

32981

RECEIVED

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PRIVATE AND TEMPORARY ACTS.

ACTS

OF THE

FORTY-FIRST

GENERAL ASSEMBLY

OF THE

STATE OF NEW-JERSEY,

AT A SESSION BEGUN AT TRENTON, ON THE TWENTY-
SECOND DAY OF OCTOBER, ONE THOUSAND EIGHT
HUNDRED AND SIXTEEN.

BEING THE FIRST SITTING.



TRENTON :

PRINTED BY JUSTICE & COX,
Nearly opposite the Trenton Bank.

1817.

1804

ACTS
OF THE
FORTY-FIRST
General Assembly
OF THE
STATE OF NEW-JERSEY.



An Act for the relief of Captain Stephen
Dod, of the county of Essex.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the Treasurer of this state, be, and hereby is authorized, and required, to pay to Captain Stephen Dod, of the county of Essex, the sum of two hundred and ten dollars and ninety-two cents, for services in repairing arms for the use of the state.

A. Passed October 29, 1816.

An Act to compensate Simeon Crane for certain military implements, furnished for the use of this state.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Treasurer of this state, and he is hereby directed to pay to Simeon Crane, the sum of eighty-two dollars forty-three cents, for bayonets and ramrods delivered at the armory at Elizabeth-town, in eighteen hundred and fourteen.

A. Passed October 29, 1816.

An Act for the relief of William Sanford.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That so much of the act, entitled "An act for the relief of persons imprisoned for debt," passed the eighteenth day of March, one thousand seven hundred and ninety-five, as is not repealed by the supplement, passed the seventh day of November, one thousand eight hundred and nine, together with the said supplement, entitled, a supplement to the act, entitled "An act for the relief of persons imprisoned for debt," be, and the same is hereby revived and continued in force, for the benefit of William Sanford, an insolvent debtor, confined in the jail of the county of Monmouth.

A. Passed October 30, 1816.

An Act for the relief of Catharine Dally.

Sec. 1. *BE IT ENACTED by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That so much of the act, entitled "An act for the relief of persons imprisoned for debt," passed the eighteenth day of March, seventeen hundred and ninety-five, as is not repealed by the supplement passed November seventeenth, eighteen hundred and nine, together with the said supplement, entitled "A supplement to the act, entitled an act for the relief of persons imprisoned for debt," be, and the same are hereby revived and continued in force for the benefit of Catharine Dally of the county of Hunterdon.

A. Passed October 30, 1816.

An Act for the support of the government of this state.

Sec. 1. *BE IT ENACTED by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That there shall be paid to the officers appointed for the administration of the government of this state, the several sums following, to wit:

To the Governor of this state, for the time being, at the rate of eighteen hundred dollars by the year.

To the Chief Justice of the Supreme

Court, for the time being, at the rate of twelve hundred dollars by the year.

To the other Justices of the Supreme Court, for the time being, at the rate of eleven hundred dollars by the year.

To the Treasurer of the State, for the time being, at the rate of one thousand dollars by the year.

To the Attorney General of the State, for the time being, at the rate of eighty dollars by the year.

To the Adjutant General of the State, for the time being, at the rate of one hundred and twenty dollars by the year.

All which salaries shall be paid to the several officers before mentioned, their executors, administrators or assigns, on warrants produced to the Treasurer, signed by the Governor or Vice-President of Council; and in case any of the said officers shall be removed from office by death or otherwise, the salary of such officer shall cease and determine on such removal, and the salary of his successor shall commence from the time he shall be sworn or affirmed into office.

Sec. 2. *And be it enacted*, That there shall be paid to the Vice-President of Council and the Speaker of the House of Assembly, the sum of three dollars and fifty cents, and to every other member of the Council and General Assembly, the sum of three dollars, for each and every day they shall have attended this or any future meeting or sitting of the Legislature, and the further sum of three dollars for every twenty miles of the estimated distance by the most usual road between his place of residence, and the seat of government, in going and returning, on a certificate to be produced to the

Treasurer, expressing the sum due, and the number of days and miles, signed by the President or Vice-President of the Council for the members of Council, and the Speaker of the House of Assembly, or by James Parker, David Thompson, junior, John Dow, Samuel J. Read, or any two of them for the members of Assembly.

Sec. 3. *And be it enacted*, That there shall be paid to the Clerks of the Council and Assembly, the sum of three dollars and fifty cents each, for every day they shall have respectively attended this or any future sitting of the Legislature, and the sum of eight cents by the sheet, computing one hundred words to the sheet, for entering the minutes of the Council or Assembly, and Joint-Meeting fairly in the Journals, and five cents a sheet for a copy thereof for the printer, on a certificate produced to the Treasurer, signed by the President or Vice-President of Council, for the Clerk of Council, and by the Speaker of the House of Assembly, for the Clerk of Assembly.

Sec. 4. *And be it enacted*, That the Treasurer pay to such person or persons as shall be appointed by the House of Assembly for printing the laws of this state, and the votes and proceedings of the Assembly, and to such person as shall be appointed by Council for printing the journals of Council and minutes of the Joint-Meeting; for printing the votes and proceedings of the Assembly, journals of Council, and minutes of the Joint-Meeting, twenty five dollars for every sheet, to be printed in octavo size, and that thirteen hundred copies of said votes and proceedings be printed; and for printing the laws, twenty-seven dollars and fifty cents,

for every sheet, to be printed on good paper, and in octavo size, and that fifteen hundred copies of the laws be printed; and that the printer of the laws be required to print the public and private acts in such manner that they may be separately bound.

Sec. 5. *And be it enacted*, That there shall be paid to the sergeant at arms, for the time being, who shall attend the Council and House of Assembly, and to the door-keepers of Council and Assembly, for the time being, the sum of two dollars each by the day, on a certificate to be produced to the Treasurer, expressing the sum and number of days they shall respectively have attended, signed by the President of Council or by the Speaker of the House of Assembly.

Sec. 2. *And be it enacted*, That there shall be paid to the Secretary of Council and Clerk of the Assembly, who shall severally engross the bills of Council and Assembly, this session of the Legislature, after the rate of eight cents by the sheet, on a certificate of the amount signed by the President or Vice-President of Council, or by the Speaker of the House of Assembly.

Sec. 2. *And be it enacted*, That this act shall continue and be in force for one year from the twenty-second day of October, one thousand eight hundred and sixteen and no longer.

A. Passed October 30, 1816.

An Act to defray sundry incidental charges.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Treasurer to pay to the several persons hereinafter named the following sums, viz :

To George Miller, for fifteen cords of hickory wood, one hundred and twenty-seven dollars and fifty cents.

To Alexander Witherup, for work done to the State House, thirty-five dollars and eighteen cents.

To Abijah Smith, Clerk of Cape-May, for transmitting a list of nominations for members to represent this state in the fourteenth Congress of the United States, and for transmitting votes taken in said county to the Governor, twenty-six dollars.

To James J. Wilson for printing, thirty dollars and seventy-seven cents.

To Abraham Westervelt, for services as Clerk of the county of Bergen, ten dollars.

To Zachariah Rossell, Adjutant General, for services, eleven dollars and fifty cents.

To Daniel Fenton, for stationary, thirteen dollars and thirty-seven and a half cents.

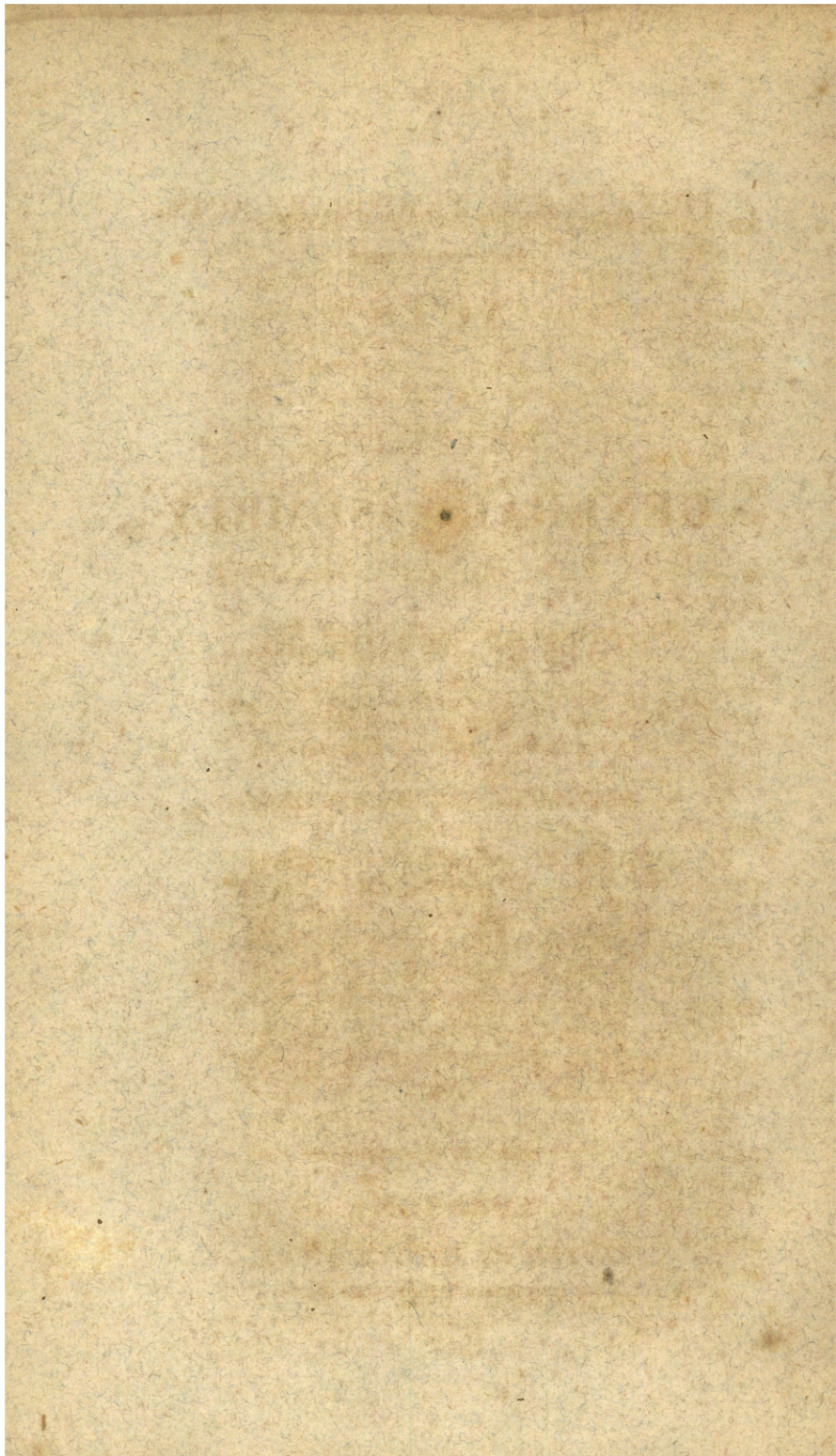
To Justice and Cox, for printing, stationary, and other articles furnished, forty dollars and sixty-two and a half cents.

