

allowing drawbacks on goods, wares and merchandise exported except as is herein excepted:

And whereas certificates of the landing of goods, wares and merchandise exported in the manner prescribed by the acts aforesaid cannot in many places be procured or is attended with great expense and difficulties.

[Section II.] (Section III, P. L.) Be it enacted by the authority aforesaid, That from and after the passing of this act, the bonds which shall be given on the exportation of goods, wares and merchandise to any port or place not within the United States shall be canceled on the oath or affirmation of the master of such vessel wherein any goods, wares and merchandise may be exported as aforesaid, specifying the delivery thereof at the port of discharge, agreeably to the conditions of the said bonds or on the oath or affirmation of the consignee of such goods, wares and merchandise, anything in the said acts to the contrary notwithstanding.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That so much of the said laws as is hereby altered and supplied be and is hereby repealed.

Passed September 20, 1788. Recorded L. B. No. 3, p. 381.

CHAPTER MCCCLV.

AN ACT TO INCORPORATE THE PRESBYTERIAN CHURCH OF MIDDLE OCTARARA IN BART TOWNSHIP IN THE COUNTY OF LANCASTER.

(Section I, P. L.) Whereas the minister, elders and other members of the Presbyterian Church of Octarara in Bart township in the county of Lancaster by their petition 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 may from time to time be made to their society and vested with such powers and privileges as are enjoyed by the other religious societies who are incorporated in this state:

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 Robert Baily, John Paxton, John Johnston, Andrew Work, John Anderson, Thomas Whiteside, Samuel McClelland, Alexander Morrison [and] the Reverend Nathaniel W. Semple, the present pastor of said church, 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 Church of Middle Octara in Bart Township in the county of Lancaster."

[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 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 church and congregation or to the religious congregation worshipping therein now under the postoral charge and care of the Reverend Nathaniel W. Semple 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 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, 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 lands, tenements, messuages, houses, rents, annuities, or hereditaments to them and their successors forever, or the moneys lent on interest or otherwise disposed of according to the intention of the donors.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the rents, profits and interest of the said real and personal estate of the said church and corporation shall by the said trustees and their successors from time to time be applied for the maintenance and support of the pastor or pastors of the said church, for salaries to their clerk and sexton, in the maintenance and support of a school and in repairing and maintaining their lot and house of public worship, burial ground, parsonage house or houses, school-house or houses and other tenements which now do or hereafter shall belong to the said church and corporation.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That if hereafter the building for public worship or any other tenement belonging to the said church and corporation shall be burnt, endamaged or otherwise rendered unfit for use or if hereafter the said house of public worship shall appear to be too small to accommodate the congregation, whereby it shall become necessary to rebuild or repair the same, that then and in such case it may be lawful for the said corporation and their successors to make sale or

otherwise dispose of any part or parcel of the said real or personal estate other than the site of the house of public worship, burial ground or burial grounds, parsonage house or houses, school house or houses, for the purposes aforesaid, and not otherwise.

[Section V.] (Section VI, 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 of the purposes aforesaid, the consent and concurrence of the major part of the regular members of the said church, 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 church. Provided, nevertheless, That no deed or other conveyance made by the said trustees or their successors bona fide and for valuable consideration for any part of the real estate of the said corporation, in case the possession thereof immediately pass to the purchaser and continue in him, his heirs and assigns, shall be invalidated or called in question for want of the consent and concurrence aforesaid or for want of conformity to this act unless the same be done within seven years from and after the sale and delivery of the possession of such real estate to the purchaser and purchasers thereof.

[Section VI.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors shall not by 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 whatsoever except as hereinbefore is excepted.

[Section VII.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors or the majority of any five of them met 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 before the congregation are dismissed, or after regular notice in writing left at the house of each trustee and the particular business having been mentioned at least one meeting before, 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 the said church. 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 into a church book to be kept for that purpose and also that the said trustees and their successors by plurality of votes of any five or more of them 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 or 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 VIII.] (Section X, 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 or renew at their pleasure.

[Section IX.] (Section XI, 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 of Middle Octarara in Bart Township in the County of Lancaster" 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 what-

soever kind, nature 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 Middle Octarara in Bart Township in the county of Lancaster" and the said members shall at all times hereafter be chosen by way of ballot by a majority of such members met together of the said church or congregation as shall have been enrolled in the aforesaid book as stated worshippers with the said church for not less than the space of one year and shall have paid one year's pew rent, or other annual sum of money not less than seven shillings and six-pence for the support of the said pastor or pastors or other officers of the said church, their lot and house of public worship and other lots and tenements belonging to the said church and corporation and towards the other necessary expenses of the said church and shall not at the time of voting be more than one year behind or in arrears for the same. Provided nevertheless, That the pastor or pastors of the said church for the time being shall be entitled to vote equally with any member of the said church or corporation. 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 elect a trustee aforesaid, except in case of the said church having two pastors, one of them only to be eligible at the same time.

[Section XI.] (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That the said Robert Baily, John Paxton, John Johnston, Andrew Work, John Anderson, Thomas Whiteside, Samuel McClelland, Alexander Morrison and Nathaniel W. Semple, 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 trustees aforesaid, being the third

part herein first named and appointed, shall cease and discontinue and their appointment determine on Monday next after the first Lord's day, commonly called Sunday, in May which will be in the year 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 purport, true intent and meaning of this act, to vote and elect as aforesaid, and on the Monday next after the first Lord's day, commonly called Sunday, in May in the year following, 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 first Lord's day commonly called Sunday in May in the year then next following the last third part in number of the said trustees shall in like manner cease and discontinue and the appointment determine and a new election be had and held in like manner as hereinbefore is 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, 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 first Lord's day commonly [called] Sunday, in the month of May in every year forever, so that no person or persons shall be or continue a trustee or trustees of the said church for any longer time than three years together, unless he be re-elected. Provided always, That the persons belonging to the said church who are in and by this act authorized and empowered to elect shall and may be at liberty to re-elect any one or more of the trustees whose time shall have expired on the day of the said annual election whenever and so often as they shall think fit. Provided also, That whenever any vacancy shall happen 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, for 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 remained and continued 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 hereinbefore is directed and appointed for notifying and publishing the meeting of the trustees.

[Section XII.] (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 five hundred pounds lawful money of the state of Pennsylvania, to be taken and esteemed exclusive of the moneys arising from the letting of the pews and the contributions belonging to the said church, which said money shall be received by the said trustees and disposed of by them in the manner hereinbefore described, pursuant to the vote or votes of the members of the said church duly qualified to vote and elect as aforesaid.

Passed September 20, 1788. Recorded L. B. No. 3, p. 381.

CHAPTER MCCCLVI.

AN ACT FOR THE RELIEF OF THE SUFFERING INHABITANTS OF THE TOWNSHIPS OF WAYNE AND DERRY IN THE COUNTY OF CUMBERLAND.

(Section I, P. L.) Whereas by the repeated depredations and incursions of the savages during the late war the inhabitants