

three thousand dollars, and to be paid pro rata to those to whom damages are awarded.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WM: HIESTER,
Speaker of the Senate.

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

DAVID R. PORTER.

[No. 129.]

AN ACT

Annexing the county of Schuylkill to the Eastern District of the Supreme Court, and for other purposes.

Schuylkill co
annexed to E
DS court

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 from and after the passage of this act the county of Schuylkill shall be and it hereby is attached to the Eastern District of the Supreme Court, and that all writs of error and certiorari, and all appeals and proceedings now pending in the middle district of said court shall be removed into the said eastern district for determination, and the prothonotary of the said middle district shall forthwith certify all such writs of error, records and proceedings there pending, to the prothonotary of the said eastern district.

Clinton co

SECTION 2. It shall be lawful for the supervisors of the townships of Coal Brook and Chapman, in the county of Clinton, to improve and occupy the towing path now in part completed for a canal passing through said township, for a road or public highway, and for that purpose they are hereby authorized to remove any stone, timber, or other materials from the embankment constructed from said towing path: *Provided,* That said towing path shall not be occupied as a road any longer than until the said canal shall be completed.

SECTION 3. That the select and common councils of the Phila select city of Philadelphia be and they are hereby authorized and & common empowered to pass ordinances to require the owners or agents council of cars travelling on the railroads in Broad, High, Third and Dock streets, in the city of Philadelphia, to deliver a certificate of the contents of each car, and the number of passengers conveyed therein, and of the distance they have been conveyed on said railroads, and to require the owners or agents of such cars to pay the toll for the same: *Provided*, That the toll charged shall be the same toll as may be charged on the Pennsylvania railroad, and that all distances under half a mile shall be charged as half a mile, and all distances over half a mile and under one mile shall be charged as one mile.

SECTION 4. It shall be lawful for the mayor, aldermen and citizens of Philadelphia to provide for the punishment of any person or persons who shall refuse or omit to comply with the provisions of the ordinances which may be enacted by virtue of this act, by imposing a fine to be recovered in the same manner as penalties for the violation of the ordinances of the city of Philadelphia are now by law recoverable. Power of Mayor &c when ordinances are violated

SECTION 5. The first section of the act entitled "An act supplementary to the various acts relating to tavern licenses, passed the twenty-ninth day of March, eighteen hundred and forty-one, be and the same is hereby repealed, so far as relates to the county of Berks, Juniata and Chester. Tav licenses

SECTION 6. That in all original actions and proceedings to revive judgment which have been or hereafter may be instituted against two or more defendants, in which judgment has been entered on record, at different periods, against one or more of said defendants, by confession or otherwise, or hereafter may be so entered, the entries so made or to be made shall be considered good and valid judgments against all the defendants, as of the date of the respective entries thereof, and the day of the date of the last entry shall be recited in any subsequent proceedings, by scire facias or otherwise, as the date of judgment against all of them, and judgment rendered accordingly: *Provided*, That the provisions of this section shall not affect the liens of any such judgment. Scire facias against two defend'ts

SECTION 7. From and after the passage of this act, where an entry of judgment has or shall be made on the records of any court against two or more defendants, at different periods, such entries shall operate as good and valid judgment against all the defendants, and the plaintiff may proceed to the collection of the money due thereon, with costs, as if the entries had all been made at the date of the latest entry. Entry of judg't against two defend'ts

SECTION 8. So much of the eighth section of the act entitled "An act to authorize the Governor to incorporate a company for making an artificial road," passed fourth April, eighteen hundred and forty-two, as recites the date of the act entitled "an act to erect the town of Williamsport, in the county of Lycoming, into a borough, be and the same is hereby altered to read "seventeen hundred and ninety-six," the date of said act having been erroneously recited in the act above referred to.