To Samuel Paxson, for articles for repairs of the State House, five dollars and ninety-four cents.

To William Gould, for services, and for articles furnished, nineteen dollars and forty-seven cents.

A. Passed October 30, 1816.

B



PRIVATE AND TEMPORARY ACTS.

ACTS

OF THE

FORTY-FIRST

GENERAL ASSEMBLY

OF THE

STATE OF NEW-JERSEY,

AT A SESSION BEGUN AT TRENTON, ON THE EIGHTH
DAY OF JANUARY, ONE THOUSAND EIGHT
HUNDRED AND SEVENTEEN.

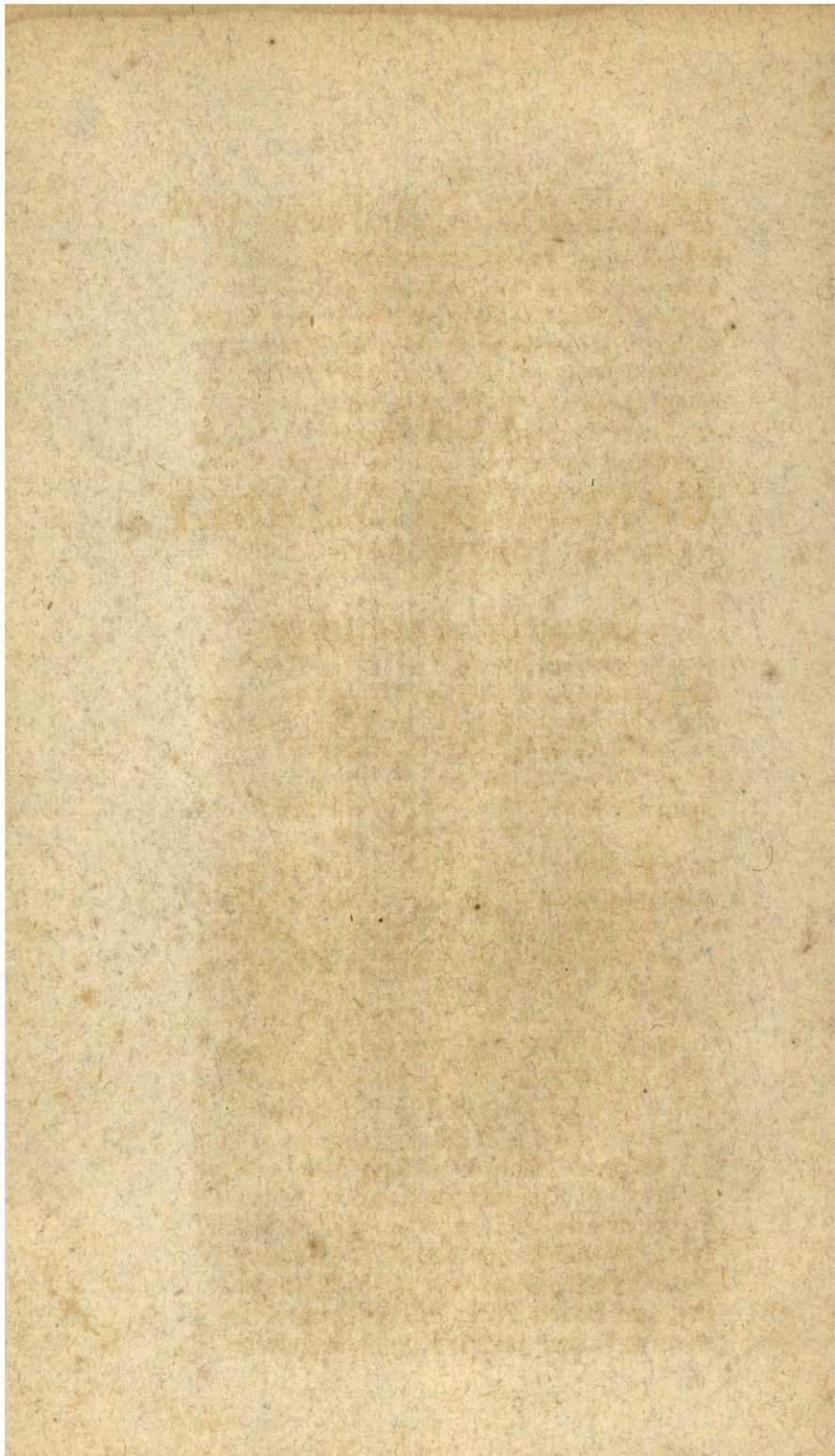
BEING THE SECOND SITTING.



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1817.



ACTS
OF THE
FORTY-FIRST
General Assembly
OF THE
STATE OF NEW-JERSEY.



A Supplement to an act, entitled “ An act to authorize Michael Ortley to cut and erect a Canal or inlet through Manasquan Beach.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the said Michael Ortley, his heirs or assigns, to contract and agree, with the owner or owners of any lands or tenements lying or being on Squan or Manasquan Beach, between the line of Jesse Chamberlain and Beach Point, called Chamberlain's north line near Curtis's point, beginning at

the bay shore, thence running across the beach to the sea, thence along the sea till it comes into a parallel line with the most north end of Beach point, thence down the bay shore as the beach or meadow runs, to the place of beginning, or any other lands or tenements lying on said Squan or Manasquan Beach for the purchase of the same, or so much thereof as shall be deemed necessary for the purpose of erecting or cutting the said canal or inlet and for the natural or accidental ware or widening thereof, and for making and establishing all the necessary works, buildings and roads to or from the same, if they can agree with the same owner or owners—but in case they cannot agree, then it shall and may be lawful for the said Michael Ortley, his heirs or assigns, to give fifteen days notice to the said owner or owners, by advertisements set up at four of the most public places in the neighbourhood of the said premises and by service thereof on each owner, or leaving a copy thereof at his usual place of abode, to meet at the house of Adam Woolley, to submit the same to the arbitrament and final decision of Adam Woolley, Benajah Butcher and Abraham Woolley, esquires, or any two of them, which said Adam Woolley, Benajah Butcher and Abraham Woolley, after being duly sworn or affirmed before any justice of the peace, faithfully to perform the duties enjoined on them by this act, shall on due proof of said notice whether such owner or owners attend or not, carefully proceed to view and examine all such lands and tenements as shall be deemed necessary for the purpose of erecting or cutting the said canal or inlet and for the natural or accidental

ware or widening thereof, and for the making or establishing all the necessary works, buildings or roads to and from the same, and shall according to the best of their skill and judgment, ascertain and estimate the value of the said lands, and the injury and damage that will be sustained by the owner or owners of such lands and tenements so necessary to be taken as aforesaid, and shall make an appraisement thereof in writing under their hands and seals, or under the hands and seals of any two of them, and the same shall return together with a map describing the metes and bounds of such lands and tenements to the court of common pleas of the county of Monmouth, to be held next after they shall have agreed upon and signed the same, and the said appraisement having been confirmed by the said court shall be filed in the clerk's office of the said court, with the map aforesaid, and the said Michael Ortley, his heirs or assigns, having paid or tendered to the said owner or owners respectively the several sums awarded to be paid unto them, in and by the said appraisement, together with the fees of the said arbitrators, at the rate of two dollars to each for every day employed in the said business and their necessary expenses, the said Michael Ortley, his heirs and assigns, shall be entitled to have and to hold to him his heirs and assigns forever, the said lands and tenements, as fully and effectually to all intents and purposes, as if the same had been granted and conveyed to him or them by the owners thereof, and shall be seized of and entitled to the same estate in the said lands and tenements, as the said owner had or held in the same.

Sec. 2. *And be it enacted*, That the fourth section of the act to which this is a supplement, be, and the same is hereby repealed: *Provided always*, that such repeal shall not affect, invalidate, or in any wise make void any award, act, matter or thing heretofore made, done or performed under or by virtue thereof.

A. Passed January 27, 1817.

A Supplement to the act entitled "An act authorizing the Banking and Improving certain Meadows and Swamps in the county of Cape-May," passed the eighteenth day of January, Anno Domini, one thousand eight hundred and fifteen.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the managers now appointed or hereafter to be appointed, in virtue of the act to which this is a supplement, to begin their bank on the east side of said cedar swamp creek, on the edge of the land belonging to STEPHEN YOUNG, esq. at a place known by the name of the Fast Landing, below the bridge (across the said creek) and to run from thence across the said creek, such course or courses, to the fast land on the west side of the said creek, as the said company or a majority of the lawful votes of the said company may direct; and that in lieu of the sluice and gates contemplated by the said act, the

sluice or sluices, and gates to be erected in the said bank, shall not be less than twenty-four feet wide, nor more than forty feet wide in the clear, any thing in the said act to which this is a supplement to the contrary notwithstanding.

A. Passed January 17, 1817.

An Act for the relief of Samuel Lamb.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That a purchase of real estate made by Samuel Lamb, of the township of Bergen, in the county of Bergen, in this state, consisting of a lot of land of "the associates of the Jersey Company," twenty-five feet in front and rear, in width, and one hundred feet deep, commonly known and distinguished in the city of Jersey, as lot, number forty-six, in York street—together with any improvements thereon at the time of said purchase, or since made thereon, the purchase of said lot having been bona fide, shall be as good and valid and have the same operation and effect, as if the said Samuel Lamb had been a naturalized citizen of the United States, at the time of making such purchase; or deed, or conveyance.

Making valid his purchase of a lot of land ;

Sec. 2. *And be it enacted,* That any deed and conveyance of said land, with the improvements, if any there be, at the time of making such conveyance, made by the said and his conveyance thereof.

Samuel Lamb, or by his legal representative or representatives, shall be as good and have the same operation and effect as if the said Samuel Lamb had been a naturalized citizen of the United States at the time of purchasing the same.

A. Passed January 17, 1817.

An Act for the sale of the House and Lot of land in the city of Jersey, belonging to this state.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same*, That William S. Pennington, Henry Van Dolsem, and James Vanderpool, or any two of them, be, and they are hereby appointed commissioners on the part of this state, to sell and dispose of the House and Lot of land in the city of Jersey, in the county of Bergen, formerly belonging to the President and Directors of the Jersey Bank, and conveyed to this state by John T. Banta, Sheriff of the said county, by deed, dated the fourteenth day of May, one thousand eight hundred and eleven.

Commissioners appointed.

Sec. 2. *And be it enacted*, That the said commissioners shall, before they proceed to make sale of the said House and Lot of land, cause the same to be advertised in the public newspapers printed at Newark, Elizabeth-town and Morristown, and in one public newspaper printed in the city of New-York, for the space of six weeks at least,

To be advertised.

and shall on the day of sale to be specified in such advertisements, with power to adjourn the said sale from time to time if necessary, set up the said House and Lot of land at public auction, and sell the same to the highest bidder.

Sec. 3. *And be it enacted*, That the said commissioners shall be, and they are hereby authorized to sell the said House and Lot of land on such terms of credit for three fourths of the consideration money, to be received therefor as they may deem expedient, not exceeding three years; and that the bond or obligation of the purchaser to the Treasurer of this state for the use of the same, secured by mortgage to the satisfaction of the said Treasurer, may be received in payment of such part of the consideration money aforesaid.

