

things which to them it shall lawfully appertain to do, for the well-being of the said corporation and the due management and ordering of the affairs thereof.

No banking
allowed.

SECTION 2. Nothing in this act contained shall be deemed to authorize the said company to engage, either directly or indirectly, in any banking, monied, commercial, mining or manufacturing concern, or to act in any other way than as a fire company.

Legislative
right.

SECTION 3. The Legislature reserves the right to amend, alter or annul the chartered privileges granted by this act.

JAMES THOMPSON,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini, eighteen hundred and thirty-five.

GEO: WOLF.

—•••••
No. 103.

An Act

To incorporate the Delaware county Insurance company.

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 Joseph Engle, John P. Crozer, William Martin, J. M. G. Lescure, Spencer McIlvain, George Serrill, Oborn Levis, James M. Wilcox, John L. Crossby, Pierce Crossby, George G. Leiper, Thomas Smith, Esq. Joseph Gibbins, H. Jones Brooke, Edward Siter, John Richards, William Amies, John P. Griffith, Dennis Kelly, George W. Hill, Joseph W. Smith, John L. Pearson, Daniel Lamot, John Afflick, Esq. John Bancroft, Caleb Churchman, John Edwards, George F. Lehman, Samuel T. Walker, Samuel A. Price, Archibald T. Dick, Joshua P. Eyre, George Miller, Enos Painter, John Lindsay, Henry Myers, Jonathan P. Worrell, John O. Deshong, John Sellers, jr. John P. James, Thomas Clyde, and J. P. Newlen, Charles D. Manly, James Sill, Preston Eyre, John G. Johnson, William Vanleer, John K. Zeilin, John Aitkin, Robert E. Hannum, Edward Garrett, Isaac Trimble, Nathaniel N. Cowgill and Henry Lawrence, are hereby appointed commissioners for receiving subscriptions to the stock of a company, to be denominated the "Delaware county Insurance company," who shall open a book for that purpose at the public house of Isaac Hall, in Nether Providence township, at such time by them to be appointed, of which they

Commis'ners.

Books to be
opened.

shall give public notice in all the papers published in the said county of Delaware, for three successive weeks, and in at least one daily paper published in the city of Philadelphia, for the space of one week, immediately preceding the time of opening the books as aforesaid; and said books shall be kept open for three successive days, between the hours of ten in the forenoon and three in the afternoon, of each day, until the number of four thousand shares, at twenty-five dollars per share, shall have been subscribed, after which the books shall be closed; all persons of lawful age, being citizens of the United States, shall be permitted to subscribe to the said stock, by paying five dollars on each share so subscribed at the time of subscribing: and on the first day on which said books shall be opened, no person shall be permitted to subscribe for more than ten shares, but if the whole of the said stock shall not then have been subscribed the commissioners shall on the following and succeeding days, permit any person or persons, aforesaid, to subscribe for any number of shares remaining: *Provided*, That if the subscriptions on the first and succeeding days should not exceed the number of four thousand shares, the shares of each subscriber shall be reduced in a proportionate ratio, so however, that no individual shall, without his or her consent, have his or her subscription reduced below four shares.

SECTION 2. When the whole number of shares in the capital stock, as aforesaid, shall have been subscribed, the said commissioners, or any six of them, shall certify to the Governor under their hands and seals, the names of the subscribers and the number of shares by them subscribed respectively, and the Governor shall thereupon, by letters patent, under his hand and seal of the State, erect and create the subscribers into one body politic and corporate, in deed and in law, by the name, style and title of the Delaware county Insurance company, by which name the said subscribers shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere; and to purchase, receive, have, hold and enjoy, to them and to their successors, lands, tenements and hereditaments, goods and chattles, of what nature, quality or kind soever, real, personal or mixed, and the same from time to time sell, demise, grant, alien, or dispose of: *Provided*, That the real estate shall be only such as shall be necessary to accommodate the said corporation in the transaction of the business thereof, or shall be taken or held in security for the payment of debts due the corporation, and that the yearly income of the said real estate shall not at any time exceed the sum of ten thousand dollars: *And provided also*, That the said company shall have authority to make and to have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary for the government of the said corporation, not being contrary to the constitution or laws of the

4000 shares.
\$25 each.

\$5 on each
share to be
paid.

Proviso.

When letters
patent may
issue.

Style & title.

Proviso.

2d Proviso.