SECTION 9. That as soon as a majority in number of persons holding stock, either in their own right or in a representative capacity, in the Atlantic Insurance Company, of Philadelphia, and holding, together more than one half of the whole number of shares of the capital stock, shall give their assent thereto in writing, it shall be lawful for the directors of the said company to proceed with all convenient speed to close the business, to liquidate, settle and wind up all the concerns of the said company, and to convert the assets into money.

SECTION 10. As soon as the assent aforesaid shall be given, it shall be the duty of the said directors to give public notice of that fact, by advertisement, for one month, in four daily newspapers, in the city of Philadelphia; and it shall be lawful for the said directors, at any time after three months from the first day of such advertisement, to divide the assets of the said company rateably among the stockholders in proportion to their several amounts of stock by such dividends, and at such periods as to them may seem best: *Provided, however,* That all the ascertained debts of the company shall be paid before any such dividend of the capital shall be made, and that a fund fully sufficient shall be retained to meet all disputed claims and all outstanding risks insured by the company, which fund shall not be less than fifty per cent. beyond the aggregate amount of such claims and risks, and that any director consenting to any dividend of the capital stock which shall reduce the reserved fund below this amount shall be personally liable to any party that may sustain injury thereby.

SECTION 11. The "assent in writing" may be recorded in the office of the recorder of deeds for the city and county of Philadelphia, and a certified copy from that record shall be as good evidence as the original paper. No new risks shall be taken or insured by the company after the passage of this law, but the direction shall be kept up according to the charter, until a final dividend shall be made, and then the charter shall be deemed and taken to be extinct.

SECTION 12. From and after the first day of September next, in all cases where judgment shall be arrested on account of the insufficiency of the declaration, a new suit shall

not be commenced for the same cause of action, until the thorize new costs shall be paid in the first suit as in cases of a verdict and suit judgment for defendant.

SECTION 13. That whenever a vacancy shall occur, by death, resignation or otherwise, in the office of treasurer of the county of Philadelphia, it shall not be lawful for the commissioners of said county to elect or appoint any person to such vacancy for a greater length of time than until the next general election succeeding such vacancy. Treasurer
Phila co

SECTION 14. And it shall be the duty of the qualified voters of the city and county of Philadelphia, whenever a vacancy shall occur in the office of treasurer of said county to elect, at the next general election succeeding such vacancy, one person, a qualified voter of said city or county to serve as treasurer of said county for the unexpired time of such vacancy, and any person that is a qualified voter of the said city or county, that may have been appointed or elected by the commissioners of said county to fill a vacancy until the next general election, shall be eligible to fill the vacancy of said office, but no person shall be eligible to be elected to said office that has heretofore been elected and filled the duties of said office: *Provided*, That the provisions of this law shall not affect any appointment or election made by the county commissioners at the passage of this act; and it shall be the duty of the auditors of said county to examine the accounts of said treasurer at least once in each and every week, and report to the commissioners the actual amount of moneys on hand with said treasurer at the expiration of each week; and any of the above officers refusing or neglecting to comply with the provisions of this act, shall be subject to a fine of not less than five hundred dollars, to be recovered as fines of like amount are now recoverable by law, and discharged from office, and said fines shall be appropriated one half to the informer and other half to the use of said county; and so much of any law that is hereby altered or supplied be and the same is hereby repealed. Vacancy how
filled

Proviso

SECTION 15. The qualified voters of the township of Monongahela, in the county of Greene, will hereafter hold their general election at the house now occupied by John Jones, in the town of Greensboro'. Greene co

SECTION 16. The auditors of the county of Tioga are hereby authorized to settle the accounts of John Cochran, Aaron Bloss and Jacob S. Kohler, commissioners appointed to lay out the state appropriation on the road from Blossburg to the Lycoming county line, through Liberty township, in said county, under an act passed at the session of eighteen Tioga co au-
ditors

hundred and thirty-seven, and thirty-eight, with power to compel the attendance of witnesses.

