

however, That no person shall be elected who is not a member of said company; and that all vacancies occasioned by death, resignation, removal, or refusal to serve, shall be supplied in such manner, as said company may by their by-laws and ordinances hereafter direct.

SECTION 7. So much of any act as is hereby altered or repealed, is hereby repealed.

SECTION 8. That the legislature hereby reserves the power to alter, revoke or annul the provisions of this act, whenever in their opinion it may be injurious to the citizens of the Commonwealth, in such manner however, that no injustice shall be done to the corporators.

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—The nineteenth day of March, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 48.]

A N A C T

To incorporate the Lancaster County Mutual Insurance Company, and to extend the Mechanics' Lien Law to the county of Clinton.

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 Thomas G. Henderson, Samuel Duffield, William Noble, Henry F. Slaymaker, Ferree Brinton, Henry Eckert, Christian Umble, James G. Henderson, and William Henderson, and all other persons who may hereafter associate with them in the manner hereinafter prescribed, shall be and are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Lancaster County Mutual Insurance company, and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in all courts of record or elsewhere; and to purchase, receive, have, hold and enjoy to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattles, of what kind soever, and choses in action, and the same to sell and dispose of from time to time: *Provided*, That the clear yearly value or income

Corporators

Name
Rights and
powers

Proviso

Income limited
Seal
By-laws

of the necessary houses, lands and tenements, rents and annuities, or other hereditaments, and real estate of the said corporation, and the interest of money loaned by it, shall not exceed the sum of two thousand dollars; and also make and have one common seal, and the same to alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to this charter, or the laws of the United States, or this Commonwealth; and generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact for the well being of the said corporation, and the due management and well ordering of the affairs thereof.

Object and business

SECTION 2. The object and business of said company shall, and is hereby prescribed to be, the insurance of their respective dwelling houses, stores, shops, and other buildings, household furniture, goods and chattles, and other property, against loss or damage by fire.

Insurers constituted members

SECTION 3. All persons who shall hereafter insure with the said corporation, and also their heirs, executors, administrators, and assigns, continuing to be insured in the said corporation, as is hereinafter provided, shall thereby become members thereof during the period they shall remain insured by said corporation, and no longer.

Directors and officers

SECTION 4. The affairs of the said company shall be managed by a board of directors consisting of nine members, to be elected and chosen as hereinafter provided; which board shall appoint from their own number, one person as president and one person as secretary of the board; they shall also appoint one person as treasurer, of whom they shall require such securities as they may provide by their by-laws; and shall have authority to appoint other officers and employ such clerks, agents and attorneys as may be found necessary for the transaction of the business of the institution; and shall also determine the rates of insurance, the sum to be insured, and the sum to be deposited for any insurance; and a majority of the said board shall constitute a quorum to do business.

Quorum

Notice of election how, when and where held

SECTION 5. The members of the corporation shall, upon ten days notice in one newspaper, published in the city of Lancaster, meet at their office on the second Tuesday of January, in the year of our Lord one thousand eight hundred and forty-two, and hold their first election of directors; and such election shall be held under the inspection of three members, to be chosen by the members who may attend at the time and place of holding the election; such election of directors shall be by ballot, and a plurality of the votes given shall be deemed a majority to elect; and the directors so elected, shall continue in office until the second Tuesday in January, in the year of our Lord one thousand eight hundred and forty-three, or until

others are elected; on which day and annually thereafter, an election shall be held for directors, as is provided in the first part of this section. And each member shall be allowed one vote for any amount he may have insured under one thousand dollars, and an additional vote for every additional thousand dollars he may have insured; but no amount insured shall entitle any member to more than ten votes. Ratio of votes
Policy

SECTION 6. Every person who shall become a member of this corporation by effecting insurance therein, shall, before he receives his policy, deposit his promissory note for such sum of money as shall be determined by the directors; a part not exceeding five per cent. of said note, shall be immediately paid in, and the remainder of said deposit note shall be payable in part or the whole, at any time when the directors shall deem the same requisite for the payment of loss by fire; and such incidental charges as shall be necessary for transacting of the business of said company; and at the expiration of the term of insurance, the said note or such part of the same as shall remain unpaid, after deducting all losses and expenses accrued during said term, shall be relinquished and given up to the maker thereof. And it shall be lawful for said corporation to loan such portion of their money on hand, as may not be immediately wanted for the purpose of said corporation, to be secured by mortgage or judgment, creating a lien for the same upon real estate of sufficient value, beyond other incumbrances, to render the same perfectly secure, or upon other good and sufficient securities. Note how &
when paid
Power to loan
money
Security