United States, or of this State, and generally to do all and singular the matters which to them shall lawfully appertain to do, for the well being of the said corporation, and the management and ordering of the affairs thereof.

SECTION 3. The capital stock of the said company may hereafter increased to any amount not exceeding ten thousand shares, at twenty-five dollars each, if circumstances shall require it, and two-thirds of the stockholders at any of their regularly convened meetings, so order, which increase shall be subscribed for in such manner, and on such terms, as said two-thirds of the stockholders shall order and direct.

SECTION 4. The capital stock of the company by this act authorized to be incorporated, as well as the stock which may be created in addition to it, by the increase as aforesaid, shall be held by the proprietors thereof, and be transferable by them or their assigns respectively, on the terms and in the manner hereinafter specified, that is to say, each and every subscriber shall within twenty days after public notice given by the president and directors, in the weekly papers published in the county of Delaware, for three successive weeks, and in at least one of the daily papers, published in the city of Philadelphia, for one week immediately preceding the time of payment therein specified, pay or cause to be paid to the said president and directors, for the use of the said corporation, the amount of the shares so subscribed, in such sum or sums, and at such time or times, as they the said president and directors shall direct and appoint; and if any subscriber, his or her assignee or transferee shall refuse or neglect to pay the first or any subsequent instalment called for and demanded by the president and directors as aforesaid, such subscriber, his or her assignee or transferee, shall forfeit each and every share on which the payment shall not be duly made, on account of the share or shares so forfeited; and new subscriptions may be opened and received for the share or shares so forfeited, at the discretion of a majority of the stockholders of the said corporation.

SECTION 5. For the well ordering of the affairs of the said corporation, there shall be nine directors, (who shall be citizens of the United States, and stockholders of the said corporation, and residents of Delaware county,) elected annually on the first Monday of September in each and every year, at a general meeting for the purpose assembled, public notice whereof having been given in all the newspapers published in the county of Delaware, for three successive weeks, and in at least one daily newspaper published in the city of Philadelphia, for six days, immediately preceding the holding of the same. And the directors at their first meeting after each election, shall choose one of their number as president: *Provided*, That in case it should happen at any time, that an election of directors should not be held upon the day prescribed by this act for holding the same, the corporation shall not for that cause be deemed to be dissolved;

May increase capital stock, not exceedi'g 10,000 shrs.

Stock, how transferable.

9. Directors.

Proviso.

and it shall be lawful on any day within the term of two months thereafter, to hold said election for the choice of said directors, whether through cause in neglecting to hold said election, through tie or other exigency, the same may not have been made, and in case of any director's death or resignation, his place may be filled for the remainder of the year by appointment by the president and directors for the time being: *Provided*, That the first election for directors shall be held at a ^{2d} *Proviso*. time and place to be appointed by the commissioners before mentioned, they giving notice thereof in manner aforesaid, and the directors so chosen, shall hold their offices until the first Monday of September then ensuing, or until new directors shall be chosen in conformity to this act.

SECTION 6. The votes of the stockholders shall be by ballot, ^{Votes by bal-} and for the election of directors and for the deciding of all ques- ^{lot.} tions in general meeting of the stockholders, the ratio of votes ^{Ratio of votes.} shall be as follows, to wit: One share one vote, five shares two votes, ten shares three votes, twenty shares four votes, fifty shares five votes, but no number of shares above fifty shall give any right to additional votes, and every person offering to vote, shall (if required by any person interested or connected with the said corporation) swear or affirm that he is bona fide owner of the shares upon which he offers to vote, nor shall any stockholder vote at any election for directors, unless the share or shares on which he or she may claim to vote, shall have been standing in his or her name on the books of the said corporation for at least three months previous to said election.

SECTION 7. The president and directors of the said corporation, for the time being, shall have power to appoint such officers, clerks, agents and other persons, as shall be necessary for conducting and executing the business of the said corporation, as well in the said county of Delaware as elsewhere, and to allow the persons so appointed such compensation for their services respectively, as they shall deem reasonable, and generally to exercise all other powers and authorities, for the well governing and ordering of the affairs and funds of the said corporation, as this act confers or allows, or as may be hereafter conferred or allowed by the laws, regulations and ordinances of the said corporation. <sup>Power to ap-
point officers.</sup>

SECTION 8. It shall be lawful for the said corporation to employ and improve the capital stock thereof, and all moneys re- <sup>How employ
capital stock.</sup> ceived for premiums, which by the eleventh section of this act, the president and directors are directed to retain until the risks upon which such premiums have been received, are fully determined in any available stock, or to lend the same or any part thereof upon good and sufficient security, and also to sell and dispose of and transfer all or any of the said stock and securities, and invest the proceeds thereof in like and other such stock and se- ^{Proviso.} curities: *Provided*, That nothing herein contained shall in any

way be construed to authorize the said company to use the funds of the institution for banking purposes.