May sell on credit.

Sec. 4. *And be it enacted*, That the said commissioners upon making sale of the said House and Lot as aforesaid, shall certify to the governor of this state the price for which the same shall be sold, and the terms of such sale, and that upon payment and security for the consideration money to the Treasurer of this state as herein directed, the governor of this state or person administering the government, shall be and he is hereby authorized on the part of this state, to make and execute under the great seal, a deed or deeds, conveying to the purchaser or purchasers, all the Estate, Right, Title and interest of this state in the said House and Lot of land.

Governor to execute a deed.

A. Passed January 23, 1817.

An Act to clear out and improve the navigation of the north main branch of Rancocus Creek, between the town of Mount-Holly, and the south main branch of said creek in the county of Burlington, and for other purposes.

Commis-
sioners ap-
pointed.

To ascer-
tain the
place to cut
a canal.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That William Rossell, William Hillier, Joseph Budd, Samuel Haines, Caleb Clothier, Montgomery Polhemus and Joseph Hatkinson, be, and they are hereby appointed Commissioners, with full power and authority to clear out and improve the navigation of the north main branch of Rancocus creek, between the town of Mount-Holly, and the south main branch of the said creek in the county of Burlington, in such manner as the commissioners, or a majority of them shall deem proper and expedient; and for the purposes aforesaid it shall and may be lawful for the said commissioners by themselves, their agents and servants, to enter upon the lands near and adjacent to the said creek, and to ascertain the place or places, proper for the digging and cutting a canal or canals, so as to straighten and improve the navigation of the said creek, and to dig and cut the same, and to cause a lock or locks to be erected, if it shall be deemed necessary so to do, for the purpose of improving the navigation of the said creek by a majority of the said commissioners—and in case any person or persons, through whose land the said commissioners or a majority of them may deem proper to dig and cut a canal or canals for

the improvement of the navigation, shall object thereto, it shall be lawful for the persons or person so objecting, together with the said commissioners to appoint three disinterested and judicious men, who, upon their oaths or affirmations shall assess the damages which such person or persons shall or may sustain by the digging and cutting the canal or canals aforesaid, taking into view the advantages which such person or persons, shall or may derive thereby—and if any person or persons shall neglect or refuse to join in such choice of referees, then it shall and may be lawful for the said commissioners, or a majority of them, to appoint the said referees, with the approbation and consent of the judges of the court of common pleas of the said county of Burlington, and the said referees, or a majority of them, so as aforesaid to be appointed, shall make an award in writing between the said parties, which shall be filed of record in the clerk's office of said county, and the sum so awarded to be paid to the person or persons through whose land the canal or canals aforesaid, is or are proposed to be cut, being paid by the said commissioners, shall be sufficient to authorize them, or a majority of them, to proceed in the objects contemplated by this act, and any person or persons who shall hinder or obstruct them, their agents or servants in their operations aforesaid, or who shall impede the navigation of said creek by causing any obstructions therein, shall forfeit and pay the sum of twenty dollars for each and every offence, to be sued for and recovered by action of debt in the name of any one or more of the said commissioners with costs of suit, to be applied towards defraying the expense of the said navigation.

Damages
how assessed.

Commissioners not
to be obstructed.

Lottery.

Appropriation of part.

Cumberland canal, how damages of cutting to be assessed.

Sec. 2. *And be it enacted*, That Samuel J. Read, Abraham Brown, John Dobbins, John L. Nugent and Lucius Q. C. Elmer, and a majority of them, be, and they are hereby appointed managers, who are authorized and empowered to raise by way of lottery, a net sum not exceeding twenty-five thousand dollars, which monies when raised, shall be paid over by the managers aforesaid, in manner following, to wit: five thousand dollars thereof to Timothy Elmer, Daniel Parvin, James Westcott and Aaron Bateman, to be appropriated by them to the purpose of carrying into effect the provisions of an act of the Legislature of the state of New-Jersey, passed at Trenton the first day of November, one thousand eight hundred and eleven, entitled “An act authorizing a canal in the county of Cumberland”—and in case any person or persons through whose lands the said Timothy Elmer, Daniel Parvin, James Westcott and Aaron Bateman, or a majority of them, may deem it proper to cut and dig the canal authorized by the said act, shall object thereto, it shall be lawful for the person or persons so objecting, together with the said Timothy Elmer, Daniel Parvin, James Westcott and Aaron Bateman, to appoint three judicious and disinterested men, who, upon their oaths, or affirmations, shall assess the damages which such person or persons shall or may sustain by digging and cutting the canal aforesaid, taking into view the advantages which such person or persons shall or may derive thereby—and if any such person or persons shall neglect or refuse to join in such choice of referees, then it shall and may be lawful for the said Timothy Elmer, Daniel Parvin, James West-

cott and Aaron Bateman, or a majority of them, to appoint the said referees, with the approbation and consent of the judges of the court of common pleas of the said county of Cumberland, and the said referees so as aforesaid to be appointed, or a majority of them, shall make an award in writing, between the said parties, which shall be filed of record in the clerk's office of the said county of Cumberland; and the sum so awarded to be paid to the person or persons through whose land the canal aforesaid is proposed to be cut, being paid by the said Timothy Elmer, Daniel Parvin, James Westcott and Aaron Bateman, shall be sufficient to authorize them, or a majority of them, to proceed in the object contemplated by the said act; and the remaining twenty thousand dollars of the monies to be raised by the said lottery, the said managers shall pay to the commissioners aforesaid, which commissioners aforesaid, as soon as the said portion of the monies raised by the lottery aforesaid, shall be received by them, shall proceed to improve the navigation of the said creek, in the manner contemplated by this act, and shall every six months, render true and perfect accounts of their receipts and expenditures to the judges of the court of common pleas of the county of Burlington; and if such accounts shall be approved by the said court, they shall order them to be filed in the clerk's office thereof—and if it shall appear to the said court, that the commissioners or managers aforesaid, or either of them have been guilty of any neglect or improper conduct, they shall and may by writing under the seal of said court, and signed by the clerk thereof, displace the

There remain-
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the money
to be paid to
the commis-
sioners.

Court may
displace
commis-

sioners and
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point.

said commissioners or managers, or any of them, and in manner aforesaid, appoint other commissioner or commissioners, manager or managers, in place of him or them so displaced; and if any of the commissioners or managers aforesaid, shall remove out of the state, refuse to serve, die or resign, before the purposes contemplated by this act are effected, the said court shall and may in manner aforesaid appoint other commissioner or commissioners, manager or managers, to supply such vacancy or vacancies, which commissioner or commissioners, manager or managers so to be appointed, shall enter into bond to the governor of this state, with sufficient security for the performance of the trust reposed in him or them, in such sum as the said court shall direct and appoint—which bond shall be filed in the Clerk's office of the said county of Burlington, and if need be the governor of this state, upon application made to him by the court of common pleas aforesaid, shall cause the said bond to be prosecuted, and the monies, when recovered, shall be paid to the commissioners aforesaid, for the time being, to be applied towards the purposes contemplated by this act.

Commis-
sioners to
give bond.

Sec. 3. *And be it enacted*, That the commissioners aforesaid, shall, before they enter upon the duties of their office, execute to the governor of the state a bond with sufficient security in the sum of forty thousand dollars, conditioned for the faithful performance of the trust reposed in them by this act, which said bond shall be approved by any three judges of the court of common pleas, of the said county of Burlington, and filed in the clerk's office, and shall and may, if need be,

be prosecuted as is directed in the preceding sections.

Sec. 4. *And be it enacted*, That the managers aforesaid, before they pay over to the said Timothy Elmer, Daniel Parvin, James Westcott and Aaron Bateman, or to those who may be appointed in their stead, in case of their death, resignation or refusal the said five thousand dollars, shall require of them to execute to the governor of this state, for the time being, a bond with sufficient security, in the sum of ten thousand dollars, conditioned for the due and faithful appropriation of the said sum of five thousand dollars, to the purpose of carrying into effect the provisions of the said act, entitled "An act authorizing a canal in the county of Cumberland," which said bond shall be approved by any three judges of the court of common pleas, of the county of Cumberland, and shall be filed in the clerk's office of said county, and shall and may, if need be, be prosecuted as is directed in the preceding sections and the money recovered be appropriated to the carrying into effect the provisions of such act, in such manner as the court of common pleas of the county of Cumberland shall direct and appoint.

Bond of the
Cumber-
land com-
missioners.

Sec. 5. *And be it enacted*, That the managers of the lottery authorised by this act, shall, before they enter upon the duties of their appointment, take and subscribe, an oath or affirmation, before one of the judges of the court of common pleas of the county of Burlington, for the true and faithful performance of the duties of their appointment, and moreover shall enter into bond to the governor of the state, in the sum of fifty thousand dollars, with sufficient security

Bond of the
managers of
the Lottery.

conditioned for the due and faithful performance of the trust reposed in them under and by virtue of this act, which bond shall be approved by any three of the judges of the inferior court of common pleas of the county of Burlington, and be filed in the clerk's office thereof, and if need be shall be prosecuted as the bond of the commissioners aforesaid, is by this act directed to be prosecuted.

Compensation.

Sec. 6. *And be it enacted*, That the commissioners and managers aforesaid, shall be entitled to receive such compensation for their services under this act, as the court of common pleas of the county of Burlington aforesaid, shall deem reasonable and proper.

Court of Cumberland authorized to appoint in case of vacancies

Sec. 7. *And be it enacted*, That in case of the death, refusal to serve, or resignation, of any of the persons named and authorized in and by this act, to carry into effect the provisions of the said act, entitled "An act authorizing a canal in the county of Cumberland," the vacancy or vacancies, occasioned thereby, shall be filled from time to time, by any appointment or appointments, under the seal of the inferior court of common pleas of the said county of Cumberland, to be signed by order of the said court, by the clerk of the said county.

Cumberland commissioners to account.

Sec. 8. *And be it enacted*, That the said Timothy Elmer, Daniel Parvin, James Westcott and Aaron Bateman, or those who may be appointed in their stead, in case of their death, refusal or resignation, to whom the said sum of five thousand dollars is directed by this act to be paid, for the purpose of carrying into effect the said act, entitled "An act authorizing a canal in the county of Cumberland," shall render true and perfect

accounts to the judges of the inferior court of common pleas of the said county of Cumberland, of their receipts and expenditures, as often, and in the same manner, as the said commissioners are directed in and by the second section of this act, to account to the inferior court of common pleas of the county of Burlington.

Sec. 9. *And be it enacted*, That as soon as the lottery aforesaid, is drawn, the managers aforesaid, shall render a particular account thereof, and of the expenses attending the same, to the court of common pleas of the county of Burlington aforesaid, who are hereby authorized and required to examine the same, and if approved of, it shall be filed in the clerk's office of the county last aforesaid, there to remain, and the managers aforesaid shall pay over to the commissioners aforesaid, any balance that may remain in their hands; and upon producing a receipt of the commissioners aforesaid, or a majority of them, to the clerk of the court last aforesaid, duly proved, the clerk shall thereupon cancel and give up the bond of the managers aforesaid: *Provided always nevertheless*, that the lottery authorized by this act shall be drawn within the space of two years, or the authority hereby given shall cease: *And provided also*, that the said commissioners authorized to carry into effect the provisions of this act, by clearing out and straightening the navigation of the said creek, and also the persons appointed by this act to carry into effect the act, entitled "An act authorizing a canal in the county of Cumberland," shall perform the duties respectively assigned to them within the space of five years, from the passing of this

Managers of
the lottery
to account.

