

No. 355.

A SUPPLEMENT

To the road laws of this commonwealth; and to incorporate the Mutual fire insurance company of Lawrence county.

Supervisors in
Branch and Cass
townships,
Schuylkill coun-
ty, election of.

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 from and after the passage of this act, but one supervisor of roads or highways in Branch and Cass townships, in the county of Schuylkill, shall be elected by the taxable inhabitants thereof, for each township, whose duty it shall also be to collect the amount of the respective duplicates for road taxes thereof; and who shall enter into bond, with sufficient security, to be approved by the township auditors, for the collection of the same, and the performance of the duties of supervisor as aforesaid.

Duties.

SECTION 2. It shall be the duty of the said supervisor respectively, (as also those that may have been elected in said township for the present year) to offer for sale, on the first Monday of May of each year hereafter, by public auction, first giving notice thereof by at least six hand-bills, the repairs of the roads or highways of said townships for that year, either whole or in parts thereof, to the lowest bidder or bidders, having required to the responsibility of the several bids, as to the faithful performance of the same, whose duty it shall be to keep the road or roads allotted to him or them, in repair, as shall be specified in the condition of sale, and agreeably to the acts of assembly in such case made and provided, or pay the costs and damages that may accrue; and in like manner shall the roads be let which may be laid out during the year subsequent to the first May aforesaid, subject to like conditions as aforesaid.

Further duties.

SECTION 3. It shall be the duty of the said supervisors respectively, after the letting as aforesaid, to submit the said bid or bids to the respective township auditors, who shall meet for the purpose on the first Saturday subsequent to the sales aforesaid, for their approval or rejection of the same; if the latter, it shall then be the duty of the said supervisors, on public notice as aforesaid, to re let the same, until the approval of the said auditors is had and obtained thereto.

Settlement of the
claims against
Branch township.

SECTION 4. It shall be lawful for Martin Weaver and Abraham Hock to audit and settle the claims against Branch township, prior to the division thereof, of which Cass township is a part, in such manner as shall appear to them just and equitable; and should they not be able to agree in the settlement thereof, it shall be their duty to appoint an umpire; and when report is made, it shall be filed with the respective supervisors of said townships, whose duty it shall be to pay the same out of the moneys arising from their respective duplicates.

Relative to hold-
ing moneys col-
lected as super-
visors.

SECTION 5. It shall be a misdemeanor, and punishable by indictment, to withhold moneys collected as supervisors after the expiration of the term of office.

Corporators.

SECTION 6. That James D. Clark, L. L. M'Guffin, R. W. Cunningham, John M. Crawford, David Sankey, Josiah C. White and William Watson, and all other persons who may hereafter be associa-

ted 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 Mutual fire insurance company of Lawrence 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 law, 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 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 said 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 estate of said corporation, and the interest of money loaned by it, shall not exceed five thousand dollars: *And provided further*, That the principal office of said company shall at all times be kept in said county.

SECTION 7. The object and business of the said company is hereby prescribed to be the insurance of their respective dwelling houses, barns, stores, mills, shops and other buildings, household furniture, goods and chattels, hay, grain, and other agricultural products in barns, stocks, or otherwise, and other property, against loss or damage by fire, by engaging to pay such a portion of the said actual loss as shall be determined on by the by-laws.

SECTION 8. All persons who shall hereafter insure with the 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 9. The affairs of the said company shall be managed by a board of directors consisting of seven members, to be elected and chosen as hereinafter provided, which board shall elect from its own number one person as president, and one person as treasurer and secretary of the board, 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 company; and shall also determine the rates of insurance and sums to be insured: a majority of said board shall constitute a quorum to do business.

SECTION 10. The members of the company shall upon fifteen days' notice in one newspaper published in the county of Beaver, meet at the house of James Leslie, in New Castle, or at such a place thereafter designated by a majority of the voters present at any stated meeting, on the first Saturday in October in each year, 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 for directors shall be by ballot, and a majority of the votes given to elect; and the directors so elected shall continue in office until the first Saturday in October in the succeeding year, or until others are elected, on which day, and 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 of any of the board of directors, the board shall have power to fill such vacancy until the ensuing election.

Incidental expenses, how defrayed. SECTION 11. Every person who shall become a member of this company by effecting insurance therein, shall before he receives his policy, deposit with the treasurer the sum of fifty cents for every thousand dollars worth of property he shall have insured, and so in proportion for a less or greater sum, and twenty-five cents for the policy, for the purpose of defraying such incidental charges as shall be necessary for transacting the business of said company; and it shall be lawful for said company to loan such portion of the said money on hand as may not be immediately wanted for the purposes of said company, to be secured in such mode as a majority of the board of directors shall designate.

Losses, by whom borne. SECTION 12. 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 or her.

Suits. SECTION 13. 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 are notified of such losses; no member of the company not being in his individual capacity a party to the suit or suits, shall be incompetent as a witness on account of his being a member of the company.

Losses to be paid by each member, &c. SECTION 14. The directors after ascertaining the amount of loss or damage by fire sustained by any of its members, in such manner as they by their by-laws may prescribe, shall settle and determine the amount to be paid by each member, as his or her respective share of such loss or damage, and the members shall pay the same to the treasurer of the company within thirty days after being notified thereof; on neglect or refusal to pay the same assessed on him or her as a portion of any loss as aforesaid, said company may sue for and recover the said amount, with costs of suit.

Exhibit of finances. SECTION 15. It shall be the duty of the treasurer of the 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 person or persons to whom the funds of the company have been loaned; and it shall also be the duty of the said treasurer and secretary of the company, at the annual meeting aforesaid, or whenever a majority of the board of directors shall require it, to produce all such books and papers as appertain to the business of the company.

First board of directors. SECTION 16. The persons named in the first section of this act shall constitute the board of directors of said company, until the first Saturday of October, one thousand eight hundred and fifty, or until others are elected in their stead.

When policies may issue. SECTION 17. No policy shall be issued by the said company until application be made for insurance to the amount of twenty thousand dollars.

Reservation. SECTION 18. The legislature may at any time alter, modify or annul its provisions; in such manner, however, as to do no injustice to the corporators.

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

V. BEST,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty.
WM. F. JOHNSTON.