

profits made by the company shall exceed ten per cent. per annum, on the amount of the capital stock representing the cost of the work, one half of the surplus, above ten per cent., shall be paid into the treasury of the commonwealth; and the clause in the fifteenth section of the original act of incorporation, requiring an annual statement to be made to the legislature, is hereby re-enacted.

SECTION 7. That the toll on coal shall not be raised by the company, Toll on coal. at any time, above the rates now charged on that article.

SECTION 8. That so much of any act or acts of assembly as may be Repeal. inconsistent with any of the foregoing provisions, be and the same is hereby repealed.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The ninth day of February, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

No. 35.

AN ACT

To incorporate the Washington hall association of the borough and county of York.

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 George S. Morris, E. G. Smyser, Adam Klinefelter, Daniel Hartman, David Small, William Beitsel, Adam J. Glossbrenner, E. K. Ziegler, Matthew Tyler, Robert J. Fisher, Thomas P. Potts, Charles Shultz, William F. Shetter, John Fahs, Adam Worley, Henry Welsh, John J. Cochran, George Hammond, Daniel Ginder, Adam Ebaugh, Samuel Cross, George Dosch, Alexander Small and John Brillhart, and their successors, and all persons who now are or hereafter may be associated with them, be and they are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style and title of the "Washington hall association of the borough and county of York," Style. and by that name shall have perpetual succession, and be able to sue Privileges. and be sued, plead and be impleaded, in any court of law or equity, and to take and to hold to them and their successors, either by grant, gift, devise or lease, any lands or real estate, for the purpose of erecting thereon a suitable building or buildings, for the use of said association; and also to take and hold for the use of said association, any goods or chattels, sum or sums of money, by gift, grant, bargain, sale, will, devise or bequest, from any person or persons whatsoever, capable of making the same, and the same at their pleasure to grant, bargain and

Proviso. sell, for the use of said association ; and generally to do all and singular the matters and things which shall be lawful for them to do for the well being and due management of the affairs of said association : *Provided*, That the real estate of which the said corporation shall be at any one time possessed, shall not exceed the clear yearly value of three thousand dollars.

Commissioners. SECTION 2. The persons hereinbefore named are hereby appointed commissioners to do and perform the several acts and things hereinafter mentioned, that is to say, they, or such of them as shall act in the premises, not less than five, shall as soon as conveniently may be, and within three months next after the passage of this act, procure and open a suitable book or books, at such time and place as they may designate, in the borough of York, of which time and place at least ten days' previous public notice shall be given in one or more newspapers published in the borough of York, in which book or books they shall enter as follows : " We whose names are hereunto subscribed, do promise to pay to the trustees and company of the Washington hall association of the borough and county of York, the sum of ten dollars, for each and every share of stock set opposite to our respective names, in such manner and proportions, and at such times, as shall be determined by the trustees of said association. Witness our hands and seals, the day of _____, Anno Domini one thousand eight hundred and forty-eight ;" and at the time and place so designated and named in the public notices to be given as aforesaid, the said commissioners, by themselves or by committees to be by them appointed, shall attend for the purpose of opening the books, and to receive subscription for stock ; and the said books shall be kept open at least six hours on such day, at the time and place designated in the public notices to be given as aforesaid ; and in case twelve hundred shares of stock, being the capital stock of said association, be not all sold on the day of the first opening of the books, the number remaining unsold may afterwards be disposed of at such time and place, and under such regulations, as the trustees for the time being may order : *Provided*, That no subscription for such stock shall be valid, unless the party or parties making the same, shall, at the time of subscribing, pay to said commissioners one dollar on each and every share, for the use of the association.

Form of subscription.

Open books.

Proviso.

Organization. SECTION 3. The said commissioners, or at least five of them, acting in the premises as aforesaid, shall, as soon as conveniently may be, after eight hundred shares of the stock are subscribed, appoint a time and place for the subscribers to meet, in order to organize the said association, and shall give at least ten days' previous notice thereof, in one or more newspapers of the borough of York aforesaid ; and the said subscribers, when met, shall, by ballot, elect by a majority of the voters present, five trustees, citizens and residents of said county, to conduct and manage the affairs and business of said association, until the first Monday of May of the next following year, and until others are chosen ; and shall annually thereafter, at such time and place as the by-laws of the said association shall provide, elect five trustees, to serve as aforesaid ; and the three commissioners first named shall be the judges of the election of trustees, and the judges of all future elections shall be appointed by the trustees for the time being ; and notice of such elections shall be given in such manner as the by-laws shall provide.

Elect trustees.

Object. SECTION 4. The object of said association shall be to provide, erect and furnish a hall or suitable building or buildings, in the borough of York, for the accommodation of the various lodges of the Independent Order of Odd Fellows, established or to be established there, for other

beneficial societies, and suitable also for a room to be used for public meetings, and for a library.

SECTION 5. It shall and may be lawful for the said corporation to have a common seal, and the same at will and pleasure to change, alter and renew, as they shall think proper, and shall have and exercise all the rights, privileges and immunities necessary for the purposes of the corporation hereby constituted, and as herein expressed. Seal.

SECTION 6. The trustees for the time being, or a majority of them, shall have power to carry out the objects of the association as hereinbefore expressed, to elect a president from their own body; to elect a treasurer and secretary, and to appoint such other officers and agents as they shall deem necessary to carry out the objects aforesaid, conduct and execute the business and affairs of said association; to fix their compensation, and in their discretion to dismiss them; to provide for the investment of the funds of the association in such manner as they shall deem most safe and beneficial; to provide for paying all the necessary expenses of conducting the affairs of the association, and generally to pass all such by-laws as shall be necessary to the exercise of said powers, and of other powers vested in said association, and the said by-laws from time to time to alter and repeal: *Provided*, That such by-laws shall not be contrary to the constitution and laws of this commonwealth or of the United States. Powers of trustees.

SECTION 7. It shall be the duty of the trustees, at least once in every year, to appoint from the members of the said association, three competent persons as a committee of examination, whose duty it shall be to investigate the affairs of said association, and to make report thereof; and it shall also be the duty of the trustees on the third Mondays of April and October in each and every year, to make and declare a dividend of the interests and profits of the said association, after paying its expenses, and the same to pay over to the stockholders or their legal representatives, within thirty days thereafter. Duties of trustees.

SECTION 8. The legislature hereby reserves the right to alter or amend the charter of the Washington hall association, whenever, in their opinion, it may be injurious to the citizens of this commonwealth, in such manner, however, that no injustice shall be done to the corporators. Dividend.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The ninth day of February, one thousand eight hundred and forty-eight. Reservation.

FRS. R. SHUNK.