When lot-
tery to be
drawn.

In what
term com-
missioners
to do their
duty.

act—at the expiration of which time final
 accounts shall be settled before the judges of
 the inferior court of common pleas of the
 counties of Cumberland and Burlington res-
 pectively, and the balances that shall then
 appear upon the settlement of the said ac-
 counts, to remain in the hands of the said
 commissioners, and the said persons appoint-
 ed to carry into effect the act authorizing a
 canal in the county of Cumberland, shall be
 forthwith paid into the hands of the Treas-
 urer of the state, for the use of the state—
 and upon the production of the receipts of the
 said Treasurer to the clerks of the said
 counties of Burlington and Cumberland res-
 pectively, for such balances, the said clerks
 shall cancel and deliver up the bonds of the
 said commissioners, and of the said persons
 appointed to carry into effect the act author-
 izing a canal in the county of Cumberland.

Settle their
 accounts.

Balance to
 be paid to
 the treasur-
 er.

Bonds to be
 cancelled.

Act repeal-
 ed.

Sec. 10. *And be it enacted*, That so
 much of the act, entitled “ An act author-
 izing a canal in the county of Cumberland,”
 as authorizes and empowers Ichabod Bishop,
 Isaac Bishop, John Westcott, jun. and Hen-
 ry Westcott and their associates, to execute
 the provisions contained in the said act, be,
 and the same is hereby repealed.

A. Passed January 21, 1817.

A Supplement to the act, entitled "An act to enable the owners and possessors of certain Salt Meadows and Marsh, lying in the township of Woodbridge and Piscataway in the Raritan Great Meadows, to make and keep open the necessary drains, build and repair bridges and gates for the uses therein mentioned," passed at Trenton, twelfth of June, one thousand seven hundred and ninety-nine.

WHEREAS it hath been found by experience that the provisions of the present law, entitled "An act to enable the owners and possessors of certain salt meadows and march, lying in the townships of Woodbridge and Piscataway, in the Raritan Great Meadows, to make and keep open the necessary drains, build and repair bridges and gates for the uses therein mentioned," are insufficient to secure said meadows and marsh from the frequent damages done thereon by cattle, horses and sheep—Therefore,

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the owners and possessors of the said meadows and marsh, at their annual meetings on the second Wednesday in April, to elect by plurality of voices of those assembled, two persons, being freeholders and not interested in the said meadows and marsh, as inspectors, who shall at the expense of the said owners and possessors, inspect the said bridges, gates and creeks, and if the said inspectors shall make report in writing

Inspectors
chosen, and
their duty.

Penalty for
cattle, &c.
trespass-
ing.

to the managers elected under the act to which this is a supplement, that the bridges and gates are well and sufficiently made, supported and maintained, and the creeks and ditches open and clear, according to the true intent and meaning of the act aforesaid, then the said creeks and ditches and gates, as aforesaid, shall be deemed and esteemed a lawful fence for one year from the date of said report; and all cattle, horses and sheep breaking down or forcing their way over or through the same, shall be deemed and esteemed trespassing, and the respective owner or owners, possessor or possessors of all such cattle, horses or sheep, trespassing as aforesaid, shall pay the sum of one dollar the head for all such cattle and horses, and ten cents the head for all such sheep trespassing as aforesaid, to be recovered by any one or more owners of said meadows who shall prosecute the same to effect, upon the oath or affirmation of one or more witnesses, before any one of the justices of the peace of the said county, if one hundred dollars or under: if above that sum, in any court of record where the same may be cognizable with costs of suit; and to be applied when recovered, one half to the person prosecuting the same to effect, and the other half to the managers for the time being, or survivor of them, for maintaining and repairing the said ditches and bridges and gates:—*And be it enacted*, That so much of the first section of the act to which this is supplementary as comes within the purview of this act, be, and the same is hereby repealed.

Sec. 2. *And be it enacted*, That it shall and may be lawful for the said owners and possessors to make and maintain a bridge

and causeway over the creek called Collyer's Creek, on the road to the said meadows and marsh, the expense of making and maintaining which bridge and causeway, shall be assessed upon the said owners and possessors in the manner directed by the fifth section of the act to which this is a supplement.

Sec. 3. *And be it enacted*, That it shall and may be lawful for the owners and possessors of said meadows and marsh, to hold their next annual meeting at the house of John Harriot, in Metuchin, and also to hold their annual meetings thereafter, at such place as said owners and possessors assembled as the annual meeting may direct.

A. Passed January 23, 1817.

A Supplement to an act, entitled " An act to incorporate a Company to erect a turnpike from Bordentown to South Amboy."

Sec. 4. *BE IT ENACTED by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the President and Directors of the Bordentown and South-Amboy turnpike company, to erect, build, maintain, amend, and keep in repair, a bridge on the route of the Bordentown and South-Amboy Turnpike Road, over Crosswicks Creek, from land of Joseph Middleton, in the township of Chesterfield, to lands of Frederick Brooks in the township of Nottingham, in the county of Burlington: *Provided always*, That in the

erection or repairing of said bridge, it shall be necessary for said company to leave a space of at least twenty-four feet between two of the piers embracing the main channel of the creek, for the passage of boats and rafts.

A. Passed January 30, 1817.

An Act to authorize William L. Earl and John Black, their heirs and assigns, to erect and maintain a dam across one of the branches of Rancocus creek.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for William L. Earl and John Black, their heirs and assigns forever, to erect, keep up, support and maintain a dam across one of the branches of Rancocus creek, in the township of Northampton, in the county of Burlington, near a bridge on the public road leading from Lisbon to Mountmisery for the purpose of working and carrying on a saw-mill, now about to be erected, and other water works which may be hereafter erected; they the said William L. Earl and John Black, their heirs and assigns, making, and forever keeping in good repair sufficient flood-gates and ways, for the passage of lumber down the said creek: *Provided*, that nothing herein contained shall be construed to prevent any person or persons from maintaining his or their action or actions against

Proviso.

the said William L. Earl and John Black, their heirs and assigns, for any damages they may sustain by reason of erecting the said dam.

A. Passed January 31, 1817.

An Act to confirm the report and survey of the turnpike road laid out by the commissioners named in the act, entitled "An act to incorporate the New-Germantown turnpike company.

WHEREAS it is alledged that the report and survey of the turnpike road, laid out in pursuance of the act, entitled "An act to incorporate the New Germantown turnpike company," made by John Kinney, Robert C. Thompson and John Blair the commissioners named in the said act, was signed and sealed by the said commissioners separate and apart from each other—and whereas doubts may exist in consequence as to the validity of such report and survey—

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the report and survey of the turnpike road laid out by John Kinney, Robert C. Thompson and John Blair, commissioners named in the act, entitled "An act to incorporate the New-Germantown turnpike company," passed the eleventh February, one thousand eight hundred and

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thirteen, and bearing date the thirtieth day of January, one thousand eight hundred and sixteen, be, and the same is hereby confirmed and declared to be valid and effectual in the law to all intents and purposes contemplated by said act.

A. Passed February 5, 1817.

An Act for the relief of James Jackson.

Sec. 1. **BE IT ENACTED** *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the Treasurer of this state, be, and he is hereby authorized to pay to James Jackson of the county of Middlesex, the sum of fifty-one dollars, being so much expended and due to him for procuring a carriage for a piece of ordinance at Woodbridge, by order of the Governor of this state during the late war.

A. Passed February 7, 1817.

An Act for the relief of Thomas T. Kinney.

Sec. 1. **BE IT ENACTED** *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the treasurer of this state, be, and he is hereby authorized to pay to

Thomas T. Kinney of the county of Essex, the sum of eighty dollars, and twenty-three cents, as a compensation for certain expenses incurred by the said Thomas T. Kinney, for the transportation of arms belonging to this state during the late war.

A. Passed February 8, 1817.

An Act supplementary to the act, entitled "An act to incorporate the Newark and Morris turnpike company," passed the eleventh day of February, Anno Domini, one thousand eight hundred and eleven.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That so much of the eighth section of the act, entitled "An act to incorporate the Newark and Morris turnpike company," as requires the said company to commence making the road authorized by said act at South Orange, be, and the same is hereby repealed; and that it shall and may be lawful for the governor or person administering the government of this state, whenever a report in writing shall be made to him by any two or more of the commissioners now appointed, or who may be hereafter appointed, to view said road, that seven miles thereof commencing at Morris-town and running towards Newark are completed according to the true intent and meaning of said act, by license under his hand to permit gates to be

The road to commence at Morris-town instead of South Orange.

erected thereon, in the manner and for the purpose prescribed in the said act.

Bridge over
Passaic.

Sec. 2. *And be it enacted*, That where- as the said turnpike company have erected a bridge over the river Passaic on the route of said road, of the width or sixteen feet only, it shall and may be lawful to continue the same, until it shall be necessary to erect a new one in place thereof: *Provided*, the commissioners who are or may be appointed to view said bridge, shall be of opinion that the same is of sufficient width to accommodate the travellers on said road, and that the said bridge is in all other respects built and completed according to the provisions of the act to which this is a supplement.

A. Passed February 12, 1817.



An Act to authorize the owners of land on each side of Mannington creek, to clear out the same.

Sec. 1. **BE IT ENACTED** *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same*, That the owners, or any two of them of the meadows and marsh adjoining, and on both sides of Mannington creek, in the county of Salem, after the first day of October next, shall be, and are hereby authorized, to remove all the obstructions, to the free ebbing and flowing of the tide in the said creek.

C. Passed February 13, 1817.

An act for repairing and cleaning the public arms.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the keeper of the state prison be, and he is hereby required, to cause the arms belonging to this state, to be repaired by the prisoners in the state prison, under the direction of the Quarter Master General.

To be repaired in state prison.

Sec. 2. And be it enacted, That the governor of this state be authorized to settle such accounts of the Quarter Master General, as remain unsettled, for fitting an upper room in the state house, as an arsenal, and for repairing and cleaning the public arms; and that he be authorized to draw on the treasurer of this state, in favor of the Quarter Master General, for any balance which may be due him for the said services; and that he render an account thereof to the Legislature at their next session.

The governor to settle the accounts of the quarter master general.

Sec. 3. And be it enacted, That the Quarter Master General be required to transfer the tools and implements in his possession belonging to this state, which were purchased for the purpose of repairing and cleaning arms, to the inspectors of the state prison for the use of the state.

