

CHAPTER LXXVI.

AN ACT

For the relief of Cornelius Vanhorn, administrator of Thomas Vanhorn.

SECT. 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 State Treasurer be, and he is hereby authorised and required to pay Cornelius Vanhorn, administrator of the estate of Thomas Vanhorn, the sum of one thousand seven hundred and seventy-three dollars and sixty-eight cents, for the use of the heirs and legal representatives of the said deceased, that being the principal and cost recovered from the Commonwealth in the court of common pleas, of Luzerne county, in a certain suit in which the said heirs of the deceased was plaintiffs, and the Commonwealth was defendant: Provided, That before the said Cornelius Vanhorn shall be permitted to draw said money from the Treasurer, he shall enter into recognizance with sufficient security, in the sum of three thousand dollars to the orphan's court of Crawford county, for the faithful application of said money, according to the laws of this Commonwealth.*

Proviso.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives,

WILLIAM MARKS, Junior,
Speaker of the Senate.

APPROVED—the twenty-seventh day of March, one thousand eight hundred and twenty.

WILLIAM FINDLAY.

CHAPTER LXXVII.

AN ACT

To incorporate the Trustees of the Fire Association of Philadelphia.

WHEREAS the following fire engine and hose companies, of the city of Philadelphia and its vicinity, viz. The Washington, Amicable, Franklin, Delaware, Diligent, Relief, Neptune, Weccacoe, United-States, Federal and Union engine companies; and the Humane, Perseverance, Columbia, Southwark and Good-Intent hose companies; in order to promote

harmony and friendly intercourse among them, to establish those just relations that ought to exist among institutions whose views are similar, and to enable them more effectually to perform those philanthropic duties, have formed themselves into an association under the name of "The Fire Association of Philadelphia," and have selected delegates from each company, who in pursuance of the authority vested in them have chosen the persons hereinafter named, trustees for one year from the first day of January, one thousand eight hundred and twenty, and are desirous that the said trustees and their successors in office, may have and enjoy the rights and immunities of a corporation.

Therefore,

SECT. 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 present trustees, Frederick Hæckly, Benjamin Thaw, Michael Fox, William Wagner, Mordecai Y. Bryant, Daniel H. Miller, Jeremiah Boone, James Harper, jr. Townsend Sharpless, John D. Smith, Benjamin Martin, William Abbott and Caleb Carmalt and their successors in office shall be, and they are hereby constituted a body corporate, in law and in fact, by the name of "The Trustees of the Fire Association of Philadelphia," and by that name shall have perpetual succession, and may plead and be impleaded, sue and be sued in any of the courts of this Commonwealth, and shall and may adopt and use one common seal, and alter, break and renew the same at their pleasure.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the present trustees shall be, and continue in office until the expiration of the time for which they have been elected, and their successors shall be chosen on the first Monday in September next, by such persons as may be delegated and appointed by the different companies, a majority of whom shall constitute a quorum, and they shall be annually elected on the first Monday of September, in every year thereafter in the same manner, and shall hold their offices for one year from the first day of January next following such election.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the said trustees shall have power to make and enter into contracts with any person or persons, bodies politic or corporate, in the name of "The Trustees of the Fire Association of Philadelphia," for the insurance of houses and other buildings appertinent thereto, from loss or damage by fire in the city and vicinity of Philadelphia, to take charge of all the funds and other property belonging to the association, except such monies as the different companies may grant to

the delegates to defray their expenses; and they shall also have power, and they are hereby enjoined to do and perform such other duties as are hereinafter expressed, for which services they are hereby expressly debarred from having or receiving any salary, gratuity or allowance, they shall appoint such officers as they may deem necessary, establish their several compensations, and take such security for the faithful performance of their duties as they may judge prudent, they may make bye laws for their own government and that of their officers, they shall meet at least once in every month, and at such other times as may be required by adjournment, or by the direction of any three of their members, a majority of the whole number shall constitute a quorum, but when deciding on bye-laws two thirds shall be requisite, they shall invest, lay out, lend and advance upon good and sufficient security, such sum or sums of money belonging to the association as they shall think fit, they shall appropriate such sums as they may judge necessary to reward those who are voluntarily active in extinguishing fires, and to the satisfying of all losses and damages which may happen by fire to the property insured, they may remove and suspend any of their officers and servants as occasion may require, and do and perform all other acts, matters and things needful and relative to effect the objects herein specified, and no act done by them in their official capacity, shall ever be cognizable by the companies or their delegates, except where a trustee may offend against any of the subsequent provisions of this section, or at a general meeting of all the companies; and such persons insured as may wish to attend after at least fifteen days public notice, they shall always stand and be indemnified by the association for giving out and signing policies and all other lawful acts, deeds and transactions done, performed and executed in pursuance and by virtue of this act, and all the stock, securities and effects of the corporation, except the separate property of the several companies, shall be pledged for this purpose; and in no case shall either or any of the trustees be answerable for the defaults or misdeeds of the other or others, and the said trustees shall be and they are hereby made personally liable for all damages arising from the insurances effected in pursuance of this act, where such damage shall amount to more than the whole capital stock of the said association, except where such personal liability is relinquished by the person or persons insuring, expressed in writing at the time of making the insurance, and if any loss occasioned by one fire, or more than one (happening before the extinguishment of the first) shall amount to more than the whole stock of the association, in such cases the several sufferers insured by the corporation, shall receive a just and proportional dividend of the said whole stock, according to the sums by them respectively insured and the loss by them sustained, and in case of any partial loss, every person wishing to withdraw his insurance

Powers and duties of trustees no compensation.
Bye-laws.

