

of them, or any of the works of the said company erected in pursuance of this act, or any property belonging to the company, shall wilfully corrupt, or otherwise render unwholesome the or spring or stream of water which shall be conveyed or brought into the said borough, by said company, or shall so corrupt or otherwise render unwholesome the water in the reservoirs, cisterns, aqueducts, trunks or pipes of the company, on being thereof convicted, before the court of Quarter Sessions of the county of Montgomery, shall be sentenced to pay a fine to the company of not less than ten, nor more than one hundred dollars, and shall also be sentenced to an imprisonment, at the discretion of the said court, not exceeding five years.

Penalty for injuring works or corrupting water.

WM. HOPKINS,

Speaker of the House of Representatives.

EBEN'R. KINGSBURY, JR.

Speaker of the Senate.

APPROVED—The sixteenth day of April, one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 163.]

A N A C T

To incorporate the Honeybrook Presbyterian Church of the village of Waynesburg, in Chester county, and for other purposes.

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 Honeybrook Presbyterian Church, in the village of Waynesburg, be and the same are hereby created and erected into one body politic and corporate, in deed and in law, by the name, style, and title of the Name and "Honeybrook Presbyterian Church, in the village of Waynesburg, in Chester county," and by the same name shall have perpetual succession, and be able to sue and be sued, implead and be impleaded, and shall be able and capable to take and hold lands and tenments, goods and chattels, real, personal, and mixed, which are now, or may hereafter become the property of said congregation or body corporate, by gift

Church incorporated.

Privileges and franchises.

grant, devise, bequest, or otherwise, and the same to convey, lay out, apply, or dispose of in such manner as a majority of the trustees of the said congregation shall direct and appoint, and according to the true intent of the donors, grantors, and devisors: *Provided*, That the yearly value or income of the said estate, shall not, at any time, exceed the sum of two thousand dollars, exclusive of annual stated contributions.

Proviso.
Yearly in
come limited.

SECTION 2. That Joseph Marple, Abner Griffith, William White, David Buchanan, Robert Morton, Jacob M'Connell, and Amos Griffith, be trustees, to continue in office for one year, and until others be chosen, in such manner, time, and place, as shall be determined by a majority of the members of the said church.

Trustees.

SECTION 3. That the said trustees 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 to account to them for all sums of money received by him; and in case of the removal of the president, or of any other officer or member of the board of trustees, by death or resignation, 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 said board until the next annual election.

Officers.

Vacancies.

SECTION 4. That the trustees, and their successors, shall have full power to make and use one common seal, and the same to alter and renew at pleasure; 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 for holding the annual meeting for electing trustees, from time to time, as they may find convenient; or if the congregation neglect to elect on the day of the annual meeting, to appoint any subsequent time on which said election shall be held: *Provided*, That notice thereof be given from the pulpit, or in such other manner as a majority of the trustees may direct, at least two weeks before said election: *And provided also*, That said by-laws and ordinances shall not be inconsistent with the constitution or laws of this State, or of the United States.

Seal.

By-laws.

Proviso.

2d Proviso.

WHEREAS, the four German Reformed Congregations of Upper Mount Bethel, Lower Mount Bethel, Lower Smithfield, and Hamilton townships, all then in the county of Northampton, did, in the year one thousand eight hundred and twelve, by joint contribution, purchase of one William Lander, a lot of land lying therein, in said township of Upper Mount Bethel, containing nineteen acres and ninety-eight perches for a parsonage, all of said congregation being then under the care of one pastor; which said lot of land and pre-

Preamble.