A. Passed February 13, 1817.

A Supplement to the act, entitled "An act to enable the owners and possessors of the meadow and marsh adjoining Repaupo Creek, in the county of Gloucester, to support and maintain a bank, dam, and other water-works, sufficient to prevent the tide from overflowing the same," passed the fourth day of June, Anno Domini, one thousand seven hundred and eighty-seven.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That whenever two thirds of the owners in value of the said marsh and meadow, as it is now valued in the tax list, shall agree to lay the said marsh and meadow under water, by cutting the bank and letting in the tide, so as to overflow the same, and shall signify the same in writing under their hands, to the next annual, or other subsequent meeting of the said Repaupo Creek company, a majority of the owners of said marsh and meadow then present at such meeting, shall appoint five disinterested persons not owners of said marsh and meadow, as commissioners, who, within ten days after notice from either of the said owners, shall view the bank, and shall direct where, and in what manner, and in how many places the said bank shall be cut: *And whereas,* it may be necessary to cast up a bank or dam, to prevent the water from overflowing the Clemell meadows, the said commissioners shall also direct where, and in what manner and size, the said bank or dam shall be made, for the purpose aforesaid, and shall return the same in writing

In what manner the tide may be let in.

Clemell meadows.

under their hands to the clerk of said company, who shall record the same in the company book; and if any of said commissioners shall neglect or refuse to act, or shall die, or in any other manner be disabled from acting, the said company as aforesaid, shall appoint other or others to fill such vacancy or vacancies; the said commissioners shall each of them be entitled to the sum of two dollars per day, to be paid by the managers of said company, out of any monies belonging to said company.

Sec. 2. *And be it enacted*, That a copy of the proceedings of the said commissioners, certified by the clerk of said company, shall be served upon each of the managers, by some one of the applicants—And the said managers, within six months after receiving such copy, shall cause the tide bank to be cut in such manner, and in such and so many places, as shall be mentioned in the said copy, so as to overflow the said meadows for the term of five years—And shall also, previous to the cutting said bank, cause such a dam or bank to be made, as the said commissioners shall have ordered, to prevent the water from overflowing the Clemell meadows—All expenses for cutting the present tide bank, and making a dam as aforesaid, shall be paid out of the money belonging to said company, and at the expiration of five years from the time of cutting said bank, the managers shall cause a good and sufficient bank to be made fronting the river Delaware, and shall also cause good and sufficient water-works to be made and laid, so as to prevent the tide any longer from overflowing the same; the water courses which are now kept open by the managers, shall then be cleared

Managers
duty.

and open as heretofore : that during the time, the said meadows shall remain overflowed, each owner shall pay annually a sum not exceeding one dollar, for each and every acre he, she, or they may own ; which sum shall be agreed upon at their annual meeting, by the votes of a majority of the owners present ; which money shall be collected in the same manner as is prescribed in the act to which this is a supplement.

Sec. 3. *And be it enacted*, That this act shall not go into operation nor have any effect, until two thirds of the owners in value as aforesaid, shall have agreed in writing under their hands as aforesaid, nor shall any proceedings be had thereon until after the first day of December, in the year of our Lord, one thousand eight hundred and eighteen.

A. Passed February 3, 1817.

An Act supplementary to an act, entitled
 “ An act authorizing the enclosure of a certain tract of woodland, situate in the township of New-Barbadoes, in the county of Bergen,” passed the eleventh day of February, one thousand eight hundred and thirteen.

WHEREAS it hath been represented to the Legislature that the act, entitled “ An act authorizing the enclosure of a certain tract of woodland, situate in the township of New-Barbadoes, in the county of Bergen,” operates injuriously and oppressive-

ly upon certain owners and possessors of cleared and improved lands lying within the bounds of said tract—for remedy whereof,

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the owners and possessors of all that tract of woodland, situate, lying and being in the county of Bergen, in the township of New-Barbadoes, including what is generally called Monaghia Swamp, the Rysen and all the uninclosed woodland lying to the southward of the town of Hackensack and the Bergen turnpike road, and to the southward of the Pollafly road, shall be liable to make and maintain one half of all the partition fences, butting on the said tract or lying within the bounds of the same, each in proportion to the number of acres they respectively hold in the said tract, any thing in the said act to the contrary notwithstanding.

Who shall make and maintain partition fences.

Sec. 2. *And be it enacted,* That until the owners and possessors of the said tract of woodland, shall have made their proportion of the partition fences aforesaid, the provisions of the act to which this is a supplement, shall not extend to, or in any manner affect the owners and possessors of any cleared and improved lands butting upon or lying within the bounds of the said tract.

A. Passed January 24, 1817.

An Act appointing commissioners for settling certain differences between this state and the Commonwealth of Pennsylvania, and for other purposes therein mentioned.

WHEREAS the Legislature of the state of New-Jersey passed an act on the fourth day of February, one thousand eight hundred and fifteen, to enable Daniel W. Coxe, Samuel Wright, junior, and Peter T. Smith to erect a wing dam in the river Delaware, and also a Supplement thereto on the sixteenth day of February, one thousand eight hundred and sixteen : *And whereas*, the Senate and House of Representatives of the commonwealth of Pennsylvania, have passed a resolution protesting against the passage and operation of the said acts of the Legislature of this state : *And whereas*, doubts may continue to exist how far the Legislature of either of the said states may, without the concurrence of the other authorize the erection of dams and other works in the river Delaware, between the said states, for objects of public utility and benefit, in order therefore to promote mutual accommodation, harmony and good understanding between them forever, and to adjust all the matters of complaint, or which can be made the subject of complaint between the said states, respecting the premises, and to prevent future misunderstanding from the exercise of their several and respective jurisdictions—

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of*

the same, That Lewis Condict, George Holcombe and John Beatty or a majority of them, be commissioners with full power and authority, in behalf of the state of New-Jersey to meet and make a final agreement in regard to the premises, with commissioners in behalf of the commonwealth of Pennsylvania, to be appointed by a law of that commonwealth, with like full power if to them it shall seem expedient, in such manner as finally to settle all the matters of complaint, or which can be made the cause of complaint, between the commonwealth of Pennsylvania, and the state of New-Jersey, respecting the passage and operation of the said acts of the Legislature of New-Jersey, and also respecting all wing-dams erected and placed in the said river, with or without Legislative permission, and to define with precision and certainty the rights of the respective states to authorize the erection of dams and other works within the waters of said river, for objects of public utility and benefit, and which shall not essentially injure or obstruct the navigation, which agreement in writing, signed and sealed by the said commissioners respectively, if made on or before the second Tuesday of January next, shall become binding on this state, when confirmed by the respective legislatures of Pennsylvania and New-Jersey.

Commissioners appointed.

Their power.

Sec. 2. *And be it enacted,* That the said commissioners do meet at such times and places as may be mutually agreed on between them.

When to meet.

Sec. 3. *And be it enacted,* That the governor of this state shall immediately transmit to the governor of the commonwealth of Pennsylvania, a copy of this act

This act to be transmitted to the governor of Pennsylvania.

duly certified, in order that he may lay the same before the Legislature of that commonwealth at their present or next session, and that the governor of this state have power to appoint a commissioner or commissioners for the purposes aforesaid, in behalf of the state of New-Jersey, instead of any commissioner or commissioners named herein who may die or decline to act as such.

A. Passed January 31, 1817.

A Supplement to the act, entitled "An act to authorize the owners and possessors of a certain tract of meadow therein named, to prevent horses and cattle from running at large therein," passed the twenty-third day of February, one thousand eight hundred and four.

Fees and
damages to
be paid to
pound keep-
ers.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That when any beast shall be delivered to any pound keeper by virtue of the act to which this is a supplement, he shall safely keep the same, until fifty cents per head be paid him, and all costs and charges for driving and keeping the same, and for the time they have been running in said tract.

His duty if
not paid.

Sec. 2. *And be it enacted,* That if the owner of any such beast or beasts shall not pay the said damages and charges aforesaid in four days after the same have been impounded or replevy the same, then it shall

be the duty of said pound keeper to advertise a sale thereof, in three of the most public places in his township, describing such beasts, and giving at least twenty days notice of said sale; and if the said beasts be not redeemed by the payment of damages and costs as aforesaid, before the day of sale, that he shall sell the same, and after keeping the sum of forty cents in addition to the sums aforesaid, he shall return the surplus money in his hands to the owner or owners of said beasts, and if no owner shall appear to claim the same within twelve calendar months after the day of sale, he shall pay the same into the hands of the overseers of the poor of his township for the use of the poor.

C. Passed February 10, 1817.

An Act to incorporate "The Gloucester and Greenwich Point Ferry Company."

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That Robert Wharton, Anthony Gale, Benjamin B. Howell, Thomas T. Stiles, William Flintham, Samuel W. Harrison, Isaac Browning, James Matlack and Robert L. Armstrong, and all and every the persons who shall, at the time of the passing of this act, be members of the association, called and known by the name of "The President and Trustees of the Gloucester and Greenwich Point Ferry Company," and those

Incorporation.

persons who shall hereafter become members, according to the provisions hereinafter contained, shall be and they are hereby created and declared to be a body politic and corporate, by the name, style and title of "the Gloucester and Greenwich Point Ferry Company," and they and their successors, by the name aforesaid, shall and may have continual succession, during the term of twenty-one years from and after the passing of this act; and shall be able to sue and be sued, implead and be impleaded, in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy, to them, and their successors, lands, tenements and hereditaments, goods and chattels, of what nature, kind, or quality soever, real personal or mixed, or choses in action, and the same from time to time to sell, grant, alien, demise, mortgage, pledge or dispose of; and also to make and have a common seal, and the same to alter and renew at pleasure; and also to ordain, establish and put in execution such bye laws, ordinances and regulations, as shall appear necessary and convenient for the government of the said corporation, not being contrary to the constitution and laws of the United States, of this state, or of the commonwealth of Pennsylvania; and generally to do all and singular the matters and things 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.

Their powers.

Property transferred to the corporation.

Sec. 2. *And be it enacted*, That all the joint stock and all other the estate, real, personal, and mixed, and all the securities, dues, claims and demands, and all the

records, books, papers, vouchers and other documents whatsoever, in any wise belonging to, or held or claimed by, the said association of citizens, at the time of the passing of this act shall be transferred to, and vested in the said corporation of "the President and Trustees of the Gloucester and Greenwich Point Ferry Company, hereby created, as absolutely and completely, to all intents and purposes, as the same respectively shall then belong to, or be held and claimed by, the said association of citizens, or by their officers and agents, for their use; and also all the contracts and other engagements, debts, obligations and assumptions whatsoever, of the said association of citizens entered into, made, subsisting, due and payable, or to become due and payable, at the time of the passing of this act, shall thenceforth become and be as obligatory and binding upon the said corporation of "the President and Trustees of the Gloucester and Greenwich Point Ferry Company," hereby created, to all intents and purposes, as if the same respectively had been entered into, made and contracted by the said company, subsequent to the incorporation thereof: *Provided always, nevertheless, That* nothing herein contained shall in any wise be construed to impair the obligation of any contract at any time entered into by the said association of citizens.

The corporation to be liable for certain debts, &c.

Proviso.

Sec. 3. *And be it enacted,* That from and after the passing of this act, the following constitution shall be deemed the constitution of the corporation of "the President and Trustees of the Gloucester and Greenwich Point Ferry Company," hereby created—that is to say,

PREAMBLE.

