

Provided:

the said Michael Helman had sold and conveyed the same while of sound mind and memory; *Provided*, That the said John Gill and George Wallace shall, before they proceed to convey the estate of the said Michael Helman, enter into recognizance with sufficient security before the court of common pleas for the county of Allegheny, that all the monies arising from the sales of the aforesaid tracts of land shall after paying the debts of the said lunatic be so disposed of as will be most for the benefit of him and his heirs.

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the second day of April, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER CXXXVIII.

An ACT to incorporate "The Bucks county contributionship for insuring houses and other buildings from loss by fire.

SECT. I. *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 directors herein after named shall procure a book in which they shall insert the names of the present members, (being citizens of the United States,) of "The Bucks county contributionship for insuring houses and other buildings from loss by fire;" and they and their successors, chosen or appointed as hereinafter directed, directors of the contributionship aforesaid, shall insert in the said book the names of such citizens aforesaid as shall hereafter become members thereof according to the provisions of this act.*

Directors to procure a book.

Names to be inserted.

Names of future members to be inserted.

Subscribers incorporated.

Style of the corporation.

And privileges.

SECT. II. *And be it further enacted by the authority aforesaid, That the persons whose names shall be thus inserted, and their successors and assigns, are hereby created a body politic and corporate, by the name, style and title of, "The Bucks county contributionship for insuring houses and other buildings from loss by fire;" and they and their successors are hereby ordained and declared a body politic and corporate, in fact and in law, and by the name aforesaid they and their successors shall and may have continual succession and be capable of suing and being sued, pleading and being impleaded, answering and being answered unto; defending and being defended in all courts and places whatsoever; and they and their successors may have and use one common seal, and make, change and alter the same at their pleasure; and they and their successors by the same name and style shall be in law*

capable of purchasing, holding, improving and conveying any estate real or personal for the use of the said corporation; *Provided*, That the real estate by them held shall be only such as shall accommodate the corporation in the transaction of the business thereof, or shall be taken and held in security for the payment of debts due to said corporation; and the said corporation shall have power to make, ordain and establish, and put in execution such by-laws, ordinances and regulations as shall be necessary for the government thereof, (not being contrary to the constitution and laws of this state or of the United States,) and for the making whereof the members shall be convened annually on the first Monday in May, and such other general meetings of the members as shall or may be called by the directors or a majority of them from time to time for the purpose aforesaid; or at the request of any twenty members insuring to the amount of ten thousand dollars, signified in writing to the directors for the time being, as they shall respectively think necessary; and the said corporation shall have power generally to do and execute all matters and things which a body politic and corporate may or lawfully can do or execute, subject to the rules, regulations and provisions herein after prescribed and declared; *Provided*, The clear yearly income of the real estate of the said corporation, which they are hereby authorized to hold, shall not exceed three thousand dollars.

Limitation as to real estate.

Of by-laws, &c.

When annual and other meetings are to be held.

How to be called,

may do corporate acts.

Income of real estate not to exceed 3,000 dollars.

SECT. III. *And be it further enacted by the authority aforesaid*, That Reading Beatty, Mahlon Milnor, Samuel D. Ing-ham, William Milnor, John Burton, Joseph Brown, Mahlon Yardley, Charles Brown and John Mott, shall be directors of the said corporation until the first Monday in May next, and until successors shall be appointed as herein after directed; and shall have full power to proceed therein as is herein after more particularly provided; all and every of which directors and their successors chosen or appointed as herein after provided, shall not have, and they are expressly debarred from having, receiving or taking on account of their being directors, in any manner whatsoever, any salary, gratuity or allowance.

Directors named.

Term of service.

No salary &c. allowed to.

SECT. IV. *And be it further enacted by the authority aforesaid*, That all the joint stock and all other the estate, real, personal and mixed; and all the securities, dues, claims and demands; and all the records, books, papers, vouchers and other documents whatsoever, in anywise belonging to or held and claimed by the said association of citizens at the time of passing this act, shall be transferred to and vested in the said corporation of "The Bucks county contributionship for insuring houses and other buildings from loss by fire," hereby created, as absolutely and completely to all intents and purposes as the same respectively shall then belong to or be held and

Books, &c. of the company vested in the corporation.

claimed by the said association of citizens, or by their officers and agents for their use ; and also all the policies, contracts, and other engagements, debts, obligations and assumptions whatsoever of the said association of citizens entered into, made, subsisting, due and payable, or to grow due and payable at the time of the passing of this act, shall thenceforth become and be as obligatory and binding upon the said corporation of "The Bucks county contributionship for insuring houses and other buildings from loss by fire," hereby created, to all intents and purposes as if the same respectively had been entered into, made and contracted by the said company subsequent to the incorporation thereof; *Provided, always nevertheless,* That nothing herein contained shall in anywise be construed to impair the obligation of any contract at any time entered into by the said association of citizens.