mises, the said Willaw Lander, by deed dated the fourteenth day of November, Anno Domini, one thousand eight hundred and twelve, and recorded in the office of the recorder of deeds, at Easton, in deed book H, volume three, page one hundred and ninety-five, conveyed to George Mann, John Hilliard, John Houser, Adam Smith, Simon Heller, and Henry Fenner, and their successors, in trust, to the only proper use and benefit and behoof of the said congregation and its members forever: *And whereas*, the said congregation of Lower Smithfield has ceased to be under the care of the same pastor with the other three congregations, on account of the distance of their church from the said parsonage: *And whereas*, the said congregation of Lower Smithfield is desirous to sell their interest in the said lot of land and premises, being the *one-fourth* thereof; and the said congregation of Upper Mount Bethel is desirous to purchase the same, but in consequence of the death of John Houser and Adam Smith, the two trustees in the said deed, on the behalf of the said congregation of Lower Smithfield, doubts have arisen as to the mode of conveyance.

SECTION 5. That Joseph Houser, John Smith, and Isaac Trausue, or the survivor or survivors of those trustees, appointed by the German Reformed Congregation of Lower Smithfield, to make sale of their interest in the said real estate above described, be and they are authorized and empowered to release, sell, and dispose of at public or private sale, all the right, title, and interest of the German Presbyterian Congregation of Lower Smithfield, of, in, and to the above described lot of land and premises, with the appurtenances, being the undivided fourth part thereof; and to make good and sufficient deeds of conveyance therefor to the purchaser or purchasers thereof, in fee simple, and that the sum of one hundred and thirty-three dollars of the proceeds of said sale be paid to Peter Tribble, for the use of the Smithfield Congregation, and the residue be divided among the trustees above mentioned.

Trustees authorized to sell &c.

Proceeds of sale how distributed.

SECTION 6. That so much of the third section of the act of assembly of first April, eighteen hundred and thirty-four, entitled "An act to provide for the incorporation of boroughs as requires applications for the incorporation of boroughs, to be laid before the grand jury," be and the same is hereby repealed, as respects the county of Philadelphia; and the court of quarter sessions of the said county is hereby authorized to appoint a jury of six citizens of the said county, to perform all the duties enjoined on the grand jury by the act of assembly aforesaid.

3d section of act April 1, 1834, repealed in part as respects county of Phila.

SECTION 7. That from and after the passage of this act, "The Franklin Blues," a volunteer company, in the county of Westmoreland, shall be exempted from parading or drilling with any regiment or battalion of militia, except at the dis-

Applications for incorporation of boroughs how made

Franklin Blues exempt cation of the members of said company: *Provided*, The said Franklin blues shall meet the number of days required by law in their company capacity.

North Washington artillery co. exempt. SECTION 8. That from and after the passage of this act, "The North Washington Artillery company," a volunteer company, in the county of Westmoreland, shall be exempted from parading or drilling with any regiment or battalion of militia, except at the discretion of the members of said company: *Provided*, That said North Washington Artillery company shall meet the number of days required by law in their company capacity.

The Green Mountain Boys changed to infantry. SECTION 9. That from and after the passage of this act, "The Green Mountain Boys," a volunteer rifle company, in the county of Westmoreland, be and are hereby changed into an infantry company, and in that character shall be entitled to draw, through the proper brigade inspector, the proper number of muskets and bayonets, cartridge boxes and belts, to which an infantry company may be entitled under the existing laws, and in all other respects have the same privileges, and be under the same restrictions as if they had been originally organized as a volunteer infantry company.

Dauphin Guards. SECTION 10. That so much of an act of twenty-seventh of March, one thousand eight hundred and thirty-nine, as refers to the Dauphin Grays, is hereby altered, so as to apply to the Dauphin Guards.

Hanover Rifle Rangers exempt. SECTION 11. That from and after the passage of this act, the company called "The Hanover Rifle Rangers," of Lehigh county, shall be exempted from parading or drilling with any regiment or battalion of militia, except at the discretion of the members of said company: *Provided*, The said company shall meet the proper number of days required by law.

WM. HOPKINS,

Speaker of the House of Representatives.

EB. KINGSBURY, Jr.

Speaker of the Senate.

APPROVED—The sixteenth day of April, one thousand eight hundred and forty.

DAVID R. PORTER.