

SEC. 2. The register and receiver shall proceed to sell all the lands granted to the territory of Wisconsin to aid in the construction of the Milwaukee and Rock river canal which remain unsold, agreeably to the provisions of the act hereby amended; the first sale shall take place on the first Monday of June next, and public notice thereof shall be given for three months prior to said day of sale, in two weekly newspapers printed in the county of Milwaukee.

Canal lands
when to be
sold.

SEC. 3. Section seventeen of the act hereby amended, and so much of the first section as relates to the prohibition of a sale by act of congress is hereby repealed.

SEC. 4. This act shall take effect from and after its passage.

WILLIAM SHEW,
Speaker of the House of Representatives.
MASON C. DARLING,
President of the Council.

APPROVED, February 8, 1847.

HENRY DODGE.

AN ACT

To provide for the incorporation of the Protestant Episcopal Church, and other religious societies in the Territory of Wisconsin.

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin:

SECTION 1. That it shall be lawful for the male persons of full age of any church or congregation in communion with the Protestant Episcopal Church in the territory of Wisconsin, who shall have belonged to such church or congregation

Who may be
incorporated.

Wardens and vestrymen to be elected.

for the last twelve months, and who shall have been baptized in the Protestant Episcopal Church, or shall have been received therein, either by the right of confirmation, or by purchasing or hiring a pew or seat in such church, or by some joint act of the parties and of the rector, whereby they shall have attached themselves to the Protestant Episcopal Church, and not already incorporated, at any time to meet for the purpose of incorporating themselves under this act, and by a majority of ballots to elect two church wardens, and not less than three nor more than eight vestrymen, and to determine on what day of the week called Easter week the said offices of church wardens and vestrymen shall annually thereafter cease, and their successors in office be elected; of which election, notice shall be given in the time of morning service on the Sundays previous thereto, by the rector, or if there be no rector, then by any other person belonging to such church or congregation; and that the said rector, or if there be no rector, or he be absent, then one of the church wardens or vestrymen, or any other person, called to the chair, shall preside at such first election, and, together with two other persons, shall make a certificate, under their hands and seals, of the election [of] the church wardens and vestrymen, and of the day in Easter week fixed upon for the annual election of their successors, and of the name or title by which such church or congregation shall be known in law; which certificate shall be witnessed by two witnesses, and may be acknowledged before any officer authorized to take acknowledgements of deeds, in the same manner as deeds shall by law be acknowledged at the time of taking such acknowledgement, and recorded by the county register of the county wherein such church or congregation, or place of worship thereof, shall be situated, in a book to be by such register provided for that purpose; and that such church wardens and vestrymen, so elected, and their successors in office, of themselves, but if there be a rector over such church, then they, together with such rector of such church or congregation, shall form a vestry and be trustees of such church or congregation; and such trustees and their successors shall thereupon, by virtue of this act, be a body corporate by the name or title expressed in

Certificate of organization to be recorded.

such certificate ; and the persons qualified as aforesaid shall in every year thereafter, on the day in Easter week so fixed upon for that purpose, elect such church wardens and vestrymen, and whenever any vacancy or vacancies shall happen before such annual election, by death or otherwise, the said trustees shall appoint a time for holding an election to supply such vacancy or vacancies ; of which election, notice shall be given in time of divine service, at least ten days previous thereto ; that all elections shall be held immediately after the hour of morning service ; and the rector of such church or congregation, so incorporated or formed, or in his absence, one of the wardens or vestrymen of such church, shall preside, and receive the votes of the electors, and be the returning officer, and decide all questions of the right to vote ; and the proceedings of every such election shall be entered in a book of the minutes of the vestry, and be signed by such presiding officer, and by as many of the electors present as such presiding officer may deem proper ; and in case there should be, from any cause, no election at such annual election, then the officers of such church or congregation shall hold over until the next annual election, or till a special election shall be called by such vestry, or church, or congregation, which may be done by notice to be given as in case of election to fill vacancies. Such wardens and vestrymen, so chosen at any election, shall hold their offices until the expiration of the year for which they shall be chosen, and until others shall be chosen in their stead ; and shall have power to call and induct a rector over such church or congregation as often as there shall be a vacancy therein : *Provided, however,* that no meeting of such wardens and vestrymen shall be held, unless a notice thereof shall be given in writing, at least three days previous thereto, under the hand of the rector, or one of the church wardens ; and that no such board shall be competent, unless the rector, or one of the wardens, and a majority of the vestrymen be present, to transact business. At all meetings of the vestry of any such church or congregation, the rector, if present, if not, one of the wardens, if present, and in case both wardens are pres-

Annual elec-
tion of offi-
cers.

