

favor of said Dickson, Keck and Smith, for such amount as may thus be found due, and the state treasurer shall pay the same out of any money in the treasury not otherwise appropriated.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

JOHN STROHM,

Speaker of the Senate.

APPROVED—The eighth day of July, one thousand eight hundred and forty-two.

DAVID R. PORTER.

[No. 109.]

AN ACT

To incorporate the Farmers Mutual Fire Insurance Company of Philadelphia and Bucks counties, and for other purposes.

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 William B. Vandegrift, James Carter, Jacob Sherer, George Harrison, John P. Townsend, Cyrus Pierce, Charles Knight, Jesse James, James Townsend, Seth Knight, Josiah Walton, Ezra Croasdale, junior, and Samuel Kirk, and all other persons who may hereafter associate with them, in the manner herein prescribed, shall be and are hereby constituted and declared to be one body politic and corporate, by the name of the "Farmers Mutual Fire Insurance Company of Philadelphia and Bucks counties," for the purpose of insuring their respective dwelling houses, barns, stores, shops and other out buildings, household furniture, agricultural products, merchandize and other property against loss or damage by fire, 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 the said corporation, not being contrary to this charter, or the laws of the United States, or of this Commonwealth.

Corporators

Name

Insurers

SECTION 2. All persons who shall hereafter insure with the said corporation, and also their heirs, executors, administrators and assigns continuing to be insured with the said cor-

poration as hereinafter provided, shall hereby become members thereof during the period they shall remain insured by the said company and no longer.

SECTION 3. The affairs of the said company shall be managed by a board of directors, consisting of thirteen 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 judge sufficient for the moneys and effects deposited in his hands, they shall also appoint such other officers, and employ such 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 on the different classes of property, and fix the sum to be insured. The said directors shall have full power to suspend, remove or displace any officer or agent of the company, and supply any vacancy that may happen by death, removal or resignation among their own members of the board until the next annual election, and a majority of the whole shall constitute a quorum to do business, which shall be done and transacted at such place as shall be fixed on by a majority of the directors, at any regular meeting of the board. The persons named in the first section of this act shall be the first directors to continue in office until their successors are elected.

SECTION 4. The members of the corporation shall hold meetings annually on the second day of the eleventh month, in each and every year, for the election of directors at such place as may be previously agreed upon by a majority of the board of directors, who shall give public notice thereof in a sufficient number of hand bills, put up at the most public places, within the bounds of where the members reside, at least thirty days previous thereto; the said election to be held on under the inspection of three members, not being directors, to be appointed by the directors previous to every election, which shall be made by ballot, and by a plurality of the members present, each member being entitled to one vote, the time for opening the same to be two o'clock in the afternoon, and to continue open until six o'clock of the same day, when the polls shall be closed, and the persons conducting the same, shall certify the result thereof, under their hands, and lodge the same among the papers of the corporation. Said directors to continue in office one year or until others are elected, and they shall, at the annual meetings of the company, present a general statement of its affairs.

SECTION 5. In case of any loss or damage by fire happening to any member, upon property insured in and with said

Directors &
officers

quorum

Annual meet-
ings

Losses & dam-
ages

company, the said member shall immediately give notice to three or more of the directors, who shall, as soon as possible, repair to the place, and if on viewing the same, they find only a partial loss sustained thereby, proceed and value the same, and if the party suffering such loss is not satisfied with the valuation thus made, the decision of the same to be submitted to three disinterested persons as references to be mutually chosen by the parties whose award shall be final.

Loss & dam-
age how set-
tled & paid

SECTION 6. The directors shall, after receiving notice of any loss and damage by fire sustained on property insured by the said corporation, and ascertaining the same, or after the rendering of any judgment or award as aforesaid against said company for such loss or damage, settle and determine the sums to be paid by the several members thereof, in proportion to the amounts of the premium or per centage on the property insured to each member, and give written notice, individually to each member within twenty days from the time they are thus informed, the said money to be paid into the hands of the treasurer by each member within thirty days from the time notice is thus given, and in case such payment is not made within that time, each and every member of the company so neglecting to pay, shall, in addition thereto, pay a fine of one dollar a week until the aforesaid sum assessed is paid, and if the tax thus assessed and the fines accrued thereon, is not paid within fifty days thereafter he, she or they so neglecting or refusing to pay, shall be excluded from any benefit or advantage derived from his, her or their insurances respectively, and of all right, to the stock of the company, and shall notwithstanding be liable to such rates pursuant to his, her or their covenants and agreements to be collected as other debts are by law recoverable : *Provided*, That in case of a small loss by fire being sustained by any member of the company, and there being sufficient funds in the treasury to discharge the same, the directors may in such case direct the treasurer to pay the member sustaining such loss the amount thereof.

What proper-
ty may be
insured

SECTION 7. The directors shall have full power on behalf of the corporation, to make insurance against losses by fire on any house, tenement, barns, mills, shops, stores, and all other out buildings, and on goods, wares, merchandize and effects, and household furniture therein, and on hay, grain and other agricultural products in barns, stacks, or otherwise, and generally on all kinds of goods, merchandize and effects (except cotton and woollen manufactories, distilleries, powder mills, public buildings, buildings and other property, in incorporated boroughs, also books of accounts, bills, bonds, ready money, jewels, plate, paintings, engravings and on all kinds of distilled li-

quors,) to make execute and perfect such and so many contracts, bargains, agreements, policies and other instruments as shall or may be necessary, and as the nature of the case may require, and every such contract, agreement and policy to be made by the said corporation, signed by the president and secretary. And the said directors are hereby empowered to have made, and procure a seal with such device as they may deem proper, to be used by them as the common official seal of the company.

