

The property of the late company vested in them.

Parts of the Act of Congress of 1814, ch. 24, revived.

Election of officers, when held.

SEC. 2. *And be it further enacted*, That the property, real and personal, owned by the late fire insurance company of Alexandria, be, and the same is hereby vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

SEC. 3. *And be it further enacted*, That an act of Congress, passed on the ninth day of March, eighteen hundred and fourteen, entitled "An act to incorporate a fire insurance company, in the town of Alexandria, in the District of Columbia," with the exception of the first, second, and tenth sections thereof, be, and the same is hereby revived and declared to be in full force as to the company hereby created, and that the company hereby created, shall have all the powers and capacities which were granted to the former company by the said act; and shall be subject to the payment of all debts due, or contracted by the former company, and shall be chargeable with all their contracts.

SEC. 4. *And be it further enacted*, That the election of president and directors as made by the stockholders of the former company on the first Monday in November last, be, and the same is hereby confirmed; that the president and directors shall continue in office for one year from the first Monday in November last, and until others shall be chosen in their stead; and that all acts by them done within the provisions of the former charter shall be, and are hereby declared to be binding and obligatory on the company hereby created.

SEC. 5. *And be it further enacted*, That this act shall continue in force, for the term of eighteen years, from and after the passing thereof, and until the end of the session of Congress then next following.

APPROVED February 17, 1836.

STATUTE I.

Feb. 25, 1836.

[Expired.]

The charters extended and limited to the 4th of March, 1839.

Proviso.

CHAP. XL.—*An Act to extend the charters of the Bank of Columbia in Georgetown, and the Bank of Alexandria in the city of Alexandria.*

*Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled*, That to enable the president and directors of the Bank of Columbia in Georgetown, and the president and directors of the Bank of Alexandria in the city of Alexandria, to close all the concerns of the said banks, to recover the debts due to said banks, or either of them, to pay the sums due from said banks or either of them, and to divide the capital and profits which may remain among the stockholders of said banks, in proportion to their respective interests, the charter of the said Bank of Columbia, and the charter of the Bank of Alexandria, shall be, and are hereby, extended and continued and limited to the fourth day of March, one thousand eight hundred and thirty-nine; and that all laws now in force, imposing penalties, or inflicting punishments, for crimes or offences committed in relation to said banks, shall be, and the same are hereby, declared to be extended and continued, and to remain in force, to the same period of time: *Provided*, That no new discounts shall be made by either of said banks, except such as may be deemed proper to renew such notes as have already been discounted, nor any promissory note thereof be put in

fire. They have a tendency to keep premiums down to the lowest rates, and to uphold institutions of this sort, so essential to the present state of the country for the protection of the vast interests embarked in manufactures, and on consignments of goods in warehouses. *Ibid.*

Questions on a policy of insurance are of general commercial law, and depend upon the construction of a contract of insurance, which is by no means local in its character, or regulated by any local policy or customs. *Ibid.*

The Circuit Court charged the jury, that at law, whatever might be the case in equity, mere parol notice of another insurance on the same property was not a compliance with the terms of the policy; and that it was necessary in the case of such prior policy, that the same should not only be notified to the company, but should be mentioned in or endorsed on the policy; otherwise the insurance was to be void and of no effect. *Held*, that this instruction of the Circuit Court was correct. It never can be properly said that the stipulation in the policy is complied with, when there has been no such mention or endorsement as it positively requires; without which it declares that the policy shall be void and of no effect. *Ibid.*

circulation by either of them, or any of their officers on behalf of the said banks from and after the passing of this law.

SEC. 2. *And be it further enacted*, That instead of a president and nine directors, as are now required by law, there shall be elected on the first Thursday of March next, and on the first Thursday of March in each year annually thereafter while this law remains in force, by the stockholders of each of said banks respectively, five directors, any three of whom shall be a quorum, who shall elect from among themselves, a president, who shall retain all the powers and privileges of a director; and in case of refusal to serve, death or resignation, or disqualification of the president of either of the said banks, the directors of such bank shall meet as soon as convenient thereafter, and after filling up the vacancy, in the number of directors required by this act, elect another person for president in the manner before directed.

Five directors to be elected.

SEC. 3. *And be it further enacted*, That any number of stockholders of either of said banks, who, together, shall be proprietors of five hundred shares, shall at any time have power and authority to call a general meeting of the stockholders of such banks, giving one month's notice in one or more newspapers printed in the District of Columbia, and when they shall have met as aforesaid, shall have power to transfer to trustees, the whole and entire authority of closing the affairs of the said Bank of Columbia, and Bank of Alexandria, or either of them, as fully and completely as is given to the directors by the first section of this act, and that, in case of the refusal to act, death, resignation or disqualification of any one of the trustees aforesaid, the stockholders shall, by giving the usual notice, proceed to elect another to supply the vacancy.

General meeting, how called.

APPROVED, February 25, 1836.

STATUTE I.

CHAP. XLI.—*An Act authorizing a special term of the Court of Appeals, for the Territory of Florida, and for other purposes.*(a)

Feb. 25, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a special term of the court of appeals, for the Territory of Florida, shall be holden at Tallahassee, the seat of Government of said Territory, on the first Monday in May next, and all appeals, writs of error, motions, and suits, depending or returnable to the last January term, shall be heard and decided at the special term herein appointed, in the same manner as they might have been, under the existing laws if the January term had been holden according to law.

Special term on the first Monday in May.

SEC. 2. *Be it further enacted*, That when, by the death, sickness, or inability to attend, of any of the judges, or for any other cause, the regular terms of said court shall not be holden, it shall and may be lawful for the judges thereof to appoint a special term.

Special terms may be appointed.

SEC. 3. *Be it further enacted*, That the county of Franklin, in the Territory of Florida, shall be added to, and form a part of the middle judicial district of said Territory, and it shall be the duty of the judge of said middle district to hold two regular terms of the superior court, at the town of Apalachicola, commencing on the second Mondays of April and November, and special terms at such other periods, as may be required by business, and not interfere with the business of said court in other counties.

County of Franklin to be added to the middle judicial district.

SEC. 4. *Be it further enacted*, That there shall only be one term of the superior court holden for the counties of Madison and Hamilton, in each year.

APPROVED, February 25, 1836.

(a) See notes of acts relating to the Territory of Florida, vol. 3, 523.