

which shall be recorded in the register of deeds' or the county clerk's office, as the case may be, in the county where such lands are situate, in the book therein provided for the recording of the powers of attorney to convey lands.

An act concerning the number of commissioners of deeds in and for the cities of the second class of this state.

Approved May 16, 1894. P. L. 1894, p. 379.

195. SEC. 1. That it shall be lawful to appoint five commissioners of deeds for each of the wards in the several cities of the second class of this state.

Five commis-
sioners in each
ward to be ap-
pointed in second-
class cities.
Repealer.

893-195
R98-714

196. SEC. 2. That all acts and parts of acts inconsistent herewith be and are hereby repealed, and this act shall take effect immediately.

An act concerning the recording and plotting of conveyances of land and real estate situate in certain cities of this state.

Approved February 20, 1895. P. L. 1895, p. 100.

197. SEC. 1. That no register of deeds, county clerk or other officer whose duty it shall be to record deeds, shall record any deed which conveys any property situate in any city of this state that now has or hereafter shall have atlas or block maps upon which shall be plotted the lots and subdivisions of lots of land and real estate situate in said city, unless it shall be duly certified thereon that the same has been presented at the office of the officer, officers or other department of such city having charge of such atlas or block maps for the purpose of recording or noting such changes as may have been made thereby in the property lines and ownership of the property therein described; *provided, however*, that such deeds shall be recorded even without such certificate being indorsed thereon in case the fee for plotting such deeds upon the city atlas or block map, together with a fee of twenty cents for the use of the register of deeds, county clerk or other officer whose duty it is to record the same, shall be paid to such officer, whereupon it shall be the duty of such officer within five days thereafter to present such deed or abstract thereof to the officer, officers or department in such city having charge of such plotting, together with the plotting fees aforesaid, for the purpose of having such changes in property lines or ownership duly plotted on such city atlas or block maps; *and provided further*, that this act shall not apply to the recording of any deed conveying land situate in any city where a contract exists between the municipal authorities of such city and the register of deeds, county clerk or other officer whose duty it shall be to record deeds, for the making of abstracts of such deeds for the purpose of having the land therein conveyed plotted upon the block or atlas maps of such city; but that such deeds shall be recorded as heretofore, anything to the contrary in this act notwithstanding.

Deeds shall not
be recorded unless
duly certified that
the same has been
presented for plot-
ting on city atlas
or block map.

893-197
R98-714

Proviso.

Proviso.

198. SEC. 2. That all acts and parts of acts inconsistent herewith be and the same are hereby repealed, and that this act shall take effect immediately.

Repealer.

Co-operative Societies.

1. Formation of society authorized.
2. What certificate of association shall set forth.
3. How certificate executed and where recorded.
4. Board of directors and officers, how elected.
5. First meeting of society, how called.
6. What by-laws shall provide.
7. Name of society to be kept on outside of place of business.
8. To have a registered office.
9. Shares of capital stock, how and when issued.
10. No member entitled to more than one vote, &c.
11. May hold interest in any other society.
12. Annual statement to be made and filed.
13. Any member may inspect books.
14. Distribution of profits.
15. Member may nominate person to whom shares shall be transferred at death.
16. Dissolution of society.
17. Whole capital stock to be paid in, if necessary to satisfy debts.
18. Repealer.

An act to provide for the formation and regulation of co-operative societies of workingmen.

P. L. 1884, p. 63.
Formation of society authorized.

Approved March 10, 1884.

What certificate of association shall set forth.

1. That it shall be lawful for any number of persons, not less than seven, residents in this state, to associate themselves into a society for the purpose of carrying on any lawful mechanical, mining, manufacturing or trading business, or for the purpose of trading and dealing in goods, wares and merchandise or chattels, or for the purpose of buying, selling, settling, owning, leasing and improving real estate and erecting buildings thereon, within this state, upon making and filing a certificate of association, in writing, in manner hereinafter mentioned, and as such shall be deemed to be a corporation, and to possess all the powers incident thereto.

2. That such certificate of association shall set forth:

I. The name assumed to designate such society and to be used in its business and dealings, which name shall have the word "co-operative" as a distinguishing part thereof, but shall in no respect be similar to that of any other society organized under this act.