SECTION 8. Suits at law may be maintained against said company by any member thereof, for any losses or damage by fire, if payment is withheld more than ninety days after the company is duly notified of such losses, and no member of the corporation not being in his own individual capacity interested shall be incompetent as a witness in such cause as aforesaid, on account of his being a member of the said corporation: *Provided*, The company do agree to rebuild or replace the property so lost or damaged in which case a reasonable time shall be allowed them.

Suits how maintained against company &c
Proviso.

SECTION 9. That in case any person insured named in any policy or contract of insurance made by the said corporation, shall sell, convey or assign the property so insured, it shall be lawful for such person insured to assign and deliver to the purchaser, such policy or contract of insurance, and such assignee shall have all the benefit of such policy or contract of insurance, and may bring and maintain a suit in his, her or their name for losses occasioned by fire on the property so assigned; *Provided*, That within thirty days after such assignment is made, and before any loss happens, he, she or they signing the constitution, and having his, her their assignment recorded, will be considered a member of the company. Any member may be released from the said company, upon payment of all arrearages of money due from him or her thereto, and surrendering their policy or policies to the treasurer before any subsequent expense or loss has incurred.

Transfer of property & assignment of policy
Proviso

SECTION 10. It shall be lawful for the said directors to employ and improve all moneys received by them, and the profits thereof in case it is not wanted immediately for the purposes of the corporation, in any loans on good and sufficient security, and no money shall be drawn from the funds of the said company, for the purpose of making dividends or dividing profits, nor for other purposes than first to defray the current or incidental expenses of the corporation, and then for the purpose of such damages as any member of the said company or insurer may be justly entitled to.

Moneys & profits how improved

SECTION 11. The nett profits arising from interest or otherwise, shall be ascertained yearly to each member in proportion to the amount of money paid by him or her into the company.

Dividends

banking pro- portion to his, her or their insurances respectively, for which
hibited each member shall have a credit on the company's books,
nothing in this charter to be construed so as to allow any of
the funds of the association to be used for banking purposes.

Issuing of SECTION 12. No policy shall be issued by the said com-
policy limited pany, until application is made for insurance to the amount of
one hundred thousand dollars.

Term of In- SECTION 13. No insurance shall be made by the said com-
surance. pany for a longer period than ten years.

Force & ef- SECTION 14. This act to take effect immediately after its
fect of act passage, and shall continue in force twenty years, but the le-
gisature of this Commonwealth may at any time alter, modify
or annul its provisions.

Constitution SECTION 15. Proposals to alter or amend the constitution,
how altered may be made at an annual meeting of the company, and if ap-
&c. proved of at the succeeding annual meeting thereof, by a ma-
jority of the members met, may be adopted and become a part
thereof: *Provided* The same is not repugnant to the consti-
tution and laws of the United States or of this Common-
wealth.

Jefferson co SECTION 16. That from and after the passage of this act,
Com'sioners it shall be the duty of the commissioners in the county of Jef-
ferson, within this Commonwealth, on receiving the transcripts
of road tax due on unseated lands, which the supervisors of
the several townships in said county are by the existing road
laws required to furnish, to issue their order to the county
treasurer on each particular tract of land so assessed for road
purposes as aforesaid, which said several orders shall be in
the following form to wit:

Jefferson County Commissioners Office

Form of tax order	No.	To the Treasurer of said county pay
	to	Supervisors of the township of
	dollars and	cents, road tax assessed on a certain
	tract of land, for the year A. D.	warranted in the
	name of	and No.
	ing	contain-
	acres so soon as the same may be received	
	by you, or receive this in payment of taxes due on said tract	
	of land for the year aforesaid.	

Attest.

} Commissioners.

SECTION 17. That all orders that may hereafter be drawn
by the commissioners of the county aforesaid, on the county
treasurer for the school tax assessed on unseated lands, in the

several common school districts in said county, shall be drawn ^{School tax} in favor of the school treasurers of the respective school districts in said county, which said orders shall be in the form directed to be pursued, in issuing orders on the transcripts returned by the supervisors of the several townships in said county of Jefferson.

SECTION 18. That the township of Penn Forrest, in the ^{Penn Forrest} county of Monroe, which was erected in eighteen hundred ^{Monroe co} and forty-one, from a portion of Tobyhanna township, in said county, is entitled to receive all the road and school taxes assessed in eighteen hundred and forty, and eighteen hundred and forty-one, upon unseated lands which lie within the bounds of the said Penn Forrest township, and the treasurer of said county, is hereby authorized and required to pay over to the supervisors and school directors of the said Penn Forrest township, all the road and school taxes assessed as aforesaid, when legally demanded by orders drawn by the commissioners of said county on the county treasurer.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

JOHN STROHM,
Speaker of the Senate.

APPROVED—The ninth day of July, A D. eighteen hundred and forty-two.

DAVID R. PORTER.

[No. 110.]

AN ACT

Regulating election districts and for other purposes.

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 qualified voters of the township of Warrior's Mark, in the county of Huntingdon, shall hereafter hold their general election, at the school house ad- ^{Huntingdon} joining the town of Warrior's Mark, in said township. ^{co}