Make Hartz read Wertz SECTION 17. That in an act passed the eleventh day July, Anno Domini eighteen hundred and forty-two, entitled "An act regulating election districts, and for other purposes," in the seventieth section, wherever the word "Hartz" occurs make it read "Wertz,"

Manheim Lan co SECTION 18. That the third proviso in the thirty-fifth section of the act of assembly, entitled "An act to erect Shirleysburg, in the county of Huntingdon, New Hope, in the county of Bucks, and Hamburg, in the county of Berks, into boroughs, and for other purposes," approved the sixteenth day of April, eighteen hundred and thirty eight, which relates to taxing of out-lots in the borough of Manheim, in the county of Lancaster, be and the same is hereby repealed.

Bernard Flynn SECTION 19. That the state treasurer be directed to pay to Bernard Flynn, late a contractor for section number three on the Columbia and Philadelphia railroad, the sum of one hundred and twenty dollars, the balance due him on settlement of his accounts.

Somerset co SECTION 20. That the third section of an act entitled "An act relative to roads, bridges and highways," is hereby repealed, so far as the grading of roads in Somerset county is concerned.

Fish in Castleman's river Somerset SECTION 21. That the twelfth and thirteenth sections of the act entitled "An act to promote the culture and manufacture of silk, and for other purposes," passed the thirteenth day of June, eighteen hundred and forty, which two sections relate to the taking of fish in Castleman's river, in the county of Somerset, be and the same are hereby repealed.

Real estate of John Irvin SECTION 22. That James Duncan and John Morrison, of Fawn township, York county, are hereby authorized to sell at public sale, after giving reasonable notice of the time and place of such sale, in at least one newspaper in the county of York, all the real estate of John Irwin, late of the township aforesaid, deceased, containing one hundred and fifty acres, more or less, adjoining lands of Andrew Switzer, Hugh McDonald, John W. Laird, and others, for the best price they can obtain for the same, and to make title to the purchaser or purchasers: *Provided*, That after deducting the reasonable expenses of said sale, they shall pay over the balance of the money arising from said sale to the children of the said John Irwin, and to the guardians of such as are minors, to be disposed of for their use, according to the provisions of the last will and testament of said deceased,

Proviso

bearing date the second day of January, eighteen hundred and thirty-eight: *And provided further*, That the said James Duncan and John Morrison shall first give security to be approved by the orphans' court of York county, for the faithful application of the money arising from said sale, and which sale shall be approved by the orphans' court of York county before the same shall have effect. Proviso

SECTION 23. That the books of the commissioners and inhabitants of the township of Moyamensing, shall be evidence of all work done and materials furnished, and of all other debts due said township, to recover which claims are filed under the various acts of assembly passed to secure the collection of debts due the corporation aforesaid, and that judgment be obtained thereon, as provided by the second section of the act of the twenty-eighth of March, one thousand eight hundred and thirty-five, and that in all such cases the costs of collection at the rate of five per cent. shall also and in like manner be a lien upon the estate chargeable by law for work done and materials furnished by said corporation. Moyamens'g books evidence

SECTION 24. That the ninety-third section of an act entitled "An act regulating election districts, and for other purposes," passed the eleventh day of July, one thousand eight hundred and forty-two, be and the same is hereby repealed. 93 d section of former act repealed

SECTION 25. That the qualified voters of the township of Damascus, in the county of Wayne, shall hereafter hold their general election at the house of John N. Lukens, in said township. Wayne co Damascus

SECTION 26. That in addition to the remedies now or hereafter to be prescribed by the laws and ordinances of the districts of Spring Garden, Southwark and Northern Liberties, relating to hawkers and pedlars and hawking of butchers' meat, that if any person or persons shall violate or be found violating, in said district, the laws and ordinances aforesaid, he, she or they may be forthwith arrested and proceeded against as for a misdemeanor, and upon conviction thereof in a court of criminal jurisdiction, be fined in any sum not exceeding fifty dollars for every such offence, at the discretion of the court, one half of said fine to go to said district, and the other half to the person or persons so arresting or making complaint. District of Spring Garden Southwark & Northern Liberties