II. The place or places in this state where the business of such society is to be conducted and the location of the principal office of the same.

III. The objects for which the society shall be formed.

IV. The total amount of capital stock of such society, the number of shares into which the same is divided, the par value of each share, the manner in which the installments on the shares shall be paid, the number of shares subscribed, and the amount actually paid in cash on account of the same.

V. The terms of admission of the members.

VI. Mode of application of profits.

VII. The mode of altering and amending the certificate of association and the by-laws of the society.

How certificate executed.

3. That the said certificate of association shall be signed by the persons originally associating themselves together, and shall be proved or acknowledged by at least seven of them, before an officer qualified to take acknowledgments of deeds of real estate, and after being approved by the chief of the bureau of statistics of labor and industries, shall be recorded in the office of the clerk of the county where the principal office or place of business of such society shall be established, and a copy of such certificate shall be filed in the office of the chief of the bureau of statistics of labor and industries.

When recorded and filed.

Business to be managed by board of directors.

4. That the business of every such society shall be managed and conducted by a board of not less than five directors, who shall respectively be members of said society, and shall be annually elected at such time and place as shall be provided in the by-laws of the society, and one of such directors shall be chosen president and one of them shall be chosen treasurer, and such directors and officers shall hold their respective offices until their successors are duly qualified; and that such society shall also have a secretary and such other officers, agents and factors as may be necessary to carry on its business, and shall choose them in the manner prescribed in the by-laws thereof.

How elected.

Other officers.

First meeting of society, how called.

5. That the first meeting of such society shall be called by a notice signed by a majority of the persons named in the certificate of association, and designating the time, place and purpose of the meeting, and shall be personally served on all the persons signing said certificate, or by advertisement in a newspaper published in the county where such society shall have been incorporated, if such personal service cannot be made; and at such meeting so called, or at any adjourned meeting thereof, a majority of the persons so signing shall constitute a quorum for the transaction of business, and shall have power to elect the directors and other officers provided for in section fourth (4) of this act, who shall serve until their successors duly qualify, and to adopt by-laws, rules and regulations for the government of such society.

- 6.** That the by-laws of such society shall provide :
- What by-laws shall provide.
- I. For an annual meeting of the members thereof, and such other regular and special meetings as may be deemed desirable, the number of members necessary to constitute a quorum for the transaction of business and the right of voting at the same.
- II. For the election of directors and other officers, agents and factors, and their respective powers and duties.
- III. For the limitation of the amount of such real and personal estate as the purposes of the society shall require.
- IV. Whether the shares, or any number of them, shall be transferable, and in case it be determined that the same shall be transferable, provision for their transfer and registration, and the consent of the board of directors to the same ; and in case it be determined that the shares shall not be transferable, provision for paying to members the balance due to them on withdrawal, or of paying nominees in cases hereinafter mentioned.
- V. How members may withdraw from the society.
- VI. Whether and by what authority any part of the capital may be invested in or on security of another society through which its products are disposed of or its supplies secured.
- VII. Whether and to what extent credit in its business transactions may be given or taken.
- VIII. In what sum and with what sureties the treasurer and other fiduciary officers or agents shall give bonds for the faithful performance of their respective duties.
- IX. For the audit of accounts.
- X. For the distribution of the net profits.
- XI. For the custody, use and device of the seal, which shall bear the corporate name of the society.
- 7.** That every society incorporated under this act shall paint or affix, and shall keep painted or affixed, its name on the outside of every office or place in which the business of the association is carried on, in a conspicuous position in letters easily legible.
- Name of society to be kept on outside of place of business.
- 8.** That every society incorporated under this act shall have a registered office to which all communications and notices may be addressed, and notices in writing of the location of such office, and of any change therein, shall be filed with the chief of the bureau of statistics of labor and industries, and in the office of the clerk of the county where the office of such society is located.
- To have a registered office.
- 9.** That the capital stock of such society shall be divided into shares the par value of which shall not be more than fifty (50) dollars, and no share shall be issued for less than its par value ; and that no certificate of shares shall be issued to any member until the shares are fully paid up.
- Shares of capital stock, how and when issued.
- 10.** That no member of such society shall be entitled to more than one vote upon any subject, which vote must be cast in person ; and that the board of directors shall have power, unless otherwise provided in the by-laws of the society, to fix and regulate the number of shares to be held by any one member.
- No member entitled to more than one vote, &c.
- 11.** That any society incorporated under this act may hold in its corporate name any amount of interest in any other society through which its products are disposed of or its supplies secured ; *provided*, that such interest so held shall not exceed one-third in value of the paid-up capital of the society holding said interest.
- May hold interest in any other society. Proviso.
- 12.** That the board of directors of every society incorporated under this act shall annually make a statement in writing of the condition of such society, setting forth the amount of capital stock, the number of shares issued and the par value thereof, the number of stockholders and the number of shares held by each, the amount and character of the property of the society and of its debts and liabilities ; and that said statement shall be signed and sworn to by a majority of directors, including the treasurer, and filed in the office of the clerk of the county where the principal office of such society is located, and that immediately thereafter a copy of such statement shall be forwarded to the chief of the bureau of statistics of
- Annual statement to be made.
- Where filed.

