affairs of the said church.

(Section VI, P. L.) Provided always, That the said rules, by-laws and ordinances or any of them be not repugnant to the laws of this commonwealth, and that all the proceedings of the said church and congregation and of the said trustees in pursuance of this act shall be fairly and regularly entered into a church book to be kept for that purpose and also that the said trustees and their successors by a majority of them when met as aforesaid after such notice as aforesaid be authorized and empowered and they are hereby authorized and empowered to elect and appoint from among themselves a president and also to elect and appoint from among themselves or others a treas-

urer and secretary and the same president, treasurer and secretary, or any of them at their pleasure to remove, change, alter or continue as to them or a majority 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 V.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, 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 VI.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the said corporation and their successors by the name of "The Trustees of the Baptist Church in Montgomery township in the county of Philadelphia," aforesaid shall be able and capable in law to sue or 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 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 VII.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said corporation shall always consist of five members called and known by the name of "The Trustees of the Baptist Church in Montgomery Township, in the county of Philadelphia," 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 yearly towards the support of the said church and shall not at any time of voting be more than one-half year in arrears for the same.

[Section VIII.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That the said David Loofbourrow, Isaac James, Peter Evans, Jenkin Evans and George Smith, the

first and present trustees hereby incorporated, shall be and continue trustees aforesaid, until they be removed in manner following that is to say that all and every of the trustees herein first named, and appointed shall cease and discontinue and their appointment determine on the first Monday in the month of May which will be in the year of our Lord one thousand seven hundred and eighty-four, and 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 agreeably to the true intent and meaning of this act, to vote and elect as aforesaid, yearly and every year forever.

(Section XI, P. L.) Provided always, That the pastor or pastors of the said church for the time being shall be entitled to vote equally as any other member of the said church or congregation.

(Section XII, P. L.) And provided also, That all and every person or persons qualified as aforesaid to vote and elect shall and may be capable and able to be elected a trustee aforesaid except in case of the said church having two pastors, when [one of] the said pastors only shall be eligible as a trustee at the same time.

(Section XIII, P. L.) Provided always, That whenever any vacancy happens by the death, refusal to serve, or removal of any one or more of the trustees aforesaid pursuant to the directions of this act an election shall be had of some fit person or persons in his or their place and stead so dying, refusing or removing as soon as conveniently can be done, and that the person or persons so elected shall be, 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 trustees shall be empowered to call a meeting of the electors for supplying the said vacancy such meeting to be notified and published in the like manner as hereinbefore is directed and appointed for notifying and publishing the meeting of the congregation.

[Section IX.] (Section XIV, 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 one thousand pounds lawful money of the state of Pennsylvania to be taken and esteemed exclusive of the moneys arising from the contributions belonging to the said church and also exclusive of the moneys arising from the opening of the ground or burials; which said moneys shall be received by the trustees and disposed of by them in the manner herein before directed pursuant to the votes of the members of the said church or congregation duly qualified to vote and elect as aforesaid.

Passed September 26, 1783. Recorded L. B. No. 2, p. 200, etc.

CHAPTER MLVIII.

AN ACT TO REPEAL PART OF THE ACT, ENTITLED "AN ACT FOR AN IMPOST ON GOODS, WARES AND MERCHANDISE IMPORTED INTO THIS STATE." ¹

(Section I, P. L.) Whereas during the late war, common salt, salt-petre, gun-powder, lead or shot and prize goods, were exempted from any impost or duty in the act for imposing a duty on goods, wares and merchandise imported into this state, passed the twenty-third day of December, one thousand seven hundred and eighty:

And whereas the necessities on which the exemptions aforesaid were founded have ceased:

[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 so much of the act aforesaid

¹ Passed December 23, 1780, Chapter 925.