Provided.

When and where the general meetings to be held.

Officers to be elected.

Term of service. Elections by whom to be held

And reported.

Directors may rent an office.

And appoint clerks, surveyors, &c.

May give out policies, &c.

And provide books.

May suspend or remove any officer, &c.

SECT. v. *And be it further enacted by the authority aforesaid,* That the general meetings of the said corporation shall be held on the first Monday in May, annually, at such place as the society shall from time to time direct, at which annual meetings nine of the members of the society shall be chosen by ballot for directors, and one other member shall in like manner be chosen treasurer for the ensuing year, and until others shall be chosen in their room ; and the directors shall appoint three of the members judges and managers of the election, who shall, under their hands and seals or under the hands and seals of a majority of them, report the names of the persons duly elected directors and treasurer respectively, to the general meeting; and when the election is over the meeting may proceed to other business, and not before.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the directors for the time being, chosen or appointed as aforesaid, shall have power to take a house or room for an office, at such rent and for such term as they shall judge necessary, and also to appoint one or more clerks or bookkeepers, surveyors, messengers and other agents, and fix their respective fees and salaries as occasion shall require, and they think fit ; and to take such securities from them as they shall think proper and sufficient for the true and faithful discharge of their respective trusts, officers and places, and the said directors may from time to time order and direct the making and giving out of policies ; dispose of, place out, take in, secure and improve the stock of the society, and the profits thereof, for answering the contingent charges of the society and satisfying such losses and damages as shall happen in and to the same ; shall provide books for accounts and all other things needful and requisite for this office and the affairs thereof, and carrying on the same ; and the said directors shall have power to suspend, remove or displace all or any of the officers and agents above mentioned as they shall see

cause, and to supply any vacancy which shall happen by the death or removal of them or any of them so that such displacing be agreed to, by a majority of the directors; and the said directors are hereby empowered to do and perform all other acts needful, incident or relating to the premises which they shall judge fit and reasonable and which shall be according to this act.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the directors for the time being shall make out and report to the general meeting to be held yearly the general state of the office and its accounts.

Accounts to be laid before the yearly meeting.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the directors for the time being shall with all convenient expedition, after any loss sustained, settle a rate of contribution and publish the same in such manner as they shall think fit,

Rate of contribution to be settled.

And published,

such rates shall be settled and approved by a majority of the directors at two successive weekly meetings; and if any member or members of the society shall think themselves aggrieved thereby, then he, she, or they may thereupon at any time within thirty days next after the publication of such rates as aforesaid, inspect the books and accounts of the office, and the whole state thereof; and may offer his, her, or their exceptions with the reasons thereof to the directors; and in case the same is not agreed between the directors and such member or members who shall so except; then the same shall be referred to the next annual meeting for their final determination; *Yet nevertheless,* it is hereby declared and agreed that when such rate or rates shall exceed the deposit money, all and every of the members of this society shall pay into the hands of the treasurer, his, her, and their proportionable part of such rate or rates within three months next after such publication as aforesaid; and in default of such payment, he, she, or they and every of them making such default therein, shall forfeit and pay double the said rates; and neglecting to pay the said forfeiture thirty days more, shall or may by the directors for the time being, be excluded and debarred from any benefit or advantage from his, her, or their insurance respectively, and all right to the stock of this society; and shall notwithstanding be liable to the said rates pursuant to his, her, or their covenants and agreements in these presents contained.

Remedy where a member conceives himself over-rated.

Within what time rates to be paid.

Penalty on neglect.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the directors for the time being shall, when, where and as often as they shall think proper, but at least once in six months and being five in number at least, they shall and may enter upon, and order, direct, and dispatch all such matters and things relating to their office as shall then lie and come before them; and their proceedings shall be considered good and valid in all the affairs and business of the society, except such cases herein

How often directors shall meet.

Number of,

Proceedings to be valid except &c.