CO-OPERATIVE SOCIETIES.

Penalty for refusing to make statement, &c.

labor and industries, who, if he shall have reason to doubt the correctness of such statement, or upon the written request of five members of such society, shall cause an examination of the books and affairs of such society to be made and render a correct statement to the members thereof; and every member or creditor thereof shall be entitled to receive from the secretary a copy of such annual statement; and every director or other officer refusing to comply with the requirements of this section, or making and signing a false annual statement of the condition of the society, shall forfeit for each offense the sum of one hundred dollars, to be recovered in an action of debt in any court of competent jurisdiction in this state by any member or creditor of the society who shall sue for the same.

Any member may inspect books.

13. That any member or other person having an interest in the fund of any such society may inspect the books thereof, at all reasonable hours, at the office thereof.

Distribution of profits.

14. That there shall be such distribution of the profits of such society, among the workmen, purchasers and members, as shall be prescribed in the certificate of association, at such times as therein prescribed, as often at least as once in twelve months; *provided*, that no such distribution shall be made until a sum equal to five per centum of the net profits shall have been appropriated for a contingent or sinking fund, and that such appropriation shall continue to be made until there shall be accumulated a sum equal to thirty per centum of the capital stock of such society.

Proviso.

Member may nominate person to whom shares shall be transferred at death.

15. That any member of such society, by a writing under his hand, delivered at the office of the society, may nominate any person, being the husband, wife, father, mother, child, brother, sister, nephew or niece or other relative of such member, to whom his or her share or shares of the capital stock of the society shall be transferred at his or her decease, and from time to time may revoke or vary such nomination, by a writing similarly delivered; and such society shall keep a book, wherein the names of all persons so nominated, and the number of shares to be transferred shall be recorded; *provided, nevertheless*, that in lieu of making such transfer, the society may provide for payment to all such nominees of the full value of shares intended to be transferred; *provided, also*, that if by the by-laws of the society the shares are transferable, this section shall not be construed to forbid the transfer of such shares by sale or will or otherwise subject to the consent of the board of directors.

Proviso.

Proviso.

Dissolution of society.

16. That any such society may be dissolved in the manner in which any other corporation may be dissolved under existing laws.

Whole capital stock to be paid in, if necessary to satisfy debts.

17. That where the whole capital of such society shall not have been paid in, and the assets of such society shall be insufficient for the payment of its debts, liabilities and obligations, each stockholder shall be bound to pay on each share held by him the sum necessary to complete the amount of such share, as fixed in the certificate of association, or such proportion as shall be required to satisfy such debts, liabilities and obligations; *provided, however*, that no such contribution shall be required from any person after the expiration of one year from the time he has ceased to be a member, or for any debt, liability or obligation contracted after he has ceased to be a member of such society.

Proviso.

Repealer.

18. That an act entitled "An act to encourage the organization and regulate co-operative associations of workmen," approved March twenty-second, one thousand eight hundred and eighty-one, be and the same is hereby repealed, but no association established under said act, or any person having claims or demands against such association, shall be affected by the repeal thereof, but in respect to such association the said act shall still be in full force and effect; *provided, however*, that any such association may come under and be subject to the provisions and liabilities of this act, in the same manner as if formed under the same, if such association make and file the certificate of association required by this act.

Proviso.