No. 72.

AN ACT

To alter and amend the act incorporating the White Hall mutual fire insurance company of parts of Bucks and Montgomery counties.

WHEREAS, A number of the citizens of Bucks and Montgomery counties, sensible of the importance, and desirous of securing the advantages of an insurance against loss by fire, believing that the only true foundation for insurance is benevolence, and its legitimate object assistance in distress, they desire to be associated together for the purpose of mutually insuring each other against loss from the destruction of their property by fire; therefore, Preamble.

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 Jonathan Evans, William Harrar, Samuel Walter, Henry Landis, John Shipe, Isaiah James, Michael Snyder, David Evans, Henry Mathias, and David R. Johnson, and such other persons as are or may be associated with them under the authority of the same, are hereby made a corporation by the name of the "White Hall mutual fire insurance association, of parts of Bucks and Montgomery counties," and they, or their successors, citizens of New Britain, Warrington, Doylestown, Hilltown, Warwick, Montgomery, and Hatfield townships, and parts adjacent in said counties, are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate: *Provided*, That they shall not have power to hold a greater amount of real estate than is necessary for the use of the corporation in the transaction of the business thereof, or such as shall be taken in security for and in payment of debts; nor shall the yearly income thereof exceed one thousand dollars; nor shall any by-laws be repugnant to this instrument, the constitution of the United States or of this commonwealth. Corporators. Name. Proviso. Real estate limited.

SECTION 2. The power of this association shall be vested in a president and ten managers, who shall severally perform the duties usually appertaining to their offices, and such other services as the society may direct. Powers.

SECTION 3. Any person may become a member of this association by subscribing to this constitution, paying twenty-five cents into the treasury, and otherwise complying with its rules and regulations. Members.

SECTION 4. The general meetings of this society shall be held annually on the first Thursday in June, at some convenient place fixed upon by the society at a previous meeting, at which time all the officers, including a treasurer and secretary, shall be chosen by ballot, each member present being entitled to one vote, and also whenever called for 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; the board of managers shall, at the annual meeting of the members, exhibit to the company an accurate statement of its affairs; all elections for officers shall be conducted by three judges, chosen by the members present at each annual meeting, who shall cer- Annual meetings. Vote. By-laws. Elections.

tify under their hands the results of such election, and the same to be filed with the papers of the society.

Insurance.

SECTION 5. The president and managers shall have full power, on behalf of said corporation, to make insurance against losses by fire on any house, tenement, barn or other buildings, any goods, wares, merchandize and effects, and household furniture therein, and on hay and other agricultural products in barns, stacks or otherwise, and generally on all kinds of goods and merchandize and effects, (except books of accounts, bills, bonds, ready money, jewels, plate, paintings, engravings, woolen and cotton factories, powder mills and flouring mills with drying kilns attached, distilleries, spiritous liquors, and public buildings,) 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 said corporation, signed by the president and attested and assigned by the secretary, and also shall be signed by the party insured; and the president and managers 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 association.

Policies.

Seal.

Rates.

SECTION 6. The members shall, at their general meetings, fix such rates of insurance and incident charges, and fees, as may be deemed equitable and proper; and any person who shall become a member of this association shall, the first time he or she 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 the said corporation during the continuance of its charter.

Assignments.

SECTION 7. In case any party to any policy or deed of insurance granted by this association, shall sell, convey or assign the premises insured, it shall be lawful for such party to assign or deliver to the purchaser such policy or contract of insurance, the association shall not be bound after the transfer or assignment of any such subject of insurance made by them, until the transfer shall have been made and recorded by the secretary.

Issue of policies.

SECTION 8. No policy shall be issued by this corporation until application be made for insurance to the amount of three hundred thousand dollars.

Investment of money.

SECTION 9. It shall be lawful for said society to employ and improve all moneys received by them, and the profits thereof, in the purchase of any ground rent or mortgages, or in any liens on good and sufficient security; and no money shall be drawn from the funds of the said society, 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 such damages as any member of this association or insurer may be justly entitled to in consequence of fire.

Dividends.

Losses.

SECTION 10. When any of the members of this society sustain a loss by fire, they shall give immediate notice thereof to the president, and he shall then appoint any five from the board of managers, a majority of whom shall view the premises, and after hearing the necessary evidence, upon oath if required, shall determine the sum which sufferers are lawfully entitled to; and when the just demands of any insurer in said association, or member thereof, shall exceed the amount of its available funds on hand, such sums as will be sufficient to pay the same, together with the necessary expenses, shall, without unnecessary delay, be assessed by the said managers on the insurances, each member to pay in proportion to the amount they have insured.

Section 11. It shall be the duty of the secretary to put up three public advertisements in each different township of the association, publishing the nearest estimation of the loss, and the per centage falling upon the different members of the association, and it shall be the duty of each and every member, within fifty days after the occurrence of any fire in the premises insured by this association, to pay into the hands of the treasurer his, her, or their proportionable part of such rates as may be assessed by the managers, and in default of such payment he, she, or they, and every of them making such default therein, shall forfeit and pay such additional per centage as the managers shall deem sufficient for collecting the same; and they shall also appoint a collector, who shall be furnished with a warrant, signed by the president, authorizing him to collect the said rates and forfeitures, and vesting in him all powers and privileges usual to a collector of county rates and levies. Notice.

Section 12. Suits at law may be prosecuted and maintained by any member against said corporation for losses or damages insured by them, if payment is withheld more than ninety days after the association is duly notified of such losses; and no member of the corporation not being in his own individual capacity a party to such suit shall be incompetent as a witness: *Provided*, The managers do not agree to rebuild or replace the property lost or damaged, in which case a reasonable time shall be allowed them. Suits at law. Proviso.

Section 13. It shall be the duty of the insured, on any building in which a fire is kept, to procure a place, made of iron, stone or brick, to contain the ashes, within twenty days from the time of obtaining such insurance, otherwise the policy shall be void. Ashes.

Section 14. 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 corporation may have become a party previous thereto, and the said corporation shall have a reasonable time to bring their accounts to a final settlement. Reservation.

Section 15. Any amendment or alteration may be made to the by-laws at any general meeting by a majority of the members of the society: *Provided*, The same is not repugnant to the constitution of this commonwealth, or of the United States, or the provisions of this act. By-laws.

Section 16. So much of the act, passed the fourteenth day of April, A. D. one thousand eight hundred and forty-three, and the act to which the same is a supplement, which is inconsistent with the provisions of this act, is hereby repealed, so far as the same relates to the said White Hall mutual fire insurance association. Repeal.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

Approved—The first day of March, one thousand eight hundred and forty-five.

FRS. R. SHUNK.