SECTION 27. WHEREAS, By a joint resolution of the legislature, passed the fourteenth day of April, one thousand eight hundred and thirty-five, James Peacock, O. F. Johnson and William Ayres were appointed commissioners on part of the commonwealth, to survey, lay out and open a street from the State Capitol grounds to the Pennsylvania canal: Preamble

AND WHEREAS, By sundry other acts of assembly passed in the years one thousand eight hundred and thirty-six, seven, eight, making appropriations for the opening of said street, directing the auditor general to make settlement and the state treasurer to pay, &c.: AND WHEREAS, The said commissioners have long since completed the said street, and the damages for taking of private property have been assessed and paid for by the commonwealth: AND WHEREAS, There remains in the hands of the commissioners the sum of two hundred and eight dollars and seventy cents, which they received for the sale of buildings which stood on the grounds now occupied by said street, which balance they claim for their compensation, under the resolution of the fourteenth of April, one thousand eight hundred and thirty-five, allowing them two dollars per day while attending to the duties of said street. But there being no power in the auditor general to make any settlement for proceeds coming in this way, nor to allow the commissioners to retain the same, therefore,

Claim of
Peacock
Johnson &
Ayres

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the auditor general be directed to settle the account of said commissioners, allowing them to retain in their hands, for their compensation, the sum of two hundred and eight dollars and seventy cents, being the balance in full for the proceeds of sundry buildings which were sold by them, the same having been given up by the owners to the commonwealth: *Provided,* They are entitled to so much by law.

Auditor Gen-
eral & state
st wharf

SECTION 28. That so much of the sixth section of the act of thirtieth day of March, eighteen hundred and thirty-eight, entitled "A supplement to the act entitled 'An act authorizing the Governor to incorporate the Muncy Canal Co., approved the first day of April, A. D. eighteen hundred and thirty-six, and for other purposes,'" as authorizes the auditor general to rent the wharf on the canal, at the end of State street, shall not be so construed as to permit the person renting the same to occupy any portion of the street as a coal, wood or lumber yard, or in any way obstructing the free passage of said street.

Mechanic's
Lien extend-
ed to Dau-
phin co

SECTION 29. That the provisions of the twenty-ninth section of the act of sixteenth June, eighteen hundred thirty-six, entitled "An act relating to the lien of mechanics and others upon buildings," be and the same is hereby extended to the county of Dauphin.

Trustee of
Louisa M
Duncan to

SECTION 30. That Isaac Heylin, of the city of Philadelphia, trustee of Louisa M. Duncan, be and he is hereby authorized to dispose of, at public or private sale, as he may deem best, or let upon ground rent, all or any of the lots of

ground situate in Hamilton village, in the township of Block-^{sell or let} ley, and county of Philadelphia, devised to him in trust by ^{real estate} John Crean, senior, by his last will dated the twenty-fifth day of April, one thousand eight hundred and thirty-two, and make a full, complete and valid title thereto to the purchaser, free and discharged from all accountability as to the appropriation of the purchase money : *Provided, nevertheless,* ^{Proviso} That the proceeds of the sale or sales of such of the said lots as may be sold after discharging the liens to which the said lots have or may become, or which have been heretofore paid by the said Louisa M. Duncan for paving, curbing, or taxes up to the time of such sale or letting, shall be held by the said Isaac Heylin, and invested by him, subject to the same limitations and trusts as are now applicable to the said lots of ground, and the ground rents issuing out of such of them as may be let upon ground rent shall likewise be subject to the trust and limitation created in the said will : *And provided further,* That before any such sale be made as aforesaid the said trustee shall give security in the court of common pleas, to the satisfaction of the said court, for the faithful application of the proceeds of such sale or sales.

SECTION 31. That the state treasurer be and he is hereby authorized to pay out of any money in the treasury not otherwise appropriated, to William B. Knox, seventy-five dollars, ^{W B Knox} for his services as judge advocate, at the Court Marshal which recently assembled at Mechanicsburg, for the trial of Captain William Bigley, and to charge the same to the account of the Brigade Inspector, of the first brigade, eleventh division, Pennsylvania militia.

SECTION 32. That it shall and may be lawful for any religious denomination or society within this commonwealth to purchase, take, receive and hold by deed, gift, grant or otherwise, ^{Religious societies may hold real estate &c} lands or tenements, for the purposes of burying-grounds, churches, parsonages, school houses and alms houses, for any estate whatsoever, and to have and to hold the same according to the respective rules and disciplinary regulations of said religious societies : *Provided,* ^{Proviso} That nothing in this act contained shall be construed to permit any religious denomination or society, or any person in trust for them, unless specially authorized by its charter to purchase, take or hold real estate, except for the purposes aforesaid ; and so much of the act of the sixth of February, one thousand seven hundred and thirty, and one thousand seven hundred and thirty-one, entitled "An act for the enabling religious societies of Protestants, within this province, to purchase lands for burying grounds, churches, houses of worship, schools, and so forth, as is inconsistent herewith, be and the same is hereby repealed.

SECTION 33. That the eighth section of an act entitled
 Luzerne co "An act to authorize the court of common pleas of Luzerne
 county to appoint auditors in certain cases, and for other pur-
 poses," passed the sixteenth day of July eighteen hundred
 and forty-two, be and the same is hereby repealed; and the
 Com'r of Nicholson es- settle the estate of John Nicholson and Peter Baynton shall,
 before any further prosecution of his duties, enter into a bond
 with two or more good and sufficient sureties, to be approved
 by the Governor and state treasurer, in the sum of thirty thou-
 sand dollars, conditioned for the faithful performance of his
 duties under existing laws.

SECTION 34. That the qualified electors of the township
 Schuylkill co of Rush, in the county of Schuylkill, shall hereafter hold their
 general election at the house of Jacob Faust, in said town-
 ship.

SECTION 35. WHEREAS. William Hinckle and Han-
 nah his wife, by indenture dated the fifteenth day of February,
 Anno Domini one thousand eight hundred and forty, granted
 or conveyed unto Joseph Smith, Henry Sailor and Joseph
 Penn tp Sa- Johns, trustees of the Penn Township Savings Institution, and
 vings Institu- the survivors and survivor of them, and the heirs and assigns
 tion of the survivor, all that certain lot or piece of ground situate
 on the west side of Delaware Sixth street, at the distance of
 nineteen feet four inches southward from the south side of
 Preamble Poplar street, in the district of Spring Garden, in the county
 of Philadelphia, containing on front on said Sixth street thirty-
 four feet, and in length or depth westward on the north line
 thereof seventy-nine feet four inches and a quarter and on the
 south line thereof eighty-five feet one inch and a quarter: **AND**
WHEREAS, David Marston, and Abigail, his wife, by indenture
 dated the fourteenth day of September, Anno Domini one thou-
 sand eight hundred and thirty-nine, granted and conveyed unto
 Henry Sailor and Joseph Johns, trustees of the Penn Town-
 ship Savings Institution, and the survivor of them, and the
 heirs and assignees of such survivor, all that certain lot or piece
 of ground and the messuage or tenement thereon erected, situate
 on the east side of Delaware Eighth street, at the distance of one
 hundred and sixty-nine feet nine inches and a half northward
 from the north side of Wallace street, in the district of Spring
 Garden aforesaid, containing in front, on said Eighth street,
 seventeen feet, and in length or depth eastward one hundred feet
 to Logan street, subject to a yearly rent charge of fifty one dol-
 lars: **AND WHEREAS,** The Penn Township Savings Insti-
 tution is an unincorporated association and doubts have arisen
 whether the said trustees can convey a legal and valid title to

the said premises so as aforesaid sold and conveyed to them, in trust; Therefore,

Be it enacted, That the said Joseph Smith, Henry Sailor and Joseph Johns, trustees as aforesaid, or any two of them, be and they are hereby authorized and empowered to sell and convey the said real estate hereinbefore described, and that the purchaser or purchasers thereof, or any part thereof, take, receive and enjoy the said premises, or such part thereof, in fee, as he or they may purchase, free from all incumbrances or liens, except such as may have existed prior to the conveyance to said trustees and such as may exist against or have been created by said trustees. Trustees to sell real estate

SECTION 36. That from and after the passage of this act Youngwoman's creek, in the county of Clinton, commencing at the mouth of said creek and extending twenty miles up said creek, be and the same is hereby declared a public highway, and it shall and may be lawful for any person or persons desirous of improving or using the navigation of said stream to remove thereout all obstructions, except dams for mills and other water works already built or that may hereafter be built for such purposes. Youngwoman's creek

SECTION 37. That the township of Portage, in the county of Potter, shall hereafter form a separate election district, and the qualified voters thereof shall hereafter hold their general and township elections at the house of Hiram Sizer, in said township. Butler co

SECTION 38. That William Ayres, Jacob M. Haldeman, Christian Seiler, Samuel Pool, Aaron Bombaugh, Frederick K. Boas Michael Burke, Samuel H. Clark, George S. Kemble, William Catrell, John C. Bucher, Charles F. Muench and Herman Alricks, be and they are hereby appointed commissioners, for receiving subscription to the stock of a company, to be called the Harrisburg Fire Insurance company, and shall open a book for that purpose in the borough of Harrisburg, in the county of Dauphin, at a time and place by them to be appointed, of which they shall give not less than two weeks notice, in at least two newspapers in said county, and the said book shall be kept open for five successive days, between the hours of ten and two o'clock of the said day, and shall keep open said book until such a number of shares is subscribed to the capital stock of said company, as is necessary for its incorporation, and all persons of lawful age, being citizens of the United States, companies and corporations, shall be permitted to subscribe to the said stock: *Provided*, That every person offering to subscribe shall previously or at the time of subscribing, pay to the attending commissioners one dollar for every share so offered to be subscribed for, out of which shall be defrayed the ex- Harrisburg Fire Insurance co incorporated
Subscriptions
Provido

Capital

penses of taking such subscriptions, and the residue shall be paid to the treasurer of the corporation when organized; the capital stock of said company shall be one hundred thousand dollars, divided into shares of twenty-five dollars each.

Letters patent

Name

Rights & privileges

Proviso

Seal

By-laws

SECTION 39. That when one hundred shares in the capital stock aforesaid, shall have been subscribed, the said commissioners, or a majority 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 forthwith by letters patent under his hand and the seal of the State, erect and create the subscribers, into a body politic and corporate in deed and in law by the name, style and title of "The Harrisburg Fire Insurance Company," by which name the subscribers shall have perpetual succession, and be able to sue and be sued, implead and be impleaded, in all courts of record and elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors lands, tenements and hereditaments, goods, chattels, rights and credits, stocks and securities of what nature, quality or kind whatsoever, and the same from time to time to sell, demise, grant, alien and dispose of: *Provided*, That the said company shall hold only such real estate as shall be necessary for its accommodation in the transaction of business, or such as shall have been in good faith, and mortgage to it by way of security, or conveyed in satisfaction of debts previously contracted in the course of its dealings or purchased upon judgments, which shall have been obtained for such debts, or purchased at sales on judgments of any other person or body politic, when the purchase thereof may be necessary to secure any debt due to the company, and the said company shall have authority to make and use one common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and enforce such by-laws, ordinances and regulations as shall be deemed necessary and convenient, not being contrary to the constitution or laws of the United States or of this State, and generally to do all and singular the matters and things which to them shall lawfully appertain to be done for the welfare of the said corporation and the management and ordering of the affairs thereof.