How vacancies to be supplied. mentioned where a greater number is required; and in case any of the directors herein mentioned or hereafter to be elected or appointed shall die, remove out of the commonwealth, or refuse to serve as director or directors, or for two successive meetings wholly omit and neglect to attend the affairs and business of the society, then and in such case the directors for the time being or five of them at least, all agreeing, (regularly and timely notice having been given to all) may elect and choose one or others in the room of such as shall die, remove, refuse, or neglect to act as aforesaid; and such choice being confirmed by a second meeting of the board of directors the member or members so chosen shall be director or directors until the next annual election.

Directors may purchase bank stock. **SECT. X.** *And be it further enacted by the authority aforesaid,* That the directors for the time being or a majority of them shall have power to lay out in any incorporated bank or stock in this state, or any other state, to lend upon mortgage, on houses and lands, or other sufficient security, upon bonds, notes, or other specialties, such sum or sums of money as they from time to time shall think fit and order; *Provided always,* That not more than one thousand dollars be loaned on one security, nor more than one half the value of the mortgaged premises; *Provided also,* That the said company shall not have power to issue any note or notes in the nature of bank notes, to become endorsers on any note or notes in their corporate capacity, or to make discounts or receive deposits after the manner of any incorporated bank or banks, or do or perform any act not herein expressly authorized.

And loan money. **SECT. XI.** *And be it further enacted by the authority aforesaid,* That the orders of a majority of the directors on the treasurer shall be complied with by him, and shall be good vouchers to indemnify him for the payment and delivery of the cash and effects of the society.

Limitation of loans. **SECT. XII.** *And be it further enacted by the authority aforesaid,* That the directors shall have power to reward, out of the company's stock, such as are voluntarily and usefully active in dangerous cases to extinguish fire.

No act to be done in the nature of banking. **SECT. XIII.** *And be it further enacted by the authority aforesaid,* That upon application made to the directors for insuring any house or building in this commonwealth, if from its situation or any other circumstance it shall appear to the directors more than commonly hazardous, the directors for the time being shall have a discretionary power to enlarge the deposit money.

Treasurer to pay orders. **SECT. XIV.** *And be it further enacted by the authority aforesaid,* That John Stapler shall be treasurer of the said contribution-ship until the first Monday in May next, and until a successor shall be chosen or appointed as hereinbefore directed; and the said treasurer and all future treasurers chosen or appointed as

Rewards may be given, &c.
And deposit money enlarged.
J. Stapler appointed treasurer.

aforesaid, shall have in his particular care the cash, securities, and purchase deeds belonging to the society; and shall from time to time pay, dispose of and deliver the same according to the order of the directors or a majority of them; and shall keep fair and regular books of accounts of cash securities and other things by him received or committed to his custody, and of cash securities, deeds, and other effects by him paid and delivered; and such treasurer shall, before he enters on his office, give such security for the faithful discharge of his trust and for accounting for and delivering up to his successor in office all monies deeds, securities and effects, as shall have come into his hands or custody, and, which shall not have been delivered to the orders of the directors, as the directors shall appoint and require; which security the directors are hereby required to see given before any treasurer shall enter on his office, or before he shall receive the cash or effects of the society; and if through default or neglect of the directors, security is not given as aforesaid, the directors shall be accountable for him and make good to the society all the damages that may happen for the want thereof until security is given as aforesaid and the treasurer for the time being shall have and receive out of the society's stock such compensation as may be ordained by the company's by-laws

Duties of the treasurer,

To give security, &c.

Directors to see security given.

Penalty on neglect.

SECT. xv. *And be it further enacted by the authority aforesaid,* That until it shall be otherwise ordered by a general meeting of the company after due notice given, every person or persons insuring in this office shall deposit in the hands of the treasurer as a pledge for the performance of his, her, or their covenants, one dollar on every hundred dollars insured, and in proportion on a smaller sum, which deposit money shall be returned to such person or persons so depositing, who may withdraw from the society, his, her, or their heirs, executors, administrators or assigns, at the expiration of his, her or their respective policies, together with a proportionable dividend of the profits in the mean time, after deduction of losses and incidental charges, only provided that for the better adjusting the accounts of the society the said deposit money shall be demanded within three years after the expiration of each respective policy, and in default thereof the said deposit money shall be forfeited and sunk to the benefit of the society; *Provided always,* That when any member or members of this society shall sell or transfer any property the buildings on which are insured in this office, and shall not sell or transfer his, her, or their insurance thereon, then and in such case such member or members shall bring his, her, or their policy to this office to be cancelled, and shall be entitled to receive his, her, or their deposit money, together with a proportionable share of the profits then accrued or such part thereof, as shall remain after satisfying such losses as shall have been sustained.

