No. 61.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the Columbia Gas Company," et cetera.

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 the capital of the Columbia gas company may be increased from thirty-seven thousand five hundred dollars, to an amount not exceeding sixty thousand dollars: and it shall and may be lawful for the president and managers of said company, for that purpose, to increase and sell the additional number of nine hundred shares, at twenty-five dollars each; and that the present stockholders shall be entitled to the preference of such increase, in proportion to the amount of stock held by each of them; and that said company may extend their main pipes any place not exceeding five miles from the borough of Columbia.

E. B CHASE,
Speaker of the House of Representatives.
M. M'CASLIN,
Speaker of the Senate.

Approved—The twenty-second day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 62.

AN ACT

To incorporate the People's Mutual Insurance Company.

Preamble.

Whereas, Moses A. Dropsie, Abraham S. Wolf, John L. Lawson, A. H. Raiguel, Marcus Cauffman, Warder Morris, Joseph M. Bennett, Robert W. D. Truitt, Charles B. Cooper, William Dulles, James Ray, John M. Coleman, Solomon M. Bunn, Henry N. Hewson, L. J. Leberman, William Claghorn, James Benners, William Brock, Isaac Rhine, Jeremiah Brooks, David Winebrener, Jr., George Strawbridge, Charles C. Mackey, Henry Vollmer, Peter Rovoudt, A. Cummings, Wolf Tandler, Thomas C. Garrett, William G. Mentz, Thomas L. Lawson, John C. Drake, John T. Smith, Robert M. Carlisle, Samuel A. Patton, James Landy, Joseph Coryell, Samuel P. Marks, Samuel R. Brick, Thomas F. Shuster, Louis Grosholtz, and Henry Frick, have associated themselves together for the purpose of making fire, marine, and inland insurances, and transacting the business connected therewith, and have applied to the Legislature for an act of incorporation for said purpose; therefore,

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 the aforesaid persons, and those who may hereafter become associated with them, shall be known and styled as The People's Mutual Insurance company, and by the same name have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere, and to make and have a common seal, and the same to break, alter, and renew at pleasure, and also to ordain, establish, and put into execution, such by-laws, ordinances, and regulations, as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or the laws of the United States, or of this Commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain, to do for the well being of the said corporation and the due management and ordering of the affairs thereof. Style.

SECTION 2. That the capital stock of the People's Mutual Insurance company shall consist of fifty thousand shares of ten dollars each, to be paid for in such instalments as the board of directors of said company may determine, and if any subscriber, his or her assignee or transferree, shall refuse or neglect to pay the first or any subsequent instalment, called for and demanded by the directors as aforesaid, such subscriber, his or her assignee or transferee, shall forfeit each and every share on which the payment shall not be duly made, on account of the share or shares so forfeited, and new subscriptions may be opened and received for the share or shares so forfeited, at the discretion of the board. Capital stock.

SECTION 3. That the affairs of said company shall be managed by twenty-four directors, to be chosen annually as is hereafter directed, on the third Tuesday in January, between the hours of ten A. M. and two P. M., from among such stockholders of said company, who shall hold at least twenty shares of stock, and the first annual election shall take place on the first Wednesday in January, one thousand eight hundred and fifty-five, the directors for the time being shall appoint a president, vice president, and secretary, of the company and such other officers and agents as they may deem necessary for conducting and executing the business of said corporation, to take bonds in the name of the corporation from all or any of them with security conditioned for the faithful execution of their several duties, and who shall perform the duties of their respective offices till they shall have been re-elected, removed from office, or their successors shall be chosen; the said directors shall allow the persons so appointed such compensation for their services respectively as they shall deem reasonable, and generally to exercise all other powers and authority for the well governing and ordering of the affairs and funds of said corporation, as this act confers or allows, or as hereafter may be conferred or allowed by the laws, regulations, and ordinances of said corporation. In case of death or resignation of any director, the vacancy occasioned thereby, shall be filled by the remaining directors. Affairs, how managed.

SECTION 4. That at all elections for directors, the vote shall be by ballot, each share of stock shall have one vote, and each insured member, for any sum paid as a premium of insurance to Vote to be by ballot.

said company, three months previous to and within the year preceding said election, amounting to twenty-five dollars, one vote, and for every additional twenty-five dollars, paid as aforesaid, one vote. No stockholder or insurer shall vote by proxy, nor shall any stockholder be entitled to vote unless the share or shares held by him or her shall have been standing in his or her name, on the books of the said corporation, for three months previous to said election: *Provided*, That every stockholder at the time of the first election of directors, shall have and enjoy the said privilege of voting as aforesaid, and the first election of directors shall be held at such time and place as the corporators may direct, and the directors chosen at said election shall hold their offices till the first annual election, as herein provided for, and until new directors shall be chosen.

Proviso.

Division of directors into three classes.

SECTION 5. That at the first meeting of the directors after the first annual election, the secretary shall take the names of the directors and divide them by lot into three classes; the term of office, of the first class, shall expire at the first annual election thereafter; the term of the second class shall expire at the second annual election thereafter; the term of the third class shall expire at the third annual election thereafter, and at the second annual election, and at every annual election thereafter, the stockholders, and others qualified to vote for directors by this act, shall elect eight directors to hold office for three years; and when a vacancy by death, resignation or otherwise occurs, such vacancy shall be filled at the next annual election of directors, for the unexpired term of such director or directors.

Powers.

