

No. 26.

AN ACT

To incorporate the West Philadelphia hall association, in the county of Philadelphia.

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 Edward F. Gay, Jacob Broom, Henry Leech, John M. Pugh, M. D., William W. Keen, Charles Colladay, Thomas D. Grover, Benjamin Sage, Thomas Allibone, Joseph S. Keen, John R. Hoopes, Hugh M'Ilvain, Richard Simpson, Henry Pleasants, M. D., Edward Lane, Philip Lowry and J. M. Linnard, 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 "West Philadelphia hall association;" and by that name shall have perpetual succession, and be able to sue 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, 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 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 corporation shall be at any one time possessed, shall not exceed the clear yearly value of three thousand dollars.

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 West Philadelphia; of which time and place, at least ten days' previous public notice shall be given in one or more newspapers published in the city of Philadelphia; 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 West Philadelphia hall association, the sum of twenty 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 the day of

Anno Domini, one thousand eight hundred and forty-nine;" 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 subscriptions for stock; and the said books shall be kept open at least six hours on such

Corporators.

Name.

Privileges.

Proviso.

Duties of the commissioners.

Open books.

Form of subscription.

day, at the time and place designated in the public notices, to be given as aforesaid; and in case five 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 four dollars on each and every share for the use of the association. Proviso.

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 two hundred and fifty 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 city of Philadelphia, aforesaid, and the said subscribers, when met, shall by ballot elect, by a majority of voters present, five trustees, citizens and residents of said borough of West Philadelphia, to conduct and manage the affairs and business of said association until the first Monday of January of the next 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 election shall be given in such manner as the by-laws shall provide. Organization.

SECTION 4. It shall and may be lawful for the borough of West Philadelphia, according to the discretion of the burgess and council thereof, or of a majority of them, for the time being, to subscribe to or purchase any number, not exceeding one hundred shares of the capital stock of said association; and the said burgess and council are hereby authorized to borrow, in anticipation of their taxes; such amount as they may determine to subscribe, in order promptly to meet the payment of such subscription. Borough of West Philadelphia, authorized to subscribe.

SECTION 5. In the event of any of the subscribers to the stock refusing, or neglecting, in any wise, to comply with the terms of subscription, for the space of sixty days after they shall have been respectively notified thereof, they shall forfeit the money or instalment already paid in by them respectively, which shall inure to the benefit of the said association; and the trustees are hereby authorized thereupon to sell and dispose of such forfeited stock, in such manner as they may determine, as if the same had never been before issued or sold. Forfeited stock.

SECTION 6. The object of said association shall be to provide, erect and furnish a hall, or suitable building or buildings, in the borough of West Philadelphia, for the accommodation of the town council, and of the beneficial societies that now are or may hereafter be established, for elections, and suitable also for a room to be used for public meetings, and for a library. Object.

SECTION 7. 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 8. 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 Powers of trustees.

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, nor of the United States.

Proviso.

Committee.

SECTION 9. 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 first Mondays of January and July, in each and every year, to make and declare a dividend of the interest 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.

Dividend.

Elections, when removable.

SECTION 10. Whenever the West Philadelphia hall association shall have completed their building or buildings, or so much of them as may be necessary for the purpose, it shall and may be lawful for the town council of the borough of West Philadelphia, at the request of a majority of the legal voters of said borough, to remove the place of holding all general or special elections in said borough, from the public school house to the hall of said association, of which due notice shall be given by public printed handbills, and in three or more newspapers published in the city of Philadelphia: *Provided*, That the place for the meeting of the assessors and inspectors of the borough of West Philadelphia, for making the additional assessment, shall hereafter be held in the room used by the town council, as their chamber at the present time, and until a suitable hall is erected or provided.

Proviso.

SECTION 11. The legislature hereby reserves the right to alter, amend, or repeal the charter of the West Philadelphia 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 incorporators.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

GEORGE DARSIE,

Speaker of the Senate.

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

WM. F. JOHNSTON.