

shall be known by some future act or acts of general assembly to be passed for that purpose.

Passed February 24, 1770. Confirmed by the King in Council, May 24, 1771. See Appendix XXVI, Section IV, Appendix XXVII, Section III, and the notes to the Acts of Assembly passed April 8, 1758, Chapter 428; April 2, 1763, Chapter 499.

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## CHAPTER DCIX.

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### AN ACT FOR INCORPORATING THE SOCIETY FORMED FOR THE RELIEF OF POOR, AGED AND INFIRM MASTERS OF SHIPS, THEIR WIDOWS AND CHILDREN.

Whereas a number of captains and masters of vessels, in order to relieve the poverty and distress to which many persons of their occupation and business have been reduced by the frequent accidents attending the dangers of the sea, have from a principle of charity subscribed and raised a sum of money to be appropriated towards the relief and support of poor, aged and infirm masters of ships, their widows and children:

And whereas many other persons, convinced of the benevolence of the said society and of the benefit which will accrue to the public from thus encouraging an increase of skilful mariners, have offered to contribute to the same purposes if the moneys contributed were put under some legal direction and the society properly incorporated so as to secure the application of the sums subscribed and paid to the uses intended:

[Section I.] Be it therefore enacted by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That all and every person and persons who have heretofore subscribed certain articles of agreement bearing date the seventh day of October in the year of our Lord one thousand

seven hundred and sixty-five made and executed for the purposes aforesaid by him, her or themselves or by his, her or their agent or attorney, and each and every one who shall hereafter pay and contribute any sum of money not less than forty shillings and the further sum of twelve shillings annually to the treasurer hereinafter mentioned to and for the uses and purposes in this act specified, shall be and they are hereby declared to be members of the said society and are hereby made a body politic and corporate in law to all intents and purposes, and shall have perpetual succession and may sue and be sued, plead and be impleaded by the name of "The Society for the Relief of Poor and Distressed Masters of Ships, their Widows and Children" in all courts of judicature within this province, and by that name shall and may receive and take any lands, tenements or hereditaments not exceeding the yearly value of one thousand pounds of the gift, alienation or devise of any goods and chattels of the bequest of any person or persons whatsoever, and shall and may lend on interest any sum or sums of money belonging to the said contributors to such person or persons, bodies politic or corporate, as may be willing to borrow the same, in the manner and on such real or other securities as they shall think proper and sufficient; and the said corporation are hereby empowered to have and use one common seal in all their affairs.

[Section II.] And be it enacted by the authority aforesaid, That all and every mortgage, bond, bill or other securities for moneys lent which have been heretofore taken in the name of the treasurer heretofore appointed by the said contributors shall and may be sued for and recovered in the name of "The Society for the Relief of Poor and Distressed Masters of Ships, their Widows and Children," in as full, ample and effectual manner as if the said mortgages, bonds, bills and other securities had been and were taken in that name, anything in the said securities to the contrary notwithstanding.

And whereas the said contributors did on the first Monday in January in the present year of our Lord one thousand seven hundred and seventy in pursuance of the said articles of agreement elect Samuel Mifflin, Peter Reeve, Andrew Caldwell,

Enoch Hobart, William Heysham, William Morrel, Joseph Stout, William Richards, Hugh Bowes, Robert White, George Morrison and Joseph Stiles to be managers for the ensuing year:

[Section III.] Be it therefore enacted by the authority aforesaid, That the said Samuel Mifflin, Andrew Caldwell, Peter Reeve, Enoch Hobart, William Heysham, William Morrel, Joseph Stout, William Richards, Hugh Bowes, Robert White, George Morrison and Joseph Stiles shall be and continue managers of the said society until the first Monday in January next after the publication of this act and until others shall be chosen in their room, which said managers and all other managers hereafter to be chosen by virtue of this act, or a majority of them, are hereby authorized and empowered to provide a seal for the said society and to change or alter the same if they shall see occasion, and also to take in, place out, secure and improve the stock and to dispose of the interest, profits and produce thereof, together with the yearly payments of twelve shillings which shall be made after the said first Monday in January in the present year one thousand seven hundred and seventy for and towards the relief and support of poor, aged and infirm masters of ships, their widows and children, and for and towards no other use, intent and purpose whatsoever. And that all the moneys which did belong to the said society on the said first Monday in January, one thousand seven hundred and seventy, together with all future subscriptions (the yearly payments of twelve shillings aforesaid excepted) and donations, gifts, bequests and devises, shall be adjudged and deemed capital stock unless the same shall be otherwise declared by such donations, gifts, bequests or devises, and shall be from time to time placed out on good security as aforesaid and not disposed of by the said managers.

