

railroad company, on the Susquehanna river, when attending the general assembly.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The fourteenth day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

No. 278.

AN ACT

To incorporate the English Lutheran congregation of the Evangelical Lutheran church of Fountain Dale, in the county of Adams.

Incorporation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* The English Lutheran congregation of the Evangelical Lutheran church of Fountain Dale, in the county of Adams, are hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of "The Church Council of the Fountain Dale Evangelical Lutheran church, in Fountain Dale," and by the same name shall have perpetual succession, and be able to sue and to be sued, to plead and to be impleaded in all courts of law or elsewhere, and shall be able and capable in law and equity, to take and to hold to them and their successors, for the use of said church, lands, tenements, choses in action, goods and chattels of whatever kind, nature or quality, real, personal or mixed, which now are, or shall hereafter become the property of the said corporation, or be held for their use, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person whomsoever capable of making the same, and the same to grant, bargain, sell, mortgage, improve or dispose of, for the use and benefit of the said congregation: *Provided,* That the yearly value or income of the said estate shall not at any time exceed one thousand dollars.

Annual income.

Seal.

By-laws.

Proviso.

SECTION 2. The said council shall have power to make and use one common seal, with such device and inscription as they shall think proper, and the same to alter at pleasure, and to make, enact, enjoin, and enforce by-laws and ordinances, for the regulation and transaction of the affairs of the said congregation, in conformity with the rules and regulations hereinafter provided: *Provided,* That the said by-laws and ordinances be framed, enacted and promulgated, in conformity with the rules and principles of the Evangelical Lutheran church in the United States, as contained in the formula of the government and discipline adopted and published by the general synod of said church: *And pro-*

vided also, That they be not inconsistent with the constitution and laws of the United States, and of the commonwealth of Pennsylvania.

SECTION 3. All bona fide engagements entered into, and liabilities contracted heretofore by individuals, for the proper debts of the said congregation, or for money borrowed for its use and benefit, and by its authority, shall, immediately after the enrolling hereof, be held and deemed the debts of the body politic and corporate hereby created, which shall be liable therefor in its corporate property and capacity; and the church council shall, at as early a period as possible, take measures to redeem and cancel the outstanding notes, bonds or other securities, so as aforesaid, given by individuals for the debt of said congregation and at its instance, and substitute instead thereof, (if necessary) the securities of the said corporation: *Provided*, That the same be done by and with the consent of the holders of such securities: *And provided*, That nothing herein contained shall be so construed as to take away, impair, or diminish any right, securities or claims now held, possessed, and enjoyed by any of the aforesaid creditors of the said congregation, against any person or persons for the same.

Indebtedness.

Securities.
Proviso.

SECTION 4. In the manner, and at the times hereinafter appointed, the qualified members of the congregation shall elect from their own body two elders and two deacons, who, with the pastor of the church, shall compose the church council.

Council.

SECTION 5. The whole number of elders and deacons shall be elected by the qualified members of the congregation, on the first day of April, one thousand eight hundred and forty-five; one of the elders, and one of the deacons then elected, being one-half of the whole, shall be elected to serve for one year, and the remaining two to serve for two years; and in like manner, on the first day of April, in each and every year thereafter, one elder and one deacon shall be elected to fill the places of those whose terms of office shall have expired, so that the term of office of each elder and deacon shall be two years and until the election of a successor, and so that one-half of the entire number may be elected annually; the qualified members of the congregation may at any time add to, or diminish the number of elders and deacons to be chosen.

Elections.

SECTION 6. The church council constituted as aforesaid, shall have the control over and management of the pecuniary affairs of the congregation, the care of the house and other property, and all other temporal concerns, and business of the congregation of every kind whatsoever; the church council may appoint a president, secretary, treasurer, and all other officers necessary to the proper and convenient discharge of their functions and duties.

Powers of council.

Officers.

SECTION 7. If any vacancy, by death or otherwise, shall happen in either of the aforesaid offices, the vacancy may be temporarily supplied by the body in which it shall occur, until the next general meeting of the members of the congregation, as the case may be, at which time an election shall be held to fill such vacancy, during the unexpired portion of the term of the member whose death or resignation has occasioned the same.

Vacancies.

SECTION 8. The congregation may, from time to time, change the days for holding the aforesaid elections, and if by neglect or otherwise, it shall so happen that no election takes place of the regular day appointed for the purpose, the existing council may appoint any subsequent day, not longer than six months distant, for holding such election, first giving the notice required in such cases by the rules of the Evangelical Lutheran church, referred to in the second section.

Special elections.

Votes. SECTION 9. No member shall be entitled to vote at any election, except such as shall have paid at least one dollar in each year, for the support of the pastor of the congregation.

Tenets. SECTION 10. All matters connected with the doctrine, government, and discipline of the church, shall be conducted according to the acknowledged standard of the Evangelical Lutheran church in the United States.

Construction. SECTION 11. No enumeration of powers, privileges and duties herein contained, shall be so construed as to exclude others not enumerated, which are necessary to the proper fulfilment of the design and purpose of this act, and not inconsistent with its express provision and limitations.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The fourteenth day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

No. 279.

AN ACT

For the payment of the volunteer troops of this commonwealth, in service during the riots in the city and county of Philadelphia, in the year eighteen hundred and forty-four.

Returns. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of Major General Robert Patterson, of the first division, Pennsylvania militia, immediately after the passage of this act, to make out under oath or affirmation, and forward to the auditor general a detailed statement of the names, number and rank of commissioned officers, the names and number of non-commissioned officers, musicians and privates, and the names of the companies, battalions and regiments to which said officers, privates and musicians were attached, who were called into service by the proclamation and orders of the governor and commander-in-chief, and of those who were mustered on their way to "head quarters," to suppress the late riots in the city and county of Philadelphia; also the number of horses employed for the use of cavalry and artillery, and the number of days that said horses were in actual service; also a statement of the actual expenses of transporting said troops and their ordnance, and the expense for hospital stores.