Proviso.

ent, the senior warden shall preside, and have the casting vote in case of a tie.

SEC. 2. *And be it further enacted,* That any church or congregation, incorporated as aforesaid, shall have power to purchase and hold, or lease any real estate for the site of a church or house of public worship, and suitable yards, or grounds for the same, and for a parsonage and a school house, and to erect all such buildings thereon proper and suitable for such church, or house of worship, and parsonage and school house, and to purchase, take by gift, or devise, or otherwise, any real estate or other property, and to sell and dispose of, or lease the same. But in no case shall any such church, or congregation, hold any real estate within this territory, the annual income of which shall exceed the sum of five thousand dollars, excepting the site of the church, parsonage, and school house. That they shall have the power to sell or rent, or otherwise dispose of all slips, pews and seats in any such church, and to rent or sell, or otherwise dispose of all the real estate of such church or congregation, and to employ and contract for the services of a minister or clergyman, and to sue for and collect all subscriptions, rents, demands and dues, of such church, or congregation, and to manage all the fiscal concerns of the same in the name of such church.

SEC. 3. It shall be lawful for the male persons of full age belonging to any other church, congregation or religious society, now or hereafter to be established in this territory, and not already incorporated, to assemble at the church, meeting house, or other place where they statedly attend for divine worship, and by a plurality of votes to elect any number of discreet persons of their church, congregation or society, not less than three, or more than nine in number, as trustees to take charge of the estate and property belonging thereto, and to transact all affairs relative to the temporalities thereof; and that at such elections every male person of full age, who has statedly worshipped with said church, congregation, or society, and has been formerly considered as belonging thereto, shall be entitled to vote, and the said election shall be conducted as follows: The minister of said church, congregation, or society, or in case of his death, or absence, one of

Powers of the corporation.

Concerning the incorporation of other churches.

the elders or deacons, church wardens or vestrymen thereof, and for want of such officers, any other person, being a member, or a stated hearer in said church, congregation, or society, shall publicly notify the congregation, of the time when, and the place where, the said election shall be held, at least fifteen days before the day of election; that the said notification shall be given, for two successive sabbaths, or days on which said church, congregation, or society shall stately meet for public worship, preceding the day of election, that on the said day of election two of the elders or church wardens, and if there be no such officers, then two of the members of said church, congregation, or society, to be nominated by a majority of the members present, shall preside at such election, receive the votes of electors, be the judges of the qualifications of such electors, and the officers to return the names of the persons, who, by a plurality of votes shall be elected to serve as trustees for said church, congregation, or society; and the said returning officers, shall immediately thereafter certify, under their hands and seals, the names of the persons elected to serve as trustees for said church, congregation, or society, in which certificate the name or title by which the said trustees and their successors shall forever thereafter be called and known, shall be particularly mentioned and described, which said certificate, being proved or acknowledged, as above directed, shall be recorded as aforesaid; and such trustees and their successors shall also thereupon, by virtue of this act, be a body corporate and politic, by the name or title expressed in such certificate, and shall have all the powers, immunities, and privileges conferred upon churches by the second section of this act, and shall be subject to all the restrictions and provisions contained in said section, and the register of deeds of every county for recording every certificate of incorporation by virtue of this act, shall be entitled to a fee of seventy-five cents, and no more.

SEC. 4. That every church, congregation, or society incorporated under the provisions of the third section of this act, shall have power to enact bye-laws for its government and prescribe the term of office of its trustees and other officers. Bye-laws.

Record to be kept.

SEC. 5. Every church, congregation, or society incorporated under the provisions of the third section of this act, shall keep a full and complete record of all ordinances, bye-laws, rules, meetings and proceedings thereof; and of the names of all persons who shall be elected officers thereof, and of all moneys received, paid out or expended by them, or any of them, in and about the affairs thereof: which record shall be always open to the inspection of its members, and shall be admitted in all courts as evidence of the matters therein stated.

WILLIAM SHEW,

Speaker of the House of Representatives.

MASON C. DARLING,

President of the Council.

APPROVED, February 8, 1847.

HENRY DODGE.

AN ACT

To authorize the supervisors of the town of Spring Valley to correct the assessment roll and to extend the time for collecting taxes in said town.

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin:

Assessment roll when corrected.

SECTION 1. That the supervisors of the town of Spring Valley, in the county of Rock, be, and are hereby authorized to correct the assessment roll for the year 1846, at any time before the first Monday in April next, in the same manner as they might have done before the first Monday in January