

territory or jurisdiction of this state, every person or persons so offending against the tenor, true intent and meaning of this act for each and every such offense shall forfeit and pay unto the said John Fitch, his heirs, executors or administrators or to such other person or persons as he the said John Fitch, his heirs or assigns shall authorize and empower for that purpose the sum of one hundred pounds to be recovered by action of debt in any court of record within this state wherein the same may be cognizable with cost of suit and shall also forfeit to him the said John Fitch, his heirs or assigns, all such boat, boats or water craft together with the steam engine and all appurtenances thereof to be recovered in manner aforesaid with costs of suit.

[Section III.] (Section IV. P. L.) Provided always and be it further enacted by the authority aforesaid, That neither this act nor any clause, matter or thing therein contained shall be taken, deemed or construed to prohibit or prevent any person or persons from making, using employing or navigating within this state any kinds of boats or water craft heretofore invented or hereafter to be invented on any other principle, construction or model which may be urged, impelled, forced or driven along through the water by any other power, force, agency or means, except fire or steam.

Passed March 28, 1787. Recorded L. B. No. 3, p. 213, etc.

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## CHAPTER MCCLXXXVII.

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AN ACT TO INCORPORATE THE PRESBYTERIAN CHURCH IN THE TOWNSHIP OF LONDONDERRY IN THE COUNTY OF DAUPHIN.

(Section I. P. L.) Whereas divers members of the Presbyterian church of Londonderry in the county of Dauphin by their petition have prayed that their said congregation may be incorporated and by law enabled as a body politic and corporate to receive and hold such charitable donations and bequests as may from time to time be made to their society and vested with

such powers and privileges as are enjoyed by other religious societies who are incorporated in this state:

And whereas the general assembly is disposed to grant the prayer of the petitioners.

[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 John Rodgers, James Wilson, Senior, James Rodgers, William Snodgrass, Robert Clark, Robert Robertson, Thomas McCallen, William Laird, David Hay, Robert Moody, Joseph Parks, James Wilson and the Reverend John Elder, the present pastor of said congregation, 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 Presbyterian Congregation of Londonderry Township in the County of Dauphin."

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That the said trustees 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 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 congregation now under the pastoral charge and care of the Reverend John Elder, or to any other person or persons to the use or in trust for the said corporation and the same lands, tenements, rents, annuities, liberties, franchises and other hereditaments are hereby vested and established in the said trustees and their successors forever according to their original use and intention. And the said trustees 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 at all times hereafter shall be capable and able to purchase, have,

receive, take, hold and enjoy in fee simple or of any other 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 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 have been or hereafter shall be given or bequeathed to the said corporation 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 of lands, tenements, messuages, houses, rents, annuities or hereditaments and for such use and benefit of the aforesaid congregation, agreeable to the intention of the donors.

[Section III.] (Section IV. P. L.) Provided always and be it further enacted by the outhority 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 said church as hereinafter is 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 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 V. P. L.) Provided nevertheless, That no sale or alienation of the real estate of the said corporation which shall have been made by the said trustees or by their successors bona fide and for valuable consideration, in case the possession thereof pass immediately to the purchaser thereof and continue in him or her or his or her heirs or assigns, shall be invalidated for want of proving that the majority of the regular members of the said congregation consented to such sale or alienation unless the same be controverted within seven years from and

after the sale and delivery of such real estate to the purchaser thereof.

[Section IV.] (Section VI. 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 proposed and reduced to writing at one meeting at the least of the said trustees, be authorized and empowered and they are hereby authorized and empowered to make rules, by-laws and ordinances and to do everything needful for the good government and support of the secular affairs of said church.

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 in a 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 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 congregation.

[Section V.] (Section VIII. P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors shall have full authority and power to make, have and use one common seal with such devise 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 Presbyterian Church in Londonderry Township in the County of Dauphin" aforesaid shall be able and capable in law to sue or to 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 consist of thirteen members called and known by the name of "The Trustees of the Presbyterian Church in the Township of Londonderry in the County of Dauphin," 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 five shillings yearly towards the support of the said church and shall not at any time be more than one year in arrears for the same.

[Section VIII.] (Section X. P. L.) And be it further enacted by the authority aforesaid, That the said John Rodgers, James Wilson, Senior, James Rodgers, William Snodgrass, Robert Clark, Robert Robertson, Thomas McCallen, William Laird, David Hay, Robert Moody, Joseph Parks, James Wilson and the Reverend John Elder, the present pastor, the first and present trustees hereby incorporated, shall be and continue trustees aforesaid until they shall be removed in manner following, that is to say, one-third part in number of the said trustees aforesaid, being the third part herein first named and appointed shall cease and discontinue and their appointment determine on the Monday next after the fourth Lord's day, commonly called Sunday in April, which will be in the year of our Lord one thousand seven hundred and eighty-eight, 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 support and true intent of this act to vote and

elect as aforesaid, and on the Monday next after the Fourth Lord's day commonly called Sunday in April in the year one thousand seven hundred and eighty-nine, the second third part in number of the trustees herein named shall in like manner cease and discontinue and their appointment determine and a new election to be had and held of so many in their place and stead in like manner, and on the Monday next after the fourth Lord's day, commonly called Sunday in April in the year next following, the last third part in number of the said trustees shall in like manner cease and discontinue and their appointment determine and a new election be had and held in like manner as is hereinbefore directed, and that in the same manner and by the like mode of rotation one-third part in number of the said trustees shall cease and discontinue, and their appointment determine and a new election of the said third part be had and held in manner aforesaid on the Monday next after the fourth Sunday in April in every year forever, so that no person or persons shall continue a trustee or trustees of the said church for any longer time than three years together. Provided always, That the same trustees or any of them may be re-elected at such election and if by accident any election shall not be held on said days they shall continue trustees until an election shall be made and held at some future day by them to be appointed so that the same be written one month thereafter. Provided always, 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. Provided also, That whenever any vacancy happens by the death, refusal to serve or removal of any one or more of the said trustees aforesaid pursuant to the directions of this act, an election shall be held 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 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 like manner as is hereinbefore is directed and appointed for notifying and publishing the meeting of the congregation.

[Section IX.] (Section XI. P. L.) Provided also 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 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 for burials, which said money shall be received by the trustees and disposed of by them in the manner hereinbefore directed pursuant to the votes of the members of the said church or congregation duly qualified to vote and elect as aforesaid.

Passed March 28, 1787. Recorded L. B. No. 3, p. 213, etc.

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## CHAPTER MCCLXXXVIII

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### AN ACT TO INCORPORATE THE PRESBYTERIAN CONGREGATION IN TINICUM TOWNSHIP IN THE COUNTY OF BUCKS.

(Section I. P. L.) Whereas the Presbyterian congregation of Tincum township in the county of Bucks have prayed that their said congregation may be incorporated and by law enabled as a body corporate and politic to receive and hold such grants of land, charitable donations and bequests as have been or that hereafter may be made to their society and vested with such powers and privileges as are enjoyed by other religious societies who are incorporated within this state: