or district, that they will receive proposals until ten o'clock of a certain day therein named, for the collection of the state and county taxes as aforesaid, which proposals shall be endorsed "proposals for the collection of state and county taxes," in the proper ward, township or district, and shall be directed to the county commissioners; and at the said hour of ten o'clock on the day named in said public notice, the said commissioners shall proceed publicly to open and publish all the proposals so received; and the person being of good repute, who shall propose or agree to make such collections at the lowest rate per centum, and not exceeding five per centum as aforesaid, if the sureties named in said proposals or afterwards supplied by him, be satisfactory to said commissioners, shall be appointed collector for the ward, township or district for which he has proposed as aforesaid, for the next year ensuing; and if the person so appointed shall not within five days thereafter, enter into bonds with satisfactory sureties for the faithful performance of his duties as collector, it shall be the duty of said commissioners forthwith to appoint the next lowest bidder not exceeding five per centum as aforesaid, who shall enter into proper bond with satisfactory sureties as aforesaid. Mode of appointing collectors. Bond.

Section 2. The said collectors so appointed, shall in all respects be liable for the faithful performance of their duties as other collectors are now by law liable; and all acts or parts of acts relating to the appointment of collectors, shall be and the same are hereby repealed, so far as the same relates to the county of Lehigh. Liability of collectors. Repeal.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.
WILLIAM BIGLER,
Speaker of the Senate.

Approved—The twenty-fifth day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 107.

AN ACT

To incorporate the Fayette county mutual fire 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 Isaac Beeson, John Dawson, Alferd M'Clelland, Andrew Byers, William B. Roberts, James F. Cannon, Ewing Brownfield, John Huston, Robert P. Flenniken, Daniel Kaine, James Piper, Samuel Y. Campbell and Everhart Beirer, and such other persons as are, or may be associated with them, under the authority of this act, being citizens of the state of Pennsylvania, their successors or assigns, are hereby Corporators.

Name. made a corporation, by the name of the "Fayette county mutual fire insurance company," and they and their successors are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate; and said corporation shall not hold any property, except what may be absolutely necessary for the transaction of their corporate business, and all real estate purchased by said company for the purpose of collecting or securing debts, shall escheat to the commonwealth unless the same shall have been sold and disposed of, and passed bona fide, from the possession and ownership of said corporation, within five years next succeeding such purchase; nor shall any by-laws be repugnant to this instrument, to the constitution of the United States, or of this commonwealth.

Powers, &c.

Managers. Annual election. SECTION 2. The power of this association shall be vested in thirteen managers, to be chosen by ballot annually, on the first Monday of September, at an annual meeting of the company to be held, and each member to be entitled to one vote only, and that no proxy votes shall be given.

Members. SECTION 3. Each insurer in or with said company, shall be a member thereof, during the term of his or her policy, and no longer.

Annual meetings. SECTION 4. That general meetings of this company shall be held annually on the first Monday of September, at some convenient place, and also, whenever called by the board of managers, or whenever requested by twenty members; and the members shall, at such general meeting pass all by-laws, rules and regulations necessary for the well government of the affairs of the corporation, or vest the power so to do in the board of managers, and all elections shall be by ballot, each member entitled to one vote; the said election to be conducted by three judges, chosen by the members present for that purpose, who shall certify, under their hands, the result of said election, and the same shall be filed with the papers of the corporation; the managers, for the time being, shall choose from among their own members, one to be president, and shall, from time to time, as it may be necessary, choose a treasurer; also, appoint a secretary, and such other agents and officers as may be necessary; and fix their respective fees and salaries, and require such bonds for the faithful discharge of the duties assigned, as may be deemed necessary, or the interest of the company may require; and shall have full power to suspend, remove or displace any such officer or agent of the company, and supply any such vacancy which may happen by death, removal or resignation, from among their own members, until the next election; and shall procure a book or books, wherein shall be fairly and legibly entered all the transactions of said board of managers, which books shall at all times be open for the inspection of the members of said corporation, and a copy or copies thereof, signed by the president and attested by the secretary for the time being, shall be deemed and taken as legal evidence against the said corporation as the transactions of said board of managers, a copy of which shall be furnished at the request of any member; and said officers shall, at the annual meetings of the members, present to the company, a general and detailed statement of its affairs.

By-laws.

Elections.

President, officers, &c.

Insurances. SECTION 5. The president and managers shall have full power on behalf of said corporation, to make insurances against losses by fire on any house, tenement, manufactory, barn or other 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, wares, merchandize and effects, (except books of accounts, bills, bonds, ready money, jewels, plate, paintings, engravings, powder and powder mills, distilleries, print works, cotton, woolen and varnish manufactories,) 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 shall or may require; and every such contract, agreement and policy to be made by the said corporation, signed by the president, and attested and signed by the secretary, and also, shall be signed by the party insured; and the president and managers are hereby empowered to have made and to procure a seal with such device as they may deem proper, to be used by them as the common official seal of the company. Seal.

Section 6. It shall be lawful for said company to employ and improve all moneys received by them, and the profits thereof, in purchase of any judgments or mortgages, or in any loans or stocks of the United States or of this commonwealth; 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 charges of the corporation, and then for the purpose of paying such damages as any member of said company or insurer may be justly entitled to; and when the just demand of any person insured in said company or member thereof, shall exceed the amount of its available funds on hand, such sums as shall be necessary to pay the same, shall, without unnecessary delay, be assessed by any three of the managers, appointed by the president on the insurance, each member to pay in proportion to the amount he has insured, and publish the same; and all and every of the members of the company shall pay into the hands of the treasurer his, her or their proportionable parts, of such rates within sixty days after such publication, as aforesaid, and in default thereof shall be proceeded against according to the provisions of this act. Improve moneys. Dividends. Assessments to pay damages.