Quorum.

Rewards.

Officers and servants may be removed.

Trustees not responsible to the companies, except in certain cases.

Trustees indemnified in certain cases.

Property of companies pledged for the acts of trustees.

Liability of trustees.

Losses exceeding the stock of the company.

Sufferers to receive a dividend.

from the capital stock, shall pay to the association a discount thereon, proportional to the amount of such partial loss, and no regulation, bye-law or ordinance of the corporation shall ever contravene this principle, or any of the provisions of this act, of the constitution and laws of this Commonwealth, or of the United States. Limitation of powers.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the property and funds now in the hands of the said trustees, together with the sum which shall hereafter accumulate from deposit money, premiums, interest and other sources shall be the capital stock of the said association, and no distribution of the same shall take place except in the payment of losses, until it shall amount to the sum of fifteen thousand dollars: *Provided,* That the whole interest thereon shall be appropriated for the current expenses of the association until the capital stock shall accumulate to the sum of fifteen thousand dollars as aforesaid, and after the capital shall amount to the aforesaid sum of fifteen thousand dollars, the trustees and delegates shall according to the fifth section of this act, have power and authority to appropriate one half of the interest arising from the same for the benefit of the fire companies belonging to the association, and no appropriation shall ever be made for the relief of the said companies of any part of the capital stock, except the said one half of the interest, until the same shall amount to the sum of fifty thousand dollars; and it shall be the duty of the said trustees to cause to be prepared a semi-annual statement of the actual capital of the said association, which shall be exhibited to every person who effects an insurance with the same, and in case of the distribution of any of the funds of the said association contrary to the provisions of this act, the trustees consenting to the same shall be liable for the amount in their individual capacities; and in case of every neglect to exhibit the semi-annual statement hereby directed, the trustees shall be liable in their individual capacities for the amount insured. Capital stock.
Proviso.
Interest to be applied to pay current expense until the capital amount to \$ 15,000.
Trustees to make a semi-annual statement.
Liability of trustees.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the persons who may be appointed delegates by the several companies under the second section of this act, shall have power with the consent of two thirds of the companies associated to make bye-laws, to regulate the intercourse in time of fire between the different companies associated, and of imposing penalties or of expelling any member for non-observance of such bye-laws, and also to make with such consent such other regulations and ordinances as may be necessary to effect any of the objects herein specified, but no act of the trustees or delegates shall ever interfere with the local arrangements of a company, unless they violate the right or rights of another company, nor shall any of the provisions of this act be construed to affect any of the rules, bye-laws or ordinances of any or either of the companies: *Provided,* That none of the rules, bye-laws or ordinances made, or to be made, Bye-laws.
Proviso.

by any or either of the companies, or by the delegates or trustees, shall ever be repugnant to the constitution and laws of the United States, or of this State, or to any of the provisions of this act.

Members may insure at 5 per cent. less than others.

SECT. 6. *And be it further enacted by the authority aforesaid,* That every member of any of the companies belonging to the association shall be entitled to effect insurances at a discount of five per cent. less than other persons, upon producing a certificate to the satisfaction of the trustees of his right of membership, and all the companies associated, or who may hereafter associate under this act within the city and county of Philadelphia, shall be entitled to an equal participation in all the benefits and advantages of the institution, but such participation shall not be construed to affect any of the provisions of the third section of this act; and the trustees and persons delegated as aforesaid, shall have power in all cases where application is made for assistance and relief by any company who may be necessitated, to appropriate monies for their assistance, but no such appropriation shall be made unless the trustees and delegates concur in opinion that such relief ought to be granted.

Members to have certain advantages.

SECT. 7. *And be it further enacted by the authority aforesaid,* That no non-user of any of the rights and immunities granted to the corporation, nor any neglect of the companies or delegates to elect delegates, trustees or other officers, or to do and perform any of the duties enjoined by this act, be construed to be a forfeiture or abandonment, or to deprive them or the corporation of any such rights or immunities, but every such right, duty, power and authority shall continue until the same is exercised as hereby enjoined and required.

Other companies may be admitted.

SECT. 8. *And be it further enacted by the authority aforesaid,* That any and every other fire engine and hose company in the city and county of Philadelphia, may be admitted members of the association upon such terms, and under such regulations as the companies now associated may agree upon.

Power to annul the charter reserved.

SECT. 9. *And be it further enacted by the authority aforesaid,* That if it shall hereafter appear that the charter and privileges hereby granted, are injurious to the citizens of this Commonwealth; the Legislature shall have the right to annul the same.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

WILLIAM MARKS, Junior,
Speaker of the Senate.

APPROVED—the twenty-seventh day of March, one thousand eight hundred and twenty.

WILLIAM FINDLAY.