one per cent. of said profits shall have been first paid over to the said treasurer of the Firemen's association of Pittsburg. to be by him applied to such purposes as the delegates to said association may by resolution direct.

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.

No. 359.

SUPPLEMENT

To the act, entitled "An Act to incorporate the Northern mutual insurance company of Lancaster county," passed the fourth day of April, one thousand eight hundred and forty-four.

Preamble.

WHEREAS, Owing to the increase of said company, it is believed that its future prosperity and welfare require certain alterations in their act of incorporation; therefore,

Board of directors.

Officers.

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,* The affairs of said corporation shall be managed by a board of directors, consisting of nine members, to be elected and chosen as is hereinafter provided; which board of directors shall appoint, from their own number, one person as president of said board; they shall also appoint one person to perform the duties of secretary and treasurer of said company; which person so appointed as secretary and treasurer, who may or may not be a member or director of said company; they shall also appoint other officers, and employ such clerks, agents, collectors and attorneys as may from time to time be found necessary for the transaction of the business of said company; and said board of directors shall determine the rates of insurance, the sum to be insured, the sum to be deposited for any insurance, and the amount of premium notes to be deposited; a majority of said board shall constitute a quorum to do business.

Annual election of directors.

SECTION 2. The members of said company shall, upon at least twenty days' notice given in two newspapers published in the city of Lancaster and in the borough of Lebanon, meet at such place as may be designated by the secretary of the board of directors of said company, or as may be provided in the by-laws, on the third Monday in May, in the year of our Lord, one thousand eight hundred and fifty, and hold an election for electing nine directors of said company; such election of directors shall be held under the inspection of three members, to be chosen by a majority of the members present at the time and place of holding such election; such election of directors shall be by ballot; and the members, as electors, shall upon their ballots designate three persons to serve as directors for three years, and three persons to serve as directors for two years, and three persons to serve as directors for one year; and the persons so voted for as aforesaid, who shall receive the highest number of votes polled, shall be declared elected for such time as may be designated upon their ballots: and annually thereafter, on the third Monday in May, an election shall be held for the election of three directors, to serve for three years as directors; and at such annual elections also to elect such directors as may be necessary to fill all vacancies that may occur by death, resignation or otherwise; such annual elections to be held and conducted upon notice given as provided in the first of part of this section; and such elections to be opened between the hours of nine and eleven o'clock in the forenoon of said day, and be closed at six o'clock in the afternoon of said day; and each member shall have or be allowed one vote, and no more; and no vote shall be taken by proxy; and at the same time and place, and in the same manner as heretofore provided for the election of directors, three persons, members of said company, shall be elected auditors, one of them to serve for three years, another to serve for two years, and the other to serve for one year; and annually thereafter to elect one auditor to serve for three years; said auditors shall meet on the first Monday in May annually, and examine, audit and adjust the accounts of said company up to the last day of April in each year, and make report thereof to the next regular meeting of the board of directors; said auditors, before entering upon their duties, shall respectively subscribe an oath or affirmation to perform their duties with fidelity; any two of said three auditors shall be a quorum to do the business enjoined upon them; the directors and auditors of said company shall be entitled to receive, from the funds of said company, a compensation not exceeding one dollar per day, for every day necessarily engaged in discharging their respective duties; and a majority of the board of directors shall, by appointment, fill all vacancies that may occur in the board until the next annual election; the directors, treasurer and secretary shall, before entering upon the duties of their respective offices, subscribe an oath or affirmation to perform their duties with fidelity, and give bond, with approved security, in such sum as may be determined by the board of directors, for the faithful performance of their duties.

Term of service.

Vacancies, how supplied.

No vote to be taken by proxy.

Auditors.

Term of service.

Duties.

SECTION 3. Suits at law may be maintained by said corporation against any of its members for the collection of said deposit notes given by the members, or for any other cause relating to the business of said corporation; also, all suits at law may be prosecuted and maintained by any member against said corporation for losses or damages by fire sustained, agreeably to the condition of his policy and act of incorporation and by-laws: 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: the secretary of said company shall annually publish in one or more newspapers published in the city of Lancaster and borough of Lebanon, a statement of the affairs of the company, the losses paid, expenses, amount of insurances and premium notes, as reported by the auditors upon settlement of the books and accounts of the company.

Suits.

SECTION 4. Any member of the company sustaining a loss within the purview of said act of incorporation, shall give notice of such loss to the secretary of the company within thirty days, accompanied with

Members sustaining loss to give notice, &c.

a statement of the nature and amount of his loss sustained: upon such notice the secretary shall give notice to the board of directors to inquire into said loss, and settle and determine the loss sustained, of which notice is given as aforesaid; which said loss, to be settled and to be paid by the company, shall in no case exceed three-fourths of the actual loss sustained by such member, and the amount to be paid not to exceed the amount called for as insured in the policy: the board of directors, after having ascertained the amount of loss sustained as aforesaid to be paid, shall direct the secretary to make an order to the member having sustained such loss for the amount to which he may be entitled as aforesaid, binding the said company for the payment thereof, with legal interest from the date of the occurrence of such loss, and in said order direct the treasurer from the funds of the company to pay said amount of order with interest as aforesaid, on the first day of March next following the date of such loss sustained: *Provided*, That such loss occurred previous, and notice thereof given before the first day of December in each year, that the necessary assessments required to be made on the premium notes for the payment of losses, be made annually immediately after the first day of December in each year; and the members are required to pay such amount of assessment on their respective premium notes to the secretary of the company, or such agents or collectors as may be authorized by the board of directors before the first day of February in each year; and those members who neglect or refuse to pay, and have neglected to do so before the first day of February in each year, their respective portions so required to be paid for the payment of losses as aforesaid, the insurance of such delinquent members to be suspended until payment made; and if not made before the first day of May next following, the insurance of such delinquent to be marked cancelled, and be null and void, and of no effect by reason of such delinquency; and on neglect or refusal of a member to pay the sum assessed upon him as a proportion of any loss to be paid in such case, said company may sue for and recover the whole amount of his or her deposit note or notes, with costs of suit; and the amount thereof collected shall remain in the treasury of said company, subject to the payment of such losses and expenses as have occurred, and the balance, if any remain, shall be returned to the party from whom it was collected upon his demand for the same.

What amount of loss sustained, to be paid.

Proviso.

SECTION 5. That so much of the act to which this is a supplement, as is hereby altered or supplied, be and the same is hereby repealed.

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.