

CHAPTER DCCCLXXXVI.

AN ACT FOR INCORPORATING THE SOCIETY FORMED FOR THE RELIEF OF POOR, AGED AND INFIRM MASTERS OF SHIPS, THEIR WIDOWS AND CHILDREN.

(Section I, P. L.) Whereas by an act of general assembly passed the twenty-fourth day of February, in the year of our Lord one thousand seven hundred and seventy, entitled "An act for incorporating the society formed for the relief of poor, aged and infirm masters of ships, their widows and children,"¹ it was enacted that each and every person who had subscribed certain articles of agreement bearing date the seventh day of October in the year of our Lord one thousand seven hundred and sixty-five, made and executed for the purpose of raising a fund to be appropriated towards the relief and support of poor, aged and infirm masters of ships, their widows and children, and all others who should afterwards become contributors to the said society, upon the terms in the said act specified, should be a body politic and corporate in law to all intents and purpose as by the said act more fully doth appear:

(Section II, P. L.) And whereas it has hitherto been experienced that much benefit hath accrued from the benevolence of the said society to the relief of individuals and to the public from thus encouraging an increase of skilfull mariners:

(Section III, P. L.) And whereas the late revolution requires that considerable alterations should be made in the said act to enable the said society to prosecute their benevolent and useful designs:

[Section I.] (Section IV, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That all and every person and persons who have heretofore subscribed certain

¹ Chapter 609.

articles of agreement bearing date the seventh day of October, in the year of our Lord one thousand seven hundred and sixty-five, made and executed for the purposes aforesaid, and each and every one who shall hereafter pay and contribute any sum of money not less than three pounds and the further sum of twelve shillings annually to the treasurer hereinafter mentioned, to and for the uses and purposes in this act specified, shall be, and they are hereby declared to be, members of the said society, and are hereby made a body politic and corporate in law to all intents and purposes, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name of The Society for the Relief of Poor and Distressed Masters of Ships, their Widows and Children, in all courts of judicature within this commonwealth, and by that name shall and may purchase any lands, tenements and estates and also receive and take any lands, tenements or hereditaments not exceeding the yearly value of three thousand bushels of wheat of the gift, alienation or devise, and any goods and chattels of the bequest of any person or persons whatsoever, and shall and may lend on interest any sum or sums of money belonging to the said contributors to such person or persons, bodies politic or corporate, as may be willing to borrow the same, in the manner and on such real or other securities as they shall think proper and sufficient, and the said corporation are hereby empowered to have and use one common seal in all their affairs.

[Section II.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That all and every deed, conveyance, mortgage, bond, bill or other securities for moneys lent, which have been heretofore taken in the name of the treasurer heretofore appointed by the said contributors, shall and may be sued for and recovered in the name of "The Society for the Relief of Poor and Distressed Masters of Ships, their Widows and Children," in as full, ample and effectual a manner as if the said deeds, conveyances, mortgages, bonds, bills and other securities had been and were taken in that name, anything in the said securities to the contrary notwithstanding.

(Section VI, P. L.) And whereas the said contributors did,

on the first Monday in January, in the present year, of our Lord one thousand seven hundred and eighty, in pursuance of the said act elect Samuel Mifflin, William Hysham, James Craig, George Ord, Nathaniel Falconer, Joseph Blewer, John Woods, William Brown, Henry Dougherty, William Alibone, John Hazelwood and Leeson Simmons to be managers for the ensuing year:

[Section III.] (Section VII, P. L.) Be it therefore enacted by the authority aforesaid, That the said Samuel Mifflin, William Hysham, James Craig, George Ord, Nathaniel Falconer, Joseph Blewer, John Woods, William Brown, Henry Dougherty, William Alibone, John Hazelwood and Leeson Simmons shall be and continue managers of the said society until the first Monday in January next after the publication of this act, and until others shall be chosen in their room, which said managers, and all other managers hereafter to be chosen by virtue of this act, or a majority of them, being persons capable of electing and being elected members of assembly within this state, are hereby authorized and empowered to provide a seal for the said society and to change or alter the same, if they shall see occasion, and also to take in, place out, secure and improve the stock, and to dispose of the interest, profits and produce thereof, together with the yearly payments of twelve shillings which shall be made after the said first Monday in January in the present year one thousand seven hundred and eighty, for and towards the relief and support of poor, aged and infirm masters of ships, their widows and children and for and towards no other use, intent and purpose whatsoever, and that all the moneys which were placed out on interest and did belong to the said society on the said first Monday in January, one thousand seven hundred and eighty, together with all future subscriptions, donations, gifts, bequests and devices, shall be adjudged and deemed capital stock, unless the same shall be otherwise declared by such donations, gifts, bequests or devices, [and] shall be from time to time laid out in the purchase of real or landed property, or placed out on good security as aforesaid, and not otherwise disposed of by the said managers.

[Section IV.] (Section VIII, P. L.) Provided always, and be

it further enacted by the authority aforesaid, That the said several sums of three pounds contribution and annual payments of twelve shillings shall be estimated and deemed to be at and after the rate of ten shillings for a bushel of good merchantable wheat weighing sixty pounds, and that the sums in current money necessary to be contributed and paid in order to procure admission as a member into the said society and the annual payment aforesaid shall be regulated and adjusted from time to time by by-laws of the said corporation made for that purpose.