To all whom it may concern, know ye, that we, the subscribers, do hereby agree to form an association for the purposes, hereinafter particularly set forth, to be known by the name and style of "the Gloucester and Greenwich Point Ferry Company," and to adopt the following Articles as the Constitution thereof:

ARTICLE I.

The Capital stock shall not exceed fifty thousand dollars, divided into two thousand shares of twenty-five dollars each share, to be paid in, and held by the subscribers in the proportion hereinafter affixed to their respective names; to be employed by the President and Trustees to be chosen as hereinafter provided, for the establishment of a steam, or team boat or boats, or other mode of conveyance, of equal facility to ply on and across the river Delaware, including particularly, Greenwich Point in Pennsylvania, and Gloucester Point in New-Jersey, for the conveyance of persons, carriages, horses, cattle, and such other things that are usually carried in ferry boats.

The capital stock, and how to be employed.

ARTICLE II.

A general meeting of the stockholders, shall be held on the first Monday of October, one thousand eight hundred and seventeen, and on the first Monday in October in each succeeding year, at such place as the President and Trustees from time to time

When stock holders to meet and elect trustees.

may appoint, whereof at least two weeks prior notice shall be given, in three daily newspapers published in the city of Philadelphia, and two newspapers published in New-Jersey, and between the hours of ten and three o'clock of that day, shall in person or by proxy, elect by ballot, by a majority of the votes of the members, or their proxies present; each being entitled to one vote for every share of stock by them respectively held, nine stockholders, Trustees, to serve for one year, next after their election, and until their successors are chosen.

ARTICLE III.

In case either, or any of the trustees shall transfer the whole of his or their shares of stock in this Company, the office of such Trustee or Trustees shall thereupon be vacated; and in case any vacancy or vacancies shall happen therein, by death, resignation, refusal to serve or otherwise, such vacancy or vacancies shall be supplied by such other stockholder or stockholders, as a majority of the Trustees may appoint; and the Trustee or Trustees so chosen shall have the same powers and be considered in all respects as if elected by the stockholders.

How vacancies to be supplied.

ARTICLE IV.

The following named persons shall be Trustees to serve till the general meeting of the stockholders, in one thousand eight hundred and seventeen, and until others are duly elected, to say:—Robert Wharton, Anthony Gale, Benjamin B. Howell, Thomas T. Stiles, William Flintham, Samuel

Trustees.

W. Harrison, Isaac Browning, James Matlack and Robert L. Armstrong.

ARTICLE V.

President
and treasurer.

The Trustees at their first meeting, shall choose from their body a President, and from among the stockholders, not being a trustee, a Treasurer, to serve in the first place till the election in October, one thousand eight hundred and seventeen, and from that time for one year after their election, and until their successors are duly chosen: they, the President and Trustees, shall meet at such times and places, and be convened in such manner, as they from time to time may agree on, for transacting their business; five Trustees shall be necessary to form a quorum, who in the absence of the President, may choose a President pro tempore: they shall keep correct minutes of all their transactions in a book to be provided for that purpose; they shall have full power and authority to agree with, employ, and appoint such engineers, artists, superintendants, and others as they shall think necessary for making, constructing, and finishing on the most liberal and improved plan, a steam or team boat or boats, or other mode of conveyance of equal facility, and such wherries and other boats as they may deem expedient to carry into effect the association; they shall procure on lease or purchase, suitable sites, landings and accommodations on both sides of the river Delaware, purchase materials and cause to be built thereon convenient wharves, docks, piers, and slips; fix on and agree with the persons employed and engaged in the same, their respective compen-

Duty of the
trustees.

sation and wages; call on the stockholders for their respective shares, in such instalments as may be required, and to do such other duties as may be necessary to ensure the completion, and conduct the business of said establishment; and they the President and Trustees, shall have power to pass such bye laws as may be necessary for the advantage of the company, and the same shall be binding on the stockholders: *Provided*, Proviso. such bye laws be not repugnant to these Articles, to the laws of the United States, or to the laws of the states of Pennsylvania and New-Jersey.

And that the rates of ferriage shall not at any time exceed that affixed or which may Rates of ferriage. hereafter be affixed at the Coopers' and Philadelphia ferries; a printed copy of which rates of ferriage shall be kept up in some conspicuous place, near the ferry dock, and if the company shall neglect or refuse so to put and keep up such rates in manner aforesaid, they shall for every day they so refuse or neglect, forfeit and pay to the overseer of the poor of the township where the offence may be committed, the sum of twenty-five dollars, to be recovered by an action of debt, by any person suing for the same, in any court where the same may be cognizable and applied to the use of the poor of said township, and if the master or other ferry-men employed in conducting such boat or boats, shall at any time take a higher rate of ferriage than the rates established at the ferries aforesaid, they shall for every such offence forfeit and pay the sum of fifteen dollars, to be recovered and applied in manner aforesaid, by any person who shall sue for the same.

ARTICLE VI.

Deeds to be
taken in the
names of the
president
& trustees.

All the estates and property, real, personal and mixed, purchased out of the joint stock, the bond of the Treasurer, and the title, deeds, leases, and other papers of the company, shall be taken in the names of the President and Trustees for the time being, and to the survivors and survivor of them, and the heirs, executors and administrators of such survivor, and be held and managed by them, in trust for the benefit of the stockholders, and shall be by them, the said President and Trustees, granted and assigned to their successors in office, in trust as aforesaid, as fully as they had and held the same; and they the President and Trustees, shall, at the general meeting of the stockholders, prepare and exhibit to them a correct statement of the affairs of the company.

ARTICLE VII.

Duty of the
treasurer.

The Treasurer shall receive and hold the cash, securities, leases, and purchase deeds belonging to the company, and from time to time pay, dispose of, and deliver the same according to the order of the President or President pro tempore; he shall keep regular and fair books and accounts of all his receipts and disbursements; and shall before entering on the duties of his office, give such bond and security for the due and faithful discharge thereof, and for accounting for and delivering up to his successor in office all monies, securities, deeds, and effects which may remain in his hands, as the President and a majority of the Trustees may

require, which bond shall be held by the President; and the Treasurer shall receive for his services such compensation as the President and Trustees shall deem proper.

ARTICLE VIII.

The President and Trustees shall procure certificates of stock, to be written or printed, and deliver one of them, signed by the President and Treasurer, to each stockholder, specifying the number of shares to which he or she is respectively entitled, each stockholder thereupon paying to the Treasurer five dollars on each share of stock; which certificate, or any part of the stock therein specified, may be transferred at pleasure, in person or by attorney, in a book to be kept for that purpose, in the presence of the President or Treasurer, and not otherwise, subject to the instalments, if any due thereon; whereupon such certificate shall be cancelled, and another or others issued in conformity to such transfer.

Certificates
of stock and
how trans-
ferred.

ARTICLE IX.

In case any of the present or future stockholders shall transfer all their shares of stock, such stockholders shall thereupon cease to be members of this Company, and all persons who may become entitled to stock by transfer, shall be members of this Company, as fully as if they had been original stockholders.

ARTICLE X.

Penalty on
neglect of
paying in-
stalments.

If any stockholder, after twenty days notice given in at least three newspapers of the city of Philadelphia, and two of the State of New-Jersey, of the time and place appointed for the payment of any instalment of stock, shall neglect to pay such instalment for ten days next after the time so appointed, such stockholder shall pay a fine of one dollar on each and every share of stock, for every twenty days the same shall be withheld after the same ought to be paid, for the use of this Company; and moreover the President and board of Trustees (a majority thereof agreeing thereto) shall have full power and authority either to declare the share or shares of stock on which such default shall be made, and all previous instalments paid thereon, forfeited for the benefit of this company; or to sue for and recover the instalments due thereon, with the fines accrued for delinquency, as a majority of the board of Trustees may determine.

ARTICLE XI.

Dividend to
be paid.

When the establishment shall be completed, the President and Trustees shall employ an engineer, ferryman and other suitable persons, and fix their wages; purchase the necessary fuel; and shall every six months declare a dividend of the clear profits of the Company, which shall be paid in ten days thereafter to the stockholders or their legal representatives, of which notice shall be given in five newspapers published as aforesaid: *Provided*, that such sums may

be retained from time to time out of such profits, as a contingent fund, at the discretion of the President and Trustees.

ARTICLE XII.

The President and Trustees shall not have power to pledge or bind the stockholders beyond the amount of the joint stock, nor to pledge or bind them individually in person or estate, but only their several and respective shares in the joint stock; and if the said President and Trustees shall contract debts beyond the funds of the said company, they shall be liable for the same in their individual estates.

Power of the president & trustees.

ARTICLE XIII.

In all cases where suits shall become necessary, on behalf of this company, the same shall be brought in the name of the President for the time being, for the use of the stockholders; and in case of the death, resignation, or removal of the President, in whose name any suit may be brought, during its pendency, the name of his successor in office shall be substituted without abatement or discontinuance of the suit, or any postponement of the trial on that account; and all suits against the company shall also be brought in the name of the President for the time being, and in case of his death, resignation or removal, during the pendency of any suit brought against him, the name of his successor in office shall be substituted without abatement or discontinuance of the suit, or any postponement of the trial on that ac-

In whose name suits to be prosecuted and defended.

count; and all recoveries to be had by the plaintiffs in any such suit shall bind, effect and be executed upon the joint stock and effects of the company, and no further or otherwise.

ARTICLE XIV.

Dissolution
of the asso-
ciation.

This association shall continue until the same shall be dissolved at an annual meeting, by the concurring agreement of the proprietors of three fourths of the whole capital stock; and at the dissolution thereof, the President and Trustees for the time being shall sell and dispose of all the joint stock, estate and effects of this company, and grant, assign and convey the same, and every part thereof, to the purchaser or purchasers of the same, his, her or their heirs, executors, administrators and assigns; and pay over the net proceeds of the said capital stock and profits then remaining to the stockholders, in proportion to their respective shares.

ARTICLE XV.

Alterations,
&c.

Any alteration or amendment may be made to this constitution, provided the proprietors of two thirds of the whole capital stock, at a meeting especially called for that purpose, shall concur, except the provisions contained in the first and twelfth articles; of which meeting, notice shall be given in three of the newspapers of the city of Philadelphia and two of New-Jersey, for thirty days previous to such meeting, stating its object.

Restric-
tions.

Sec. 4. *And be it enacted*, That nothing contained in this act shall authorize the said

company to employ any part of their funds for any other purpose than those expressed in the first article of the preceding constitution : *Provided*, this act shall not take effect, so far as the same may or shall in any wise affect or impair the concurrent jurisdictional right of the state of Pennsylvania, as existing or settled by concurrent acts between the said state and the state of New-Jersey, until a law of the said state of Pennsylvania, similar in effect to this act, shall be first obtained.

A. Passed February 8, 1817.

An Act to raise the sum of thirty thousand dollars, for the year of Lord one thousand eight hundred and seventeen.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same*, That there shall be assessed, levied and collected on the inhabitants of this state, their goods and chattels, and on the lands and tenements, within the same, the sum of thirty thousand dollars, money of the United States, which sum shall be paid into the Treasury of this state, on or before the twentieth day of January, one thousand eight hundred and eighteen.