SECTION 6. That the People's Mutual Insurance company shall be empowed to take risks against fire on all kinds of merchandise, buildings and other property, either limited or perpetual; and further, to effect marine and inland insurance on vessels, cargoes and freights, and on merchandise and other property transported on rivers, canals, lakes and railroads, and by steamboats, wagons or otherwise, and to execute such agreements, policies, and other instruments as shall or may be necessary to effect the same; and it may and shall be lawful for any and every person to insure marine, fire, and inland transportation risks with the said company, and to become members of the said corporation, and be entitled to a pro rata share of any profits which may be made by such insurance, to be declared and divided as hereinafter directed by the provisions of this act.

ent and investment of capital.

SECTION 7. That it shall and may be lawful for the said company to employ and invest their capital stock, and other moneys of said company, in bonds and mortgages, or real estate in respondentia, bottomry, ground rents, stocks, or loans of the United States and State of Pennsylvania, and to sell and transfer the same, and to re-invest the proceeds of such sale or transfer in other such loans, stocks or securities: *Provided*, That nothing in this act shall prevent said company from receiving, purchasing, or holding any real or personal property, stocks, or other securities, in payment of debts due them, or to secure the same in any manner that the interests of the said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to mortgage, sell, assign, and convey the same in fee simple or otherwise.

Not to exercise banking privileges.

SECTION 8. That this corporation shall not exercise any banking privileges, or issue any certificates or other paper, to be circulated as bank paper.

SECTION 9. That the directors shall, on the first Tuesday in January in each and every year, cause a balance to be struck of the debts and credits of the company, and if there shall be a surplus, after paying losses and expenses for the year preceding the same, they shall first set aside out of the said surplus, a sum not exceeding one dollar per share on the amount of the capital stock subscribed, and the remainder of the said surplus shall be divided among the stockholders and insured members, in proportion as their respective amounts of stock held, or premiums determined, may bear to the collective sum of stock and premiums aforesaid. Debts and credits.

SECTION 10. That within thirty days after the yearly balance aforesaid of the said company shall be struck, the directors shall cause to be paid to the stockholders in cash, a sum not exceeding one dollar per share on the capital stock subscribed, if their surplus amounts to so much, and for the remainder, they shall issue the company's certificate to such insured members and stockholders, agreeably to the provisions of the seventeenth section, stating the amount of such surplus which shall be ascertained to be due them on striking said balance; such certificate shall be entitled to a dividend not exceeding six per centum, to be paid out of the profits thereafter declared by the company. Dividends.

SECTION 11. That the profits of said company shall in no case be withdrawn, except as herein provided, but shall remain liable to all losses and expenses thereof, such liability to be expressed in face of said certificates; and the president and directors shall have, in case of loss, the power to declare a pro rata deduction of the amount of the outstanding certificates, and issue new ones in their stead less the pro rata deduction; and no dividend shall be declared nor certificate issued, nor interest paid, either to stockholders or certificate holders, when the capital stock shall be impaired, nor shall any dividend be paid on certificates of surplus profits, until the said dividend on the stock of the company be first provided for. Profits not to be withdrawn.

SECTION 12. That no certificate shall issue for any sum less than ten dollars, nor for any fractional part of ten dollars, but all such fractional parts or sum or sums less than ten dollars, shall be passed to the credit of the stockholders; the said certificates shall not be transferrable, except on the books of the company, and a transfer book shall be kept for that purpose; no certificate shall issue to any person who is indebted to said company, and no transfer shall be permitted, so long as the holder is indebted to said company; certificates shall be subject to, and bound by, any judgment the company may obtain against the holder thereof, and the interest of such holder may be sold under an execution issued on said judgment, as any other species of personal chattel; no certificate shall issue, unless claimed within two years after the declaration of the dividend, whereof it is evidence, but the amount thereof shall, at the expiration of that time, be carried to the credit of the said company's stockholders. Certificates.

SECTION 13. That every insured member or certificate holder having paid the amount of his or their respective premiums, premium notes, subscription notes, or debts due said company, shall be free from any liability or responsibility for, or on account of any and all losses and expenses which said corporation may at any time sustain or incur. Members, when released from liability.

Receive notes and other securities.

SECTION 14. That the said company may from time, receive notes or other securities, real or personal, as premiums from persons intending to effect insurance therewith; and also, for the payment of stock, and from any other person or persons under such regulations or agreements as shall be authorized by the directors, which said notes or other securities may be negotiated, transferred, or conveyed by the said company, for the purposes of paying claims for losses accruing in the course of its business; and on such portion of said notes or securities as may exceed the amount of premiums paid, or agreed to be paid by the parties from whom the same may have been received, the said company may allow and pay such interest or other compensation, not exceeding six per centum per annum, as may be agreed upon by the directors.

Perpetual, permanent or limited insurances.

SECTION 15. That perpetual or permanent, or limited insurances may be taken without the parties thereto becoming members, or being entitled to any part of the profits of said company.

Suits at law.

SECTION 16. That suits at law may be prosecuted and maintained by any member against said corporation, for losses or damages insured against by them, if payment is withheld more than sixty days after the company is duly notified of such losses; and no member of the corporation not being in his individual capacity a party to such a suit, shall be incompetent as a witness.

Excess, how applied.

SECTION 17. That when the net profit, or surplus remaining in the possession of the company, shall exceed the sum of two hundred thousand dollars, the excess may be applied to the redemption of the certificates issued by the company, in such manner and at such times as the directors thereof may deem proper and expedient, and all claim or right to any interest or dividend on said certificates shall cease after two weeks' notice published in two of the daily papers of the city of Philadelphia, that the company will redeem the same.

Reservation.

Proviso.

SECTION 18. That the Legislature may at any time alter, amend, or repeal the privileges hereby granted: *Provided*, No injustice is done to the corporators.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The twenty-second day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.