[Section V.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That there shall be a general meeting of the contributors on the first Mondays in January, April, July and October in every year, and the managers, or a majority of them, are hereby also authorized and empowered to call special meetings when and as often as they shall judge necessary so to do, of which they shall give notice in one or more of the public newspapers published in the city of Philadelphia at least one week before such special meeting, at all which general and special meetings the contributors shall and may, and they are hereby authorized and empowered to consider, treat and determine of and concerning all and every the matters and things relating to the prudent management and good order of the said society, and to make and ordain all such rules, orders and by-laws as shall be useful and necessary for that purpose, and generally for the well ordering all other matters and things concerning the estate, goods, chattels, lands, tenements and revenue thereof, all which by-laws, rules and orders shall be inviolably observed by all concerned.

(Section X, P. L.) Provided always, That the said by-laws, rules and orders be not repugnant to the laws of this commonwealth, and shall be agreed to by a majority of the contributors present at such meeting.

[Section VI.] (Section XI, P. L.) And be it enacted by the authority aforesaid, That at the said general meeting on the first Monday in January yearly and every year, the said contributors who shall be present shall choose by tickets in writing twelve persons out of their own body to be the managers and

one other person to be the treasurer for the ensuing year; and that the managers of the preceding year shall appoint two of their own body, with three other contributors who are not managers, to be judges of the election, who shall, under their hands or the hands of a major part of them, report the names of the persons duly elected managers and treasurer, respectively, for the ensuing year to the general meeting; and when the said election shall be finished and the report so made, the contributors present may proceed to business, and not before.

[Section VII.] (Section XII, P. L.) And be it further enacted by the authority aforesaid, That Joseph Stiles, of the city of Philadelphia, shall be treasurer to the said society for the present year, and shall continue in his said office until the first Monday in January next ensuing the publication of this act and until another shall be chosen in his stead; which treasurer, and [all] other treasurers to be elected by virtue of this act shall have the custody of the cash, securities and deeds belonging to the said society, and shall from time to time pay and deliver the same and every of them to such person or persons as the managers, or a majority of them, shall by their orders direct and appoint, which said orders shall be good vouchers to indemnify him, and the said treasurer shall, and he is hereby required to give sufficient releases and acquittances of and for all sums of money which he shall receive on any mortgage, bond, bill or other security, and within one month after request to acknowledge the same on record, if such payment shall be on mortgage, under the penalty of forfeiting any sum of money not exceeding the mortgage money, to be recovered in any court of record within this commonwealth by bill, plaint or information, and shall also keep regular and fair books of accounts of all cash, securities, deeds, writing and other things and effects by him received, paid or delivered as aforesaid, and that such treasurer, before he enters upon the duties of his office, shall give such security to the said corporation in the name aforesaid, for the due and faithful discharge of this trust, and for accounting for and delivering up to his successor in the

said office all such moneys, securities, deeds, writings and effects as shall have come to his hands or custody, and which shall not have been paid or delivered upon discharge of any mortgage as aforesaid, or by order of the managers as aforesaid, as the said managers or a majority of them shall direct and require, which security the said managers are hereby enjoined and required to see duly given and executed and recorded in the office for recording of deeds for the county of Philadelphia, before any such treasurer so elected shall enter upon his said office, and before he shall receive any of the said cash, securities, deeds, writings and other effects aforesaid.

[Section VIII.] (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That the said managers shall meet when and where and as often as they shall think proper, and, being a majority at least, shall and may enter upon, order, direct and dispatch all such matters and things as shall properly come before them, and such their proceedings shall be good and valid in all the affairs of the society aforesaid done and performed in pursuance of this act, or that shall be committed to their management by the contributors aforesaid from time to time at their general or special meetings.

[Section IX.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That the said managers shall keep fair and exact minutes of all their transactions and proceedings and a true and fair list of all donations, subscriptions and payments, which shall from time to time be made to and for the uses and purposes in this act mentioned, and shall yearly and every year publish the same, together with an account of moneys expended, in some of the newspapers printed in the city of Philadelphia, and shall at all times, when required, submit the books, minutes, accounts, affairs and economy of the said society to the inspection and free examination of such committee of assembly as may from time to time be appointed for inspecting and examining the same.

[Section X.] (Section XV, P. L.) And be it further enacted by the authority aforesaid, That from and after the publication of this act the aforesaid act passed the twenty-fourth day

of February, in the year of our Lord one thousand seven hundred and seventy, shall be and it is hereby repealed and made void.

Passed March 4, 1780. See the note to the Act of Assembly passed February 24, 1770, Chapter 609; and the Act of Assembly passed March 7, 1797, Chapter 1925. Recorded L. B. No. 1, p. 350, &c.

CHAPTER DCCCLXXXVII.

AN ACT FOR REGULATING AND ESTABLISHING ADMIRALTY JURISDICTION.

(Section I, P. L.) Whereas it is necessary that due provision be made for the trial and determination of offenses, crimes, controversies and suits within the cognizance of the maritime law and not inquirable at common law:

[Section I.]. (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That a person of known integrity and ability shall be appointed and commissioned by the supreme executive council of this commonwealth for and during the term of seven years, in case he shall so long behave well, by the name and style of a judge of the admiralty, which judge shall hold a court of admiralty and therein have cognizance of all controversies, suits and pleas of maritime jurisdiction, not cognizable at the common law; offenses and crimes, other than contempts against the said court only excepted, and thereupon shall pass sentence and decree according as the maritime law, the law of nations, and the laws of this commonwealth shall require.

[Section II.]. (Section III, P. L.) Provided always, and be it further enacted by the authority aforesaid, That in all cases of prize, capture or re-capture upon the water from enemies, or by way of reprisal, or from pirates, the same shall be tried, adjudged and determined, as well as to the question whether