

No. 47.

AN ACT

To vacate Larch and Birch streets, in the Kensington district, and to vacate Arsenal street, in the district of Moyamensing, Philadelphia county.

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 Larch street and Birch street, in the district of Kensington, county of Philadelphia, are hereby vacated; that a certain street of the width of thirty feet, lying midway between said Larch and Birch streets, and running parallel thereto, is hereby vacated; that a certain street in the district aforesaid, of the width of thirty feet, lying midway between Birch and Harrison streets, and running parallel thereto, is hereby vacated, and the right of soil in said streets to the middle thereof, is hereby vested in fee simple in the parties owning property fronting thereon.

SECTION 2. That that part of Arsenal street running southwardly from Prime street, to an alley leading into Federal street, in the county of Philadelphia, be and the same is hereby vacated, and the title to the soil over which the same passes is hereby vested in fee simple in the several owners of the ground adjoining and fronting on the same respectively, each owner to have and take one-half part thereof so far as his respective lot adjoins and fronts on said street.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The fifth day of February, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 48.

AN ACT

To incorporate the Farmers' mutual fire insurance company of Schuylkill county.

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 J. S. Keller, Daniel Weaver, George Bankes, Joseph Deibert, Daniel Dreher, John F. Seltzer, Peter Hummel, Joshua Bock, William Bock, Corporators.

- John Seltzer, Daniel K. Moyer, Andrew Kremer, Joseph Albright and all other persons who may hereafter be associated with them in the manner hereinafter prescribed, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the "Farmers' mutual fire insurance company of Schuylkill county;" and by the same name shall have perpetual succession, and shall be able and capable to sue and be sued, plead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels of what kind soever, and choses in action, and the same to sell and dispose of from time to time; and also to make and have one common seal, and the same to alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the corporation, not being contrary to this charter or the laws of the United States, or of this commonwealth, and generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact for the well being of the said corporation, and the due management and well ordering of the affairs thereof: *Provided*, That the clear yearly value or income of the necessary houses, lands, tenements, rents and annuities or other hereditaments and real estates of said corporation, and the interest of money loaned by it, shall not exceed the sum of two thousand dollars.
- Style.**
Privileges.
- Proviso.**
- Object.**
- Members.**
- Board of directors.**
- Officers.**
- Election.**
- SECTION 2.** The object and business of the said company is hereby prescribed to be the insurance of their respective dwelling houses, barns, mills and other out houses and contents, against loss or damages occasioned through any unavoidable accident by fire.
- SECTION 3.** All persons who shall hereafter insure with said corporation, and also their heirs, executors, administrators and assigns continuing to be insured in said corporation as is hereinafter provided, shall thereby become members thereof during the period they shall remain insured by the said corporation and no longer.
- SECTION 4.** The affairs of the said company shall be managed by a board of directors consisting of thirteen members, to be elected and chosen as hereinafter provided, which board shall elect from its own number one person as president, one as secretary and one as treasurer, of whom they shall require such security as they may provide by their by-laws; and may employ such other officers, clerks, agents and attorneys as may be found necessary for the transactions of the business of the institution; a majority of said board shall constitute a quorum to do business.
- SECTION 5.** The members of the company shall, upon twenty days' notice in one or more newspapers published in the county of Schuylkill, to meet at such place as the majority of the votes present at any stated meeting may determine, on the last Saturday of November, assemble themselves for the purpose of holding an election for directors; and such election shall be held under the inspection of three members, to be chosen by the members present at the time and place of holding the election; such election shall be by ballot, and a majority of the votes given elect; and the directors so elected shall continue in office until the last Saturday in November in the succeeding year, or until others are elected, on which day annually thereafter, an election shall be held for directors as is provided for in this act; each member shall be entitled to one vote. In case of death, resignation or removal from the county of any of the board of directors, the board shall have power to fill such vacancy until the ensuing annual election.

SECTION 6. Every person who shall become a member of this company by effecting insurance therein, shall, before receiving a policy, pay one dollar to the person issuing policies for every thousand dollars' worth of property he, she or they shall have insured, and so in proportion for a less or greater sum, besides twenty-five cents for the policy; and it shall be lawful for said company to loan such portion of money on hand as may not be immediately wanted for the purpose of said company, to be secured by judgment or mortgage, creating a lien upon real estate of sufficient value beyond other incumbrances, to render the same perfectly secure, or upon other good and sufficient security.

SECTION 7. Every member of said company shall be bound to pay for losses and such necessary expenses aforesaid, accruing in said company, in proportion to the amount of property insured by him, her or them.

SECTION 8. Suits at law may be prosecuted and maintained by any member against the said company for losses and damages by fire, if payment be withheld or refused for more than three months after the company shall have been notified of such losses; no member of the company not being in his individual capacity a party to the suit, shall be incompetent as a witness on account of being a member of the company.

SECTION 9. The directors, after ascertaining the amount of loss or damage by fire, sustained by any of its members, in such a manner as they by their by-laws may prescribe, shall settle, and the members shall pay the same to the treasurer of the company within sixty days after the publication of said notice. On neglect or refusal to pay the sum assessed upon him, her or them as a portion of any loss as aforesaid, in such case said company may sue for and recover the said amount with cost of suit.

SECTION 10. It shall be the duty of the treasurer of said company, at the annual meeting provided for in the fifth section, to exhibit in detail the condition of the finances of said company, and the names of the persons to whom the funds of the company have been loaned; and it shall also be the duty of said treasurer and the secretary of said company, at the annual meeting aforesaid, or whenever at any other time a majority of the board of directors shall require the same, to produce all such books and papers appertaining to the business of said company, within thirty days after the last Saturday of November of each year. It shall be the duty of the officers of the company to cause to be made and printed in at least one newspaper published in the county of Schuylkill, a general statement of the affairs of the said company, and deliver to each member, upon request, a copy thereof.

SECTION 11. The thirteen persons named in the first section of this act shall constitute the board of directors of said institution, until the last Saturday of November, in the year of our Lord one thousand eight hundred and fifty, or until others are elected in their stead.

SECTION 12. This act shall not be binding until insurance to the amount of one hundred thousand dollars shall have been effected.

SECTION 13. The legislature may at any time alter, modify or amend its provisions, in such a manner as not to do injustice to the company.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The fifth day of February, one thousand eight hundred and fifty.

WM. F. JOHNSTON.