Insurance
what on.

SECTION 9. The president and directors shall have full power to make insurance against losses by fire on any house, tenement, manufactory or other building, and on goods, wares, merchandise and effects therein, and on hay, grain, and other agricultural products in barns, stacks or otherwise, and generally on all kinds of goods, wares and merchandise, and on all sloops, schooners and other craft, owned by citizens of said county of Delaware; every such contract, bargain, agreement and policy to be made by the said corporation, shall be in writing or in print, and shall be under the seal of the said corporation, signed by the president, and attested and signed by the secretary or other officer who may be appointed by the president and directors for that purpose.

Meetings
when held.

SECTION 10. The board of directors shall meet at their office at such times, and transact the business of the company by such a quorum, as may be provided for by the by-laws.

Annual meet-
ing for decla-
ration of divi-
dends.

SECTION 11. The directors shall, on the first Mondays of May and November, in each and every year, declare a dividend of so much of the profits of the company as to them shall appear advisable; and such dividend shall be paid to the respective stockholders, or their representatives, in ten days after declaring the same; but the moneys received as premiums on risks which shall be undetermined at the time of the declaring the dividends respectively, shall not be computed as part of the profits of the company; and in case any loss shall at any time happen by which the capital stock of the company shall be diminished, no dividend shall be made until the amount of such diminution shall be replaced and added to the capital; and any president and every director consenting to declare and make any dividend, until the diminution is so replaced, shall be accountable for and pay to the company for their use, the amount of the dividend declared and paid in violation of the prohibition aforesaid.

How trans-
ferable.

SECTION 12. The shares of stock of the said corporation shall be assignable and transferable only according to such rules and regulations as may be prescribed by the by-laws.

Liability for
non-payment.

SECTION 13. Each and every stockholder in the said corporation who has not paid in the full amount on the shares of stock by him held, shall be liable in his individual capacity for the balance unpaid by him on the said stock, in payment of the debts of the corporation.

Legislative
right to re-
peal.

SECTION 14. If at any time it shall appear to the Legislature that the charter and 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 engagement to which said company may have become a party previously thereto, and that said com-

pany shall have a reasonable time allowed them to bring their accounts to a final settlement and termination.

JAMES THOMPSON,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini, eighteen hundred and thirty-five.

GEO: WOLF.

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No. 104.

An Act

For the relief of sundry soldiers and widows of soldiers of the revolutionary war.

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 State Treasurer is hereby authorized and required to pay to David Likens, of Delaware county, Michael Stover and Jacob Angus, of Lancaster county, Adam Weimir, of Mercer county, Michael Huffman, of Westmoreland county, James Devinney, of Juniata county, Andrew Gangwer, of Lehigh county, Frederick Kelleffer, of Columbia county, Philip Smith, of Berks county, soldiers, and Eve Maria Stahler, of Columbia county, Margaret Emrich, of Centre county, Catharine Fox and Elizabeth Read, of Berks county, the widows of revolutionary soldiers, or to their respective orders, a gratuity of forty dollars to each immediately, and an annuity of forty dollars to each during life, payable half yearly, to commence on the first day of January one thousand eight hundred and thirty-five.

Gratuity and annuity to
D. Likens,
M. Stover,
J. Angus.
A. Weimir,
M. Huffman,
J. Devinney,
A. Gangwer,
F. Kelleffer,
P. Smith,
E. M. Stahler,
M. Emrich,
C. Fox and
E. Read.

SECTION 2. The State Treasurer is authorized and required to pay to Valentine Noll, of Berks county, Nicholas Gooshorn, of Juniata county, Peter Houck, of Lehigh county, and Moses Seabrooks, of Adams county, a gratuity to each of forty dollars immediately, in full for their revolutionary services: the foregoing gratuities and pensions to be paid in conformity to the existing laws.

Gratuity to
V. Noll,
N. Gooshorn,
P. Houck and
M. Seabrooks

JAMES THOMPSON,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini, eighteen hundred and thirty-five.

GEO: WOLF.