Section 7. Every person who shall become a member of said corporation by effecting insurance therein, shall, before he receives his, her or their policy, deposite for such insurance, his, her or their promisory note for such sum of money as shall be determined by the directors; a part, not exceeding ten per centum of said note, to be immediately paid, and annually an interest, as may be fixed upon by the board of managers of said corporation, not exceeding five per centum on the balance; and the remainder of said deposite note shall be payable in part, or the whole, at any time when the directors shall deem the same requisite for the payment of losses by fire, and such incidental expenses as shall be necessary for transacting the business of said corporation: *Provided*, That no member shall be required to pay any more than the amount of his, her or their deposite note: and at the expiration of the time of insurance, the said note, or such part of the same, as shall remain unpaid, after deducting all losses and expenses during said term, shall be relinquished and given up to the maker thereof; and the said company shall have a lien in the nature of a judgment, waiving the right of inquisition, upon all property so insured, to the amount of the deposite note of the assured, or so much thereof as may be unpaid, which shall continue till the amount of such note, with interest and costs of execution, if any, shall have been paid or satisfied, according to the provisions of this act. Deposite of promisory note. Proviso. Liens.

Section 8. All and every of the members of this company, who shall sustain any loss by fire, shall give notice in writing within thirty Notice of loss.

days, to the president or secretary of said company, who shall appoint a committee of three from the board of managers, that shall examine and assess said damages, within two weeks from the time of their receiving information of their appointments; and the said managers shall, with all convenient expedition, immediately after receiving said report, and ascertaining the sum which said parties shall be lawfully entitled to, make provision and payment as herein is specified.

Rates of insurance.

SECTION 9. The members shall, at their general meetings, fix such rates of insurance and incidental charges and fees, as may be deemed equitable and proper, or vest the power so to do in the board of managers; and any person who shall become a member of this corporation, by effecting insurance therein, shall the first time he effects insurance, and before he or she receives his or her policy, pay the rates that shall be fixed and determined upon; and no premium, so paid, shall ever be withdrawn from said company, during the continuance of its charter.

Assignments of insured property.

SECTION 10. That in case any insured, named in any policy or contract of insurance, made by the said corporation, shall sell, convey or assign the subject insured, it shall be lawful for such assured to assign and deliver to the purchaser, such policy or contract of insurance; and such assignee shall have all the benefits of such policy or contract of insurance, and may bring and maintain a suit in his or her own name: *Provided*, That before any loss happens, he or she shall obtain the consent of the president or secretary to such assignment, and have the same endorsed on or annexed to such policy or contract of insurance, to be according to the aforesaid directions for that purpose, and not otherwise.

Profits.

Banking.

SECTION 11. That the nett profits arising from interest or otherwise, shall be ascertained yearly to every member, in proportion to his, her or their deposite, for which each member shall have a credit in the company, after deducting the necessary expenses; nothing in the charter to be construed as to allow any of the funds of the association to be used for banking or manufacturing purposes.

Contracts.

SECTION 12. If at any time it shall appear that the chartered privileges hereby granted, are injurious to the public welfare, the power thereof to repeal, shall not affect any engagement to which the said company may have become a party previously thereto, and that the said company shall have a reasonable time to bring their accounts to a final settlement.

First managers.

SECTION 13. The first thirteen named persons in this bill, shall constitute the first board of managers, with power to organize the corporation, and appoint a president and other officers and agents, agreeable to the spirit of this act; and to hold their power and authority until the next election, as is herein provided, with all the powers contemplated to be vested in the board of managers elected by the company, under the authority of this act.

Policy.

SECTION 14. No policy shall be issued by the corporation, until application be made for insurance to the amount of one hundred thousand dollars.

Suits.

SECTION 15. Suits of law may be prosecuted and maintained by any member, against the corporation, for losses or damage insured by them, if payment is withheld more than ninety days after the company is duly notified of such losses.

SECTION 16. That the Legislature reserves the right to modify, alter or annul the privileges hereby granted, in such manner however as to do no injury to the corporators. Legislative reservation.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.
WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 108.

AN ACT

To authorize Mary M'Clenachan to sell and convey certain real estate.

Preamble.

WHEREAS, Jacob Morris, late of the township of Lower Merion, in the county of Montgomery, by his last will and testament, in writing, bearing date the seventh day of August, Anno Domini, one thousand eight hundred and fifteen, duly proved, and remaining on file in the register's office, in and for the city and county of Philadelphia, amongst other things, bequeathed all his land, together with the improvements south and west of the Darby road, situate in Lower Merion township aforesaid, to his executors, in trust for his daughter, Mary M'Clenachan, then the wife of George M'Clenachan, empowering the said Mary M'Clenachan to dispose of the same by will:

And whereas, The said George M'Clenachan is since deceased, and it has been represented to the legislature, by the parties interested, that it would be highly beneficial to them that the said Mary M'Clenachan should be authorized to sell and convey the said land and improvements, in fee simple, and invest the proceeds arising therefrom in other real estate; therefore,

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 Mary M'Clenachan, widow of George M'Clenachan, and only daughter of Jacob Morris, late of Lower Merion township, Montgomery county, deceased, be and she is hereby authorized to sell at public or private sale, all the real estate, and the improvements thereon, which by the last will and testament of the said Jacob Morris, dated the seventh day of August, Anno Domini, one thousand eight hundred and fifteen, and duly proved, and remaining in the register's office, in and for the city and county of Philadelphia, was devised to the executors named in said will, in trust for the said Mary M'Clenachan, with power to the said Mary to dispose of the same by will; and the said Mary M'Clenachan is further authorized to make and execute a deed or deeds for the said real estate and improvements, to the purchaser or purchasers thereof; Mary M'Clenachan authorized to sell real estate.