Subscriptions how paid

SECTION 40. That the capital stock of the company shall be held by the proprietors thereof, on the following terms, that is to say: each subscriber shall within two weeks after public notice given, in any two of the newspapers printed in the borough of Harrisburg, pay or cause to be paid to the officers of the corporation designated in such notice, the amount of the shares so subscribed in such sum or sums, and at such time or times as the president and directors shall in their discretion

direct and appoint, and if any subscriber his, her or their assignee shall refuse or neglect to pay any instalment called for as aforesaid such subscriber, his, her or their assignee shall forfeit each and every share to said company on which the payment shall not be duly made, and all moneys paid or profits accrued therefrom : *Provided*, That such notice shall have been advertised as aforesaid, for three weeks in succession, and new subscriptions may be opened and received for the share or shares so forfeited at the discretion of the directors of said corporation. Forfeiture of shares

SECTION 41. That for the proper management of the affairs of the said corporation, there shall be five directors, who shall be citizens of this Commonwealth, and stockholders of said corporation, who shall be elected annually on the first Monday in May, by the stockholders at their stated meetings, for that purpose assembled, each share being entitled to one vote, but no number of shares shall entitle any stockholder to more than ten votes of which stated meeting, public notice of the time and place of holding the same shall be given in at least two of the newspapers, in the borough of Harrisburg, not less than two weeks previous to holding the same, and the directors at their first meeting shall choose one of their number as president, but in case it should happen at any time, that an election of directors should not be made upon the day when, pursuant to this act, it ought to be made, the corporation shall not for that cause be deemed to be dissolved, and it shall be lawful on any day within thirty days thereafter, to hold and make an election of directors, in such manner as shall be regulated by the laws of the corporation, and in case of the death, resignation or inability of the president or any director, the vacancy shall be supplied by the board of directors for the term they were elected to serve : *Provided*, That the first five persons hereinbefore named in the first section of this act, shall be the first directors, and the business of the said corporation, shall be done and transacted at such place in the borough of Harrisburg, as shall be designated by a majority of the directors present at any regular meeting of the board, and said board shall continue in office until the first Monday in May, in the year of our Lord one thousand eight hundred and forty-three, and until their successors shall be duly elected under the provisions of this act, and every board of directors duly elected, shall hold their respective offices for one year, and until others are chosen, and no stockholder shall vote at any election for directors (except the first) unless the share or shares on which he, she or they may claim to vote, shall have been standing in his, her or their name on the books of the company, for at least three months previous to the election. Annual election
Proviso

Funds invested **SECTION 42.** That the capital stock and funds of the company may, by the president and directors thereof, from time to time be invested in the public stock of the United States, or of this State, or in the stock of any of the incorporated banks of this state or in the stock of any incorporated institution or city within this Commonwealth, or may be loaned on real or personal security within the state of Pennsylvania.

Powers of directors over stocks &c **SECTION 43.** That the directors of the said company shall have full power and authority to sell, dispose of, and transfer all or any of the public or other securities, stocks or evidences of debt in which the capital stock and funds of the company shall be invested, and the proceeds of any such sale or transfer to re-invest in any securities, or stocks, or loan on real and personal securities as aforesaid as may be deemed expedient: *Provided*, That nothing herein contained shall be construed to authorize the said company to exercise banking privileges.

Officers **SECTION 44.** That the president and directors of said corporation for the time being, shall have power to appoint a secretary, treasurer, and such other officers and agents as shall be necessary for conducting the business of the said corporation, and to allow them a reasonable compensation for their services at their discretion, and generally to exercise all other powers and authorities, for the proper management and direction of the affairs and funds of the said corporation and especially, shall have power to prevent the transfer of any stock while the holder thereof, shall be indebted to the company; the secretary, treasurer and other officers to give such security as the president and directors may require.

