

shall be given for the due payment of the said alimony according to the terms of said decree; the said security to be either by a bond, with sufficient sureties, or mortgage on real estate, taken in the name of the commonwealth, to the use of the party entitled to said alimony, or by the deposit of money, to be invested as the court may deem proper, as may seem to the court sufficient to secure the payment of said alimony, as the same may fall due.

Attachment.

SECTION 2. The said courts may enforce their decrees by attachment, on the return of which they may make such order, either to imprison or discharge the defendant, as the facts of the case may justify.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

JNO. B. STERIGERE,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 301.

AN ACT

To incorporate the Presbyterian church, in the borough of Wrightsville, York county.

Incorporation.

Name.

Privileges.

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 the members of the Presbyterian church, and congregation of the borough of Wrightsville, in the county of York, be and they are hereby created into one body politic and corporate, in deed and in law, by the name, style and title of "The Presbyterian church, in the borough of Wrightsville, in connection with the general assembly of the Presbyterian church in the United States of America," and by the same name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere, to take and to hold to them and their successors, for the use of said church and congregation, lands and tenements, goods and chattels of whatsoever kind, nature or quality, real, personal or mixed, which is now or hereafter shall become the property of the said church and congregation, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest, from any person or persons whomsoever capable of making the same, and the same to grant, bargain, sell, mortgage or dispose of, for the use of said church and congregation; and to erect, if necessary, or enlarge any building for the purpose of worship, residence of the pastor or other purpose, consistent with the advantage of religion, and to finish and complete any building as aforesaid that may be commenced, or for*

the erection of which any contract or contracts may be, or shall have been made and determined upon by the trustees heretofore duly elected, and now acting as the trustees of said Presbyterian church; and also to erect and enlarge any building which may hereafter become necessary for the purposes aforesaid, as may be directed by a majority of the congregation who may be present and qualified to vote by the second section of this act, at a meeting to be held for that purpose, of which meeting at least two weeks previous notice shall be given from the pulpit or clerk's desk, or in any other way a majority of the trustees shall direct, and generally adopt all such measures, and do all and singular such matters and things as may be lawful to be done, for the well being and due management of the affairs of the said church and congregation: *Provided*, The yearly income of said estates shall not at any time exceed the sum of two thousand five hundred dollars, exclusive of annual stated contributions: *Provided further*, That the provisions of this act shall not be construed to vest in the corporators any right or interest in, or control over the brick church or meeting house, and lands attached thereto, situate in or near the town of Wrightsville, and south of the turnpike road leading from Wrightsville to the borough of York.

SECTION 2. The trustees of said church and congregation shall be six in number, four of whom shall be a quorum for the transaction of business, and until others shall be elected, shall consist of the following named persons heretofore elected and now acting as trustees of said church, viz: Jacob Levergood, Samuel M. Smith, Jacob Bahn, Jacob Upp, Joseph Hiddleston, and Henry Wilton, who shall continue in office until the last Saturday in December next, Anno Domini, eighteen hundred and forty-five, and until others are chosen, on which day the male members of the said church and congregation shall elect, at a meeting held for that purpose in the church, or such other place as a majority of the congregation present shall agree upon, six persons to serve as trustees, two of whom shall serve three years, two to serve two years, and two to serve one year; the term of service to be designated by the electors on their ballots, and their places respectively shall be supplied at the annual election, to be held for that purpose on that day in every year thereafter, by the election of two persons to serve for three years: *Provided*, That in case of vacancy by death or otherwise, the remaining trustee or trustees shall appoint a person or persons to supply the same, until the next election; and any male member of said congregation, at least twenty-one years of age, and who shall have paid a sum not less than one dollar per annum for the support of said church, and who shall not be more than twelve months in arrears for pew rent at the time of an election, shall be entitled to vote for and be eligible as a trustee of the said congregation.

SECTION 3. The said trustees and their successors shall choose, by ballot, from among their number, a president and secretary, and shall also choose a treasurer, who shall be a member of the congregation, and who shall, if required by the trustees, give security for the faithful performance of the trust reposed in him, and shall have his accounts annually audited and settled by the trustees, and account to them for all sums of money received by him, or remaining in his hands at any time; and in case of the removal of the president or any of the trustees, by death, resignation, or neglecting to attend the meetings of the said board twice in succession, without good cause or otherwise, the vacancy or vacancies shall be supplied by the remaining trustee or trustees, until the next annual election.

SECTION 4. The said trustees and their successors shall have full power to make and use one common seal, and the same to alter and

Powers of trustees.

renew at pleasure, and to enact and enforce such by-laws and ordinances as may be proper and necessary for the regulation and transaction of the business of the corporation ; to change the time of holding the annual meeting for electing trustees, from time to time as they may find convenient, or if the congregation neglect to elect at the annual meeting, to appoint any subsequent time, on which said election shall be held : *Provided*, That previous notice be given of said meeting as directed in the first section of this act ; and that on failure to elect as aforesaid on any day appointed, the corporation shall not be dissolved thereby, but the election shall be held as hereinbefore provided : *And provided also*, That the said by-laws and ordinances be framed, enacted and promulgated, and all the acts of the said incorporation be in conformity with the rules and principles of the orthodox general assembly of the Presbyterian church in the United States of North America, existing and established at the time of the enactment thereof, and not inconsistent with the constitution and laws of this state, or of the United States.

Proviso.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

JNO. B. STERIGERE,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 302.

A SUPPLEMENT

To the act of assembly, passed the twenty-ninth March, one thousand eight hundred and thirty-two, relating to the proceedings in the orphans' court of this commonwealth, and for other purposes.

Upon non-agreement of parties in cases of partition.

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 when upon any proceedings in the orphans' court, an appraisement or partition of real estate is made by an inquest of seven or more persons appointed by the court, the said court shall, upon the refusal of any of the heirs or parties interested to accept any part of the same at the valuation thereof, or if after due notice they shall neglect to appear and accept the same, make a decree authorizing and requiring the executor or administrator, or other person, as the case may be, to expose such parts of the real estate not accepted as aforesaid, to be sold agreeably to the provisions of the act of assembly, passed the twenty-ninth of March, one thousand eight hundred and thirty-two.

Confirmation of prior partitions.

SECTION 2. That all proceedings heretofore had in orphans' courts in this commonwealth, for the partition of any decedent's estate wherein partition has been made, and a part thereof taken at the valuation, and