Sec. 2. *And be it enacted*, That the said sum of thirty thousand dollars, shall be paid by the several counties of this state, in the proportions following, that is to say—

Quotas of
the several
counties.

The county of Bergen, shall pay the sum

H

of one thousand nine hundred thirty-six dollars thirty-nine cents.

The county of Essex, shall pay the sum of two thousand seven hundred thirty dollars forty-eight cents.

The county of Middlesex, shall pay the sum of two thousand five hundred thirty dollars twenty-six cents.

The county of Monmouth, shall pay the sum of two thousand eight hundred eleven dollars eighty-three cents.

The county of Somerset, shall pay the sum of one thousand nine hundred ninety-three dollars fifteen cents.

The county of Burlington, shall pay the sum of three thousand two hundred eighty-seven dollars sixteen cents.

The county of Gloucester, shall pay the sum of two thousand four hundred thirty-one dollars thirty-seven cents.

The county of Cumberland, shall pay the sum of one thousand two hundred dollars sixty-three cents.

The county of Salem, shall pay the sum of one thousand seven hundred ninety-eight dollars eighty-six cents.

The county of Cape-May, shall pay the sum of four hundred thirty-six dollars fifty-nine cents.

The county of Hunterdon, shall pay the sum of three thousand three hundred seventy-six dollars two cents.

The county of Morris, shall pay the sum of two thousand four hundred twenty-nine dollars ninety-one cents.

The county of Sussex, shall pay the sum of three thousand thirty-seven dollars thirty-five cents.

Sec. 3. *And be it enacted,* That the assessors of the several townships of this state to raise the aforesaid sum of thirty thousand dollars, shall assess and rate the several articles and things hereafter enumerated at the following specific sums :

Every covering horse, above three years old, at one half the price at which said horse shall cover for the season, to be paid by the person where such horse is kept.

Assessment
of horses,
&c.

All other horses and mules, three years old and upwards, six cents.

All neat cattle three years old and upwards, three cents.

Sec. 4. *And be it enacted,* That in assessing the aforesaid sum of thirty thousand dollars, the following persons, articles, and things shall be valued and rated at the discretion of the assessors, to wit :

How prop-
erty valued
and rated.

All tracts of land held or owned by deed, patent, occupancy, survey or otherwise, any sum not exceeding one hundred dollars by the hundred acres: *Provided always,* That houses and lots of ten acres and under, shall not be included in the above valuation, but shall be valued by the respective assessors, at their discretion, having regard to the yearly rent and value thereof, proportioning the same as nearly as may be to the valuation of the land aforesaid.

All householders (under which description shall be included all married men, living with their parents,) the estimated value of whose ratable estate does not exceed thirty dollars, any sum not exceeding three dollars over and above their certainties and other estate, made ratable by this act.

All merchants, shop-keepers and traders, any sum not exceeding ten dollars.

All fisheries where fish are caught for sale, any sum not exceeding ten dollars.

All saw mills, any sum not exceeding eight dollars.

All grist mills, for each run of stones, any sum not exceeding six dollars.

All furnaces, any sum not exceeding ten dollars.

All forges that work pig iron, and all forges and bloomaries that work bar iron immediately from the ore, for each fire, any sum not exceeding six dollars.

All rolling and slitting mills, any sum not exceeding ten dollars.

All paper mills, any sum not exceeding eight dollars.

All snuff mills, any sum not exceeding five dollars.

All powder mills, any sum not exceeding ten dollars.

All oil mills, any sum not exceeding six dollars.

All plaister mills, any sum not exceeding five dollars.

Every ferry or toll bridge, any sum not exceeding fifteen dollars.

All tan yards, where leather is tanned, for sale or hire, for each vat, any sum not exceeding twenty cents.

Every single man whether he live with his parents or not, any sum not exceeding one dollar—

Provided, that every single man possessed of ratable estate, the tax whereon amounts to the sum he is above directed to be rated, shall be assessed for that estate only, and not as a single man: *And provided also*, that any one taxed as a single man, shall not be taxed as a householder.

Every male slave between the age of sixteen and fifty years, any sum not exceeding fifty cents—

Provided, that no slave shall be taxed, who is usually unable to labour.

All distilleries used for distilling spirits from rye, or other grain or molasses, or other foreign materials, any sum not exceeding twenty dollars.

All other distilleries, used for distilling spirits, any sum not exceeding five dollars—having due regard to the size or capacity and use of said stills.

Every coach or chariot, any sum not exceeding three dollars.

Every phaeton, coachee or four wheel chaise, and every light waggon with steel or iron springs, any sum not exceeding two dollars.

Every four horse stage waggon, any sum not exceeding two dollars fifty cents.

Every two horse stage waggon, any sum not exceeding one dollar fifty cents.

Every covered waggon, with a fixed or framed top, any sum not exceeding forty cents.

Every two horse chair or curricule, and every two horse riding chair with steel or iron springs, any sum not exceeding sixty cents.

Every riding chair, gig or sulky, stuffed and lined, any sum not exceeding forty cents.

Every windsor riding chair or sulky, any sum not exceeding fifteen cents.

Sec. 5. *And be it enacted*, That the said sum of thirty thousand dollars shall be assessed, levied and collected, in the manner prescribed by the act, entitled “ An act

Duties and compensation of assessors, &c.

concerning taxes," passed the tenth day of June, one thousand seven hundred and ninety-nine; and the several officers therein mentioned are hereby required to perform the several duties on them enjoined thereby, under the pains and penalties for neglect of duty imposed by said act, and the assessors, collectors, and other officers concerned in the assessment and collection of the said tax, shall be entitled to the fees and compensation allowed by the before recited act.

A. Passed February 10, 1817.



An Act for the preservation of the land in the town of Paterson belonging to this state.

Sec. 1. *BE IT ENACTED by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That Abraham Ackerman be, and he is hereby authorized on the part of this state, to take charge of the several lots of land belonging to this state, in the town of Paterson, not now under lease, and to lease the same if practicable for a term not exceeding one year, and generally to do and perform all such act and acts as may be necessary to protect and preserve the said land.

A. Passed February 12, 1817.

An Act to explain an act, entitled "A supplement to the act entitled, an act to incorporate the Shrewsbury and Jersey Stage and Steam Boat Company."

WHEREAS by an act entitled a supplement to the act, entitled "An act to incorporate the Shrewsbury and Jersey Steam Boat Company," passed January fifteen, one thousand eight hundred and sixteen, an exclusive right and privilege was given to the said company, of navigating the waters, from the gut and shoal of Spermacetti Cove through the Navesink, or North Shrewsbury River with boats propelled by fire or steam, for and during the term of their incorporation, provided, the said company should comply with certain conditions contained in the said act; And whereas, it is rendered doubtful, whether the said company will within the time limited, comply with the said conditions—Therefore,

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the exclusive right and privilege granted to the said company, in the aforesaid act, shall not be so construed, as to preclude any citizen of the United States, from running or causing to be run, in the said waters from the gut or shoal of spermacetti Cove to Tinton Falls, any boat or boats, propelled by fire or steam, until the said company shall have complied with the proviso of the said act.

A. Passed February 12, 1817.

An Act to authorize Ann Guild, administratrix, and John Guild, administrator to the estate of Benjamin Guild, deceased, to carry into effect a contract made between the said Benjamin Guild and Jacob Bloom.

WHEREAS it hath been represented to the Legislature of this state, that a verbal contract was made and entered into by Benjamin Guild, late of the county of Middlesex, in his life time, with Jacob Bloom, of the township of Alexandria, in the county of Hunterdon, for a plantation, situate in the township of Alexandria, aforesaid, containing one hundred and eighty-two acres and eighty-two hundredths of an acre, for the sum of eight thousand four hundred and nine dollars and seventy-two cents, and that the said Benjamin Guild died intestate, without having carried the said contract into effect, and the said Jacob Bloom hath paid to the said Benjamin Guild in his life time, the sum of sixteen hundred and twenty-five dollars, and seven cents, in part of the consideration money agreed to have been paid for the said plantation, and did at the same time take possession of the said premises, as appears by the memorial of all the aforesaid parties, and the affidavit of the said John Guild, administrator as aforesaid, and of the said Jacob Bloom, and it appearing just and reasonable that the said contract should be carried into effect—therefore,

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state,*

and it is hereby enacted by the authority of the same, That Ann Guild and John Guild, administrators of the said Benjamin Guild, deceased, be, and they are hereby authorized and empowered to convey unto the said Jacob Bloom, his heirs and assigns, a certain plantation, and tract of land, situate in the township of Alexandria, in the county of Hunterdon aforesaid, lately belonging unto the said Benjamin Guild, and now in the possession of the said Jacob Bloom, containing one hundred and eighty-two acres, and eighty-two hundredths of an acre, upon payment by the said Jacob Bloom unto the said John Guild and Ann Guild, administrators as aforesaid, of the balance of the consideration money due for the said land, upon the contract for the sale thereof, made by the said Benjamin Guild in his life time with the said Jacob Bloom; and that a deed or conveyance for the same, made and executed by the said John Guild and Ann Guild, administrators as aforesaid, shall be valid and effectual to convey to and vest in the said Jacob Bloom, his heirs and assigns, all the estate, right and title late of him the said Benjamin Guild, and his heirs therein: *Provided always*, that such deed and conveyance shall in no ways affect the right, title or interest in the said land, of any person other than the heirs of the said Benjamin Guild, deceased.

Authorized
to convey.

Sec. 2. *And be it enacted*, That the said John Guild and Ann Guild, administrators of the said Benjamin Guild, deceased, shall previous to the execution of the deed or conveyance aforesaid, cause to be filed with the governor of this state, a bond with approved security in the penal sum of ten thousand dollars, conditioned for their faith-

Bond to be
filed.

fully paying and distributing according to law the balance which shall remain in their hands after the payment of the just debts of the said Benjamin Guild, deceased.

C. Passed January 22, 1817.

A Supplement to the act, entitled "An act to incorporate the Deckerton and Newton turnpike Company."

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That it shall and may be lawful, for the President and Directors of the Deckerton and Newton Turnpike Company," to form the turnpike road directed and authorized by the act to which this is a supplement, in such way as that no part of said road shall rise on an angle of more than five degrees with the plane of the horizon, any thing in the fifth section of the said act to the contrary notwithstanding.

A. Passed February 4, 1817.

An Act for the relief of Ezra Baker.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the treasurer of this state, be,

and he is hereby authorized to pay to Ezra Baker, of the county of Burlington, the sum of one hundred and seven dollars and eighty-eight cents, being compensation for transportation of arms from New-Brunswick to Great Egg-Harbor, and for other services by order of the Governor of this state, during the late war.

A. Passed February 6, 1817.

An Act to incorporate the Pochuck Turnpike Company.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That Nicholas Ryerson, Joseph Edsall, junior, and Thomas C. Ryerson, be authorized to receive subscriptions for erecting a turnpike road four rods wide, commencing in the stage road leading from Hamburg, in the county of Sussex, to Goshen, in the state of New-York, at or near the house of Peter Uptegrove, in the township of Vernon, and running thence through Pochuck, on the south-east side of the mountain of that name, to the boundary line of the state of New-York and New-Jersey, so as to meet the said boundary at or near the thirty-fifth mile stone in said boundary, and that they shall give security to the governor of this state, to pay the subscription money which they shall receive, to the treasurer of the turnpike company, and to perform the other duties required of them

Commissioners to receive subscriptions,

by this act, for which services they shall be paid by the turnpike company.