SECTION 7. When any property insured with this incorporation shall be aliened by sale or otherwise, the policy shall thereafter be void, and shall be surrendered to the directors to be cancelled; and upon such surrender, the insured shall be entitled to receive his deposit upon payment of his proportion of losses and expenses accrued prior to such surrender; but the alienee or grantee having the policy assigned to him, may have the same ratified and confirmed to him for his own proper use and benefit, upon application to the directors, with their consent, within twenty days next after such alienation, on giving proper security to the satisfaction of said directors, for such portion of the deposit or premium note as shall remain unpaid; and by virtue thereof, from the time of such ratification, the party causing such security to be given shall be entitled to all the rights and privileges, and be subject to all the liabilities to which the original party to whom the policy was issued, was entitled and subject under this act. Property sold
after insurance
Policy void
how ratified
by purchaser

SECTION 8. Every member of said company shall be bound to pay for losses and such necessary expense aforesaid, accruing in said company, in proportion to the amount of his deposit note. Losses how
paid

SECTION 9. Suits at law may be maintained by said corpo-

Suits against
members and
corporation

ration against any of its members, for the collection of said notes, or any assignment thereon, or for any other cause relating to the business of said corporation; also all suits may be prosecuted and maintained by any member against said corporation, for losses and damages by fire, if payment be withheld or refused more than three months after the company are duly notified of such losses, no member of the company not being in his individual capacity a party to the suit or suits, shall be incompetent as a witness, on account of his being a member of the company.

Witnesses

Losses and
damages how
collected

SECTION 10. The directors shall, after ascertaining the amount of loss or damage by fire, sustained by any of its members, settle and determine the amount to be paid by each member as their respective shares of such loss or damage, and publish the same in such manner as they by their by-laws may prescribe, and the members shall pay the same to the treasurer of the company within thirty days after the publication of said notice; on neglect or refusal to pay the sum assessed upon him as a proportion of any loss as aforesaid, in such case said company may sue for, and recover the whole amount of his deposit note, or notes, with costs of suit, and the amount thus collected shall remain in the treasury of said company, subject to the payment of such losses and expenses as have or may thereafter accrue, and the balance, if any remain, shall be returned to the party from whom it was collected, on demand after thirty days, after the expiration of the time of his insurance.

Losses how
paid
when deposit
notes are in-
sufficient.

SECTION 11. If the whole amount of deposit note should be insufficient to pay the loss occasioned by any fire or fires, in such case the sufferers insured by said company, shall receive, towards making good their respective losses, a proportionate dividend of the whole amount of said notes according to the sums by them respectively insured, and in addition thereto, a sum to be assessed on all the members of said company, on the same principles as regulated their deposit notes, but not exceeding one per cent on the amounts by them insured, and no member shall ever be required to pay for any loss occasioned by fire at any one time more than one per cent on the amount he has insured in said company, in addition to the amount of his deposit note, nor more than that amount for any such loss which may accrue after his note shall have been paid in and expended, but any member upon payment of the whole of his deposit note, and surrender of his policy before any subsequent loss or expense has accrued, may be discharged from said company.

D irectors.

SECTION 12. The hereinbefore named Thomas G. Henderson, Samuel Duffield, William Noble, Henry F. Slaymaker, Farree Brinton, Henry Eckert, Christian Umble, James G. Henderson, and William Henderson, shall constitute the board

of directors of said institution, until the second Tuesday in January, in the year of our Lord one thousand eight hundred and forty-two, or until others are elected in their stead.

SECTION 13. This act shall take effect immediately after its passage.

SECTION 14. That the provisions of the act of the sixth-Mechanic's
teenth of June, one thousand eight hundred and thirty-six, lien law ex-
entitled "An act relating to the lien of mechanics and others, tended to
upon buildings, be and the same are hereby extended to the Clinton coun-
ty, county of Clinton.

WM. A. CRABB,

Speaker, of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—The nineteenth day of March, one thousand eight hundred and forty-one.

DAVID R. PORTER

[No. 49.]

AN ACT

For the more convenient collection of the Tax on Collateral Inheritances.

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 henceforward it shall be the duty Registers to
of the registers for the probate of wills and granting letters of issue citation
administration in the various counties of this commonwealth, in certain
whenever any executor or administrator of a decedent, whose cases.
estate is subject to the collateral inheritance tax, shall have neglected or omitted to file an account for the space of one year from the period now required by law, to issue a citation commanding the said executor or administrator to file and settle said account, the said citation to be served by the sheriff of the duty of sheriff
county, for which service he is to receive the same compensation now allowed by law for similar service.

SECTION 2. That in the event of a failure to obey the citation to be issued as hereinbefore provided; it shall be the duty Duty orph'ns'
of the said register to apply to the orphans' court, which shall court, when
on due proof being made of the service of said citation, make citation is dis-
such orders as may be necessary to enforce obedience thereto. obeyed.

SECTION 3. That hereafter, instead of the county treasurers, Certain duties
the said registers shall receive and pay over the said collateral of co. treasu-