Insurance **SECTION 45.** That the president and managers of said company, shall have full power on behalf of said corporation to make insurances against losses by fire on any house, tenement, manufactory or other buildings, and on goods, wares, merchandize and effects therein, and on hay, grain and on other agricultural products in barns, stacks or otherwise, and generally on all kinds of buildings, and of goods, merchandize, stock and effects upon farms, and so forth, and to make, execute and perfect, such and so many contracts, bargains and agreements, policies and other instruments as shall and may be necessary and as the nature of the case may require, and 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 corporation, signed by the president and attested by the secretary or other officers, who may be appointed by the president and managers for that purpose and also by the party insured.

Policies

SECTION 46. That the president and directors shall, on the first Monday in May and November, in each year, declare a

dividend of so much of the profits of the corporation as to them shall appear advisable, to be paid to the respective stockholders, agreeably to such regulations as the said president and directors may adopt, but the moneys received as premiums on risks which remain undetermined, and outstanding at the time of declaring the dividends respectively, shall not be computed as any part of the profits of said corporation. Dividend

SECTION 47. That in case any loss shall happen by which the capital stock shall be diminished no dividend shall be made, until the amount of such diminution shall be supplied and added to the capital, and any president or director, who shall declare any dividend contrary to the forgoing prohibition, shall be liable in his individual capacity to the said company, for the amount of the stock or dividend so divided and declared, and each director present when such dividend shall be made, shall be adjudged to be consenting thereto, unless he forthwith enter his protest on the minutes of the board, which the secretary is hereby required to record under the penalty of three hundred dollars, to be for the use of the corporation, and such dissenting directors shall give public notice thereof to the stockholders. Diminution of capital

SECTION 48. That the legislature reserves the right to revoke, alter or annul all or any of the provisions of this act at any time when in their opinion the public interest shall require it, in such a manner however, as no injustice shall be done to the corporators. Reservation

SECTION 49. That it shall be lawful for the treasurer of the county of Luzerne, elected at the general election of eighteen hundred and forty-one, to serve out the full term for which he was elected, notwithstanding his place of residence is in the county of Wyoming. Luzerne co treasurer

SECTION 50. The commissioners of Mifflin county, be and are hereby authorized and empowered to borrow any sum of money not exceeding ten thousand dollars, for the purpose of erecting a new court house and public offices, and to issue certificates of loan at any rate of interest not exceeding six per cent, and to pledge the faith of said county, for the re-imbursement of any loan or loans negotiated under the authority of this act. Mifflin co com's to borrow money

SECTION 51. That George W. Smith, a minor child, now living with George W. Smith, of Butler, shall be entitled to all the rights, powers, benefits and privileges, of a child born in mate lawful wedlock. G W Smith made legiti

SECTION 52. That the commissioners of the county of Philadelphia, are hereby authorized to borrow on the credit of the said county a sum not exceeding twenty thousand dollars, Com's of Phila co

for a period not exceeding twelve months in anticipation of the revenue of eighteen hundred and forty-two, the said sum of twenty thousand dollars to be expended upon the culvert in Thirteenth and Christian streets in lieu of the appropriation heretofore made by the county board.

Com's to
review state
road in Alle-
gheny

Pay

SECTION 53. That Jeremiah M. Carpenter and Zachariah G. Stewart, of the county of Westmoreland and David Clements, of the county of Allegheny, are hereby authorized to review that part of the state road leading from Logan's Ferry, in Allegheny county, to a point on the graded road from Greensburg to Chalfants, at or near the farm of McKemery, five miles west of Greensburg, lying and being between the town of Murrysville and Silvey's blacksmith shop, and to change the location of the said road between the said points, if they shall deem such change advisable. The said commissioners to receive the same pay and to be subject to the same provisions as provided for the original commissioners to view and lay out the said road, by the sixth section of the act of second April, eighteen hundred and forty-one, and so much of any act as is hereby altered or supplied is hereby repealed.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WM. HIESTER,
Speaker of the Senate.

APPROVED—The second day of August, one thousand eight hundred and forty-two

DAVID R. PORTER.