[Section IV.] And be it further enacted by the authority aforesaid, That there shall be a general meeting of the contributors on the first Mondays in January, April, July and October in every year, who shall and may and they are hereby authorized and empowered to consider, treat and determine of and concerning all and every the matters and things relating to

the prudent management and good order of the said society, and to make and ordain all such rules, orders and by-laws as shall be useful and necessary for that purpose, and generally for the well ordering all other matters and things concerning the estate, goods, chattels, lands, tenements and revenues thereof, all which by-laws, rules and orders shall be inviolably observed by all concerned.

Provided always, That the said by-laws, rules and orders be not repugnant to the laws of England or of this government, or contrary to the regulations and establishments made and declared by this act, and shall be agreed to by a majority of the contributors present at such meeting, and shall also be approved of by the chief justice, the speaker of the assembly and the attorney general of this province for the time being under their hands and seals.

[Section V.] And be it enacted by the authority aforesaid, That at the said general meeting on the first Monday in January yearly and every year the said contributors who shall be present shall choose by tickets in writing twelve persons out of their own body to be the managers and one other person to be the treasurer for the ensuing year, and that the managers of the preceding year shall appoint two of their own body with three other contributors who are not managers to be judges of the election, who shall, under their hands or the hands of a major part of them, report the names of the persons duly elected managers and treasurer respectively for the ensuing year to the general meeting, and when the said election shall be finished and the report so made the contributors present may proceed to business and not before.

[Section VI.] And be it further enacted by the authority aforesaid, That Joseph Richardson, of the city of Philadelphia, gentleman, shall be the treasurer to the said society for the present year, and shall continue in his said office until the first Monday in January next ensuing the publication of this act and until another shall be chosen in his stead, which treasurer and all other treasurers to be elected by virtue of this act shall have the custody of the cash, securities and deeds belonging to the said society, and shall from time to time pay and deliver

the same and every of them to such person or persons as the managers, or a majority of them, shall by their orders direct and appoint, which said orders shall be good vouchers to indemnify him, and the said treasurer shall and he is hereby required to give sufficient releases and acquittances of and for all sums of money which he shall receive on any mortgage, bond, bill or other security, and within one month after request to acknowledge the same on record if such payment shall be on mortgage under the penalty of forfeiting any sum of money not exceeding the mortgage money, to be recovered in any court of record within this province, by bill, plaint or information, and shall also keep regular and fair books of accounts of all cash, securities, deeds, writings and other things and effects by him received, paid or delivered as aforesaid; and that such treasurer, before he enters upon the duties of his office, shall give such security to the said corporation in the name aforesaid for the due and faithful discharge of his trust and for accounting for and delivering up to his successor in said office all such moneys, securities, deeds, writings and effects as shall have come to his hands or custody and which shall not have been paid or delivered upon discharge of any mortgage as aforesaid, or by order of the managers aforesaid, as the said managers or a majority of them shall direct and require, which security the said managers are hereby enjoined and required to see duly given and executed and recorded in the office for recording of deeds for the county of Philadelphia before any such treasurer so elected shall enter upon his said office and before he shall receive any of the said cash, securities, deeds, writings and other effects aforesaid.

[Section VII.] And be it further enacted by the authority aforesaid, That the said managers shall meet when and where as often as they shall think proper, and being a majority at least shall and may enter upon, order, direct and dispatch all such matters and things as shall properly come before them, and such their proceedings shall be good and valid in all the affairs of the society aforesaid done and performed in pursuance of this act, or that shall be committed to their management by

the contributors aforesaid from time to time at their general meeting.

[Section VIII.] And be it further enacted by the authority aforesaid, That the said managers shall keep fair and exact minutes of all their transactions and proceedings, and a true and fair list of all donations, subscriptions and payments which shall from time to time be made to and for the uses and purposes in this act mentioned, and shall yearly and every year publish the same, together with an account of the moneys expended, in some of the newspapers published in the city of Philadelphia, and shall at all times when required submit the books, minutes, accounts, affairs and economy of the said society to the inspection and free examination of such committee of assembly as may from time to time be appointed for inspecting and examining the same.

Passed February 24, 1770. Confirmed by the King in Council, May 24, 1771. See Appendix XXVII, Section III. Repealed by the Act of Assembly passed March 4, 1780, Chapter 886.

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## CHAPTER DCX.

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A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR BAILING PRISONERS AND ABOUT IMPRISONMENT."<sup>1</sup>

Whereas it is declared and enacted by the act to which this act is a supplement, that the public allowance to prisoners shall be two pence per day and no more, and that the respective prisons shall be work-houses until others are provided for felons, thieves, vagrants and loose and idle persons:

And whereas some doubts have arisen whether it was the intent and meaning of the legislature that the said allowance should be paid to persons committed for criminal offenses after conviction:

For the removal of which doubts:

[Section I.] Be it enacted by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn

<sup>1</sup> Passed January 12, 1705-6, Chapter 151.