On every application for insurance, a deposit to be made.

When to be returned.

If not demanded within three years, to be forfeited.

Provide.

Each person insuring to have one or more policies.

When insurances to be valid.

Proportions to be paid by persons insuring.

Transfers to be entered within eight weeks.

Penalty on neglect.

Notice of loss by fire to be immediately given.

When the dividends to be made.

Contributions to be stated annually.

How insurances may be enlarged.

No loss to be paid if the buildings are elsewhere insured.

SECT. XVI. *And be it further enacted by the authority aforesaid,* That each and every person insuring in this office shall have one or more policies for the same under the hands and seals of at least three of the directors, all of which insurances shall be good and valid from the time the charges of insurance and deposit money shall be paid, all and every policy at their respective expirations on the returning or accounting for the deposit money, and the mean profits, shall be delivered up to the directors to be cancelled.

SECT. XVII. *And be it further enacted by the authority aforesaid,* That each and every person or persons insuring in the said society shall stand bound and be obliged to pay his, her or their proportion of all losses happening and incurring in and to the same.

SECT. XVIII. *And be it further enacted by the authority aforesaid,* That in case any member or members of this society shall assign, or transfer his, her or their policy, such assignment or transfer shall be brought to the office to be entered within eight weeks next after such assignment or transfer; and in default thereof the benefit of insurance shall be lost.

SECT. XIX. *And be it further enacted by the authority aforesaid,* That all and every of the members of this society who shall sustain any loss or damage by fire, shall give immediate notice to the directors or to the clerk of the society at their office, to the end that the directors their officers and agents may examine and inquire into the same.

SECT. XX. *And be it further enacted by the authority aforesaid,* That the nett profits arising by interest or otherwise shall be divided yearly to every member in proportion to his, her or their insurance, for which each member's account shall have credit in the society's books, to be paid at the expiration of their policies to such members as withdraw from the society.

SECT. XXI. *And be it further enacted by the authority aforesaid,* That contributions to losses shall be stated annually, and every person or persons insured shall contribute in proportion to his, her or their insurance.

SECT. XXII. *And be it further enacted by the authority aforesaid,* That if any member or members of this contributionship shall be desirous of enlarging his, her or their insurance, and the directors shall be of opinion that the buildings insured, from improvements since made or otherwise, will bear an additional sum, then the accounts shall be made up with such member or members, and their old policy cancelled and a new one granted for the entire sum.

SECT. XXIII. *And be it further enacted by the authority aforesaid,* That to prevent frauds and avoid inconveniences no person or persons insuring their buildings in this office shall

receive benefit from the same, if such buildings are or shall be insured in any other office.

SECT. XXIV. *And be it further enacted by the authority aforesaid* That if at any time it shall appear to the legislature that the charter privileges hereby granted, are injurious to the public welfare, the power thereof to repeal this act shall not on any conditions be denied or impaired, but such repeal shall not affect any engagements, to which said company may have become a party previously thereto; and that the said company shall have a reasonable time to bring their accounts to a final settlement and termination.

Power of re-
surrender
retained.

Shall not affect
any contract en-
tered into.

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the second day of April, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER CXXXIX.

A SUPPLEMENT to the act, entitled, "An act to erect parts of Lycoming, Huntingdon, and Somerset counties, into separate county districts."

WHEREAS it appears that much difficulty has arisen on account of the provisions of the act to which this is a supplement not having been carried into effect, owing to the small sum allowed to the commissioners for running and marking the boundary lines, as a great part thereof has to be run through an uninhabited part of the county and over extreme bad ground; for these reasons the boundaries of the county have not been ascertained; for remedy thereof,

SECT. I. *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 commissioners appointed by the act to which this is a supplement to run and mark the boundary lines of Cambria county, shall in addition to the sum allowed them by the seventh section of the act to which this is a supplement, receive the sum of seventy-five cents for every mile so run and marked.

Additional com-
pensation allow-
ed to certain
commissioners.

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the second day of April, one thousand eight hundred and eleven.

SIMON SNYDER.