Number of
shares and
sum paid.

Meeting to
be called.

Name of
company.

Sec. 2. *And be it enacted,* That such subscription shall consist of two hundred and forty shares, of twenty-five dollars each; that two dollars shall be paid on each share at the time of subscribing; and that, as soon as one hundred and forty shares shall be subscribed, the said Nicholas Ryerson, Joseph Edsall, junior, and Thomas C. Ryerson, or a majority of them, or the survivors of them, shall call a meeting of the subscribers and stockholders, to be held at the house of Nicholas Ryerson, in Vernon aforesaid, after four weeks notice in the Sussex Register or some other newspaper circulating in the upper part of said county of Sussex, to choose a president and four directors, three of whom shall constitute a board to transact business, and a treasurer, to continue in office until the last Tuesday in January next, and also on the fourth Tuesday of January annually thereafter, there shall be a choice of officers for one year, at such places as the stockholders at their last meeting may have appointed, that each stockholder may vote in person or by proxy, and shall have as many votes as he or she shall have shares of said stock, not exceeding ten votes in the whole. And the said president and directors shall be a body politic, to be called and known by the name of "the President and Directors of the Pochuck turnpike company," and shall have all the powers and privileges incidental to a body politic and corporate for the purposes herein mentioned, for the term of ninety-nine years: And that so often as any vacancy shall happen in the said offices of Presi-

dent, Directors and Treasurer, such vacancy shall be filled by the directors at their next meeting, and such person or persons so chosen, shall continue in office till others are elected by the said company.

Vacancies,
how supplied.

Sec. 3. *And be it enacted*, That David Ford, George Beardsley, and Thomas Teasdale, junior, be, and they are hereby appointed commissioners to lay out said road, they having due regard to the nature of the ground, public convenience, and the interest of the stockholders, and so as to do the least injury to private property, and the said road shall not pass through any burying ground, or place of public worship, or any dwelling-house or out-house without the consent of the owner, and the report of the said commissioners, or a majority of them, certified under their hands and seals, shall be entered on record in the secretary's office of this state, and the said commissioners shall within six months after ascertaining the route of the said intended turnpike road, cause an accurate survey of the lines of the said road to be made, a map or plot of which survey shall be accurately laid down on a scale of four inches to the mile, and filed in the secretary's office of this state, which certificate and plot, or a certified copy thereof, shall be sufficient evidence of the course of the said road, which shall then be opened, and all the expenses incurred thereby, shall be defrayed by the said company: *Provided*, that in case of the death, resignation, refusal, or inability of either of the said commissioners, to fulfil the duties of his appointment, that then it shall be lawful for the governor of this state, or the person administering the

Commis-
sioners to
lay out the
road.

government thereof, to appoint some disinterested person in his place.

Road, how
to be formed.

Sec. 4. *And be it enacted*, That in the middle of the said turnpike road, there shall be formed a space or artificial road, not less than thirty feet in breadth, the centre of which shall be raised fifteen inches at least above the sides arising towards the middle, by a gradual arch, which artificial road shall be drained by ditches and subterraneous passages, of sufficient depth to carry off the water, and shall be sufficiently bedded or faced with stone, gravel, or other hard substance, so as to secure a dry and solid foundation for the same, at all seasons of the year, and in its progress no part of it shall rise above an angle of five degrees with the plane of the horizon, and the said directors shall cause good and sufficient bridges where necessary on the line of the said road, to be erected not less than twenty-two feet in breadth; and wherever the said road, in passing over low grounds, is so much raised as to render carriages passing thereon liable to overset, the said company shall cause good and sufficient railing to be erected and maintained on the sides, so as to prevent carriages and horses from running off.

Power to
enter on
land to dig
gravel.

Sec. 5. *And be it enacted*, That full power and authority be given to the said commissioners, and the said corporation, their agents and servants, and all persons employed by or under them, for the purposes contemplated in this act, to enter upon any land, which shall be deemed necessary, for laying out said road, and also for the purpose of searching for stone, sand or gravel, for the use of said road, but no stone, sand or gravel shall be taken away from any land

without the consent of the owner thereof, until compensation for the same be ascertained and paid, which compensation, if the parties cannot agree thereon, shall be ascertained in a manner hereinafter prescribed, as to the compensation of lands over which the said road may be laid.

Sec. 6. *And be it enacted*, That if any of the owners of the land through which the said road shall run, think themselves injured thereby, and the parties cannot agree for the compensation to be made for the same, then it shall be lawful for the owners of such land to meet at Hamburg, on thirty days notice being given in one of the newspapers aforesaid, and by advertisements signed by the President of the Directors, put up in three of the most public places adjoining the said road, and to choose one respectable freeholder in the state, not interested; and the said corporation shall also choose one respectable freeholder not interested, who in case of their disagreement, shall have the power to choose an umpire, and who together with said umpire, if chosen, or a majority of them, after having taken an oath or affirmation, to act impartially and to the best of their knowledge, shall determine at the expense of the turnpike company, the amount of the compensation which shall be paid by the corporation to such of the applicants as they shall think injured, on which payment the said corporation shall become seized of the same estate in the said lands, which the said owner or owners held in the same; but if the owner or owners of any land through which the said road shall pass, will not agree to any of the provisions herein before made, or refuse or neglect to join in such

Owners of
land in case
of dispute
how to pro-
ceed.

In what case
special
juries to be
called.

Fees allow-
ed.

choice, or shall be feme covert, an infant, non compos mentis, or out of the state, or in case the men thus chosen do not decide thereon, then it shall be lawful for one of the justices of the supreme court, on the application of either party, and at the expense of the corporation, to direct a special jury of freeholders of any township of said county through which the said road shall not run, to be struck before such justice, in the manner in which special juries are usually struck, who shall view, examine and survey said land, and estimate the injury or damage sustained as aforesaid, and shall make an inquisition thereof under their hands and seals, to be returned to the said justice of the supreme court, by the sheriff of the said county in which the said inquisition is taken; and it shall be the duty of the said sheriff of said county, to attend before the said justice with his book of freeholders, at such time and place as the said justice shall appoint, on reasonable notice being given him for striking such jury, and also upon like notice, to have the jury on the premises in question, at the time mentioned in the said notice, and to administer the oath or affirmation to the jury; and the said sheriff and jury shall be entitled to the same fees for their services, as in other cases of special juries are allowed by law; and upon the coming in of such inquisition, and the confirmation thereof, and the said corporation paying the said owners respectively, the sums in such inquisition, in full compensation for the injury sustained, as aforesaid, the said corporation shall become seized of the same estate in the said lands which the said owners hold in the same, and the said

corporation, and all who have acted under them, shall be acquitted and freed from all responsibility on account of such injury:

Provided, That the payment of damages for lands through which the said road may be laid, or made, before the said company or any person under their direction, enter upon and break ground in the premises (except surveying and laying out said road) unless the consent of the owner of such land be first obtained. Proviso.

Sec. 7. *And be it enacted*, That as soon as the said corporation shall have completed three miles of the said road, beginning at the commencement thereof in the said stage road, it shall be lawful for the said directors to give notice thereof to the governor, or the person administering the government of this state, who shall thereupon forthwith nominate and appoint three commissioners, who shall, at the expense of the corporation, view the same, and report to him in writing, whether the said road is so far executed in a workman-like manner, according to the true intent and meaning of this act; and if the said commissioners or any two of them report in the affirmative, then it shall be the duty of the governor or of the person administering the government, by license under his hand, to permit the said directors to erect gates and turnpikes across the said road, and to demand and receive toll at the rates hereinafter specified; and in like manner when the remainder of the said road, or any part thereof shall be made, approved of, and licenced, as aforesaid, to erect other gates and turnpikes; and for passing through the same, to demand and receive tolls for travelling each mile of said road, after the

When Governor may appoint commissioners.

Gates to be erected.

Rate of toll. following rates, to wit:—for every carriage, sleigh or sled, drawn by one beast, one cent: for every additional beast one cent: for every additional beast exceeding four, two cents: for every horse and rider, or led horse or mule, five mills: for every dozen of calves, sheep or hogs, five mills: for every dozen of horses, mules or cattle, two cents.—And it shall be lawful for the toll-gatherers to stop persons riding, leading or driving any horse, cattle, mules, calves, sheep or hogs, or carriages of pleasure or burden, from passing through the said gates or turnpikes until they shall have respectively paid the toll as above specified: *Provided*, That nothing in this act shall be so construed as to entitle the said company to receive toll of or from any person passing to or from public worship on the sabbath day, or to or from any mill to which he may usually resort for the grinding of grain for his family's use, or horses, carriages, sleighs or sleds, carrying persons to or from a funeral, or any person to or from his usual business on his farm, or to or from his woodland drawing wood for family uses, or any militia-man passing to or from any training on a muster day appointed by law, or any other military officer or soldier passing or re-passing, when called to do duty by the laws of this state or of the United States.

Who may not pay toll.

Mile stones to be erected and rates of toll to be kept up.

Sec. 8. *And be it enacted*, That before said corporation shall receive any toll for travelling said road, they shall cause mile stones or posts to be erected for each and every mile of said road, on which shall be legibly marked the distance the said stone or post is from the New-York line; and shall also cause to be fixed and kept up, at

said gates, in some conspicuous place, a printed list of the rates of toll which may be lawfully demanded, and also a board, on which shall be printed in large letters, "Keep to the right as the law directs;" and if any person shall wilfully tear down or deface any of the printed rates of toll or directions, or shall cut, break down, or destroy, or otherwise injure any gates, turn-pikes or bridges that shall be erected, pursuant to this act, or shall forcibly pass the same without having paid the legal toll at such gate or turnpike, such person or persons shall forfeit and pay a fine not exceeding twenty dollars besides being subject to an action of damages for the same, to be recovered by the corporation to their use, with costs of suit; and if any person with his carriage, team or horse, turn out of said road to pass a gate or gates, on private ground adjacent thereto, and again enter on said road so as to avoid the toll due by virtue of this act, such person or persons shall forfeit and pay three times as much as the legal toll would have been for passing through said gates, to be recovered by the said corporation for the use thereof, in action of debt with costs of suit.

Penalty on
forcibly pas-
sing gates.

Sec. 9. *And be it enacted,* That if any toll-gatherer shall unnecessarily delay or hinder any traveller passing at any of the gates, or shall receive more toll than is by this act established, he shall for every such offence, forfeit and pay a penalty not exceeding twenty dollars with costs of suit, to be prosecuted by and recovered to and for the sole use of the person so unreasonably hindered and defrauded.

Penalty for
improper
conduct in
toll gather-
ers.

said gates, in some conspicuous place, a printed list of the rates of toll which may be lawfully demanded, and also a board, on which shall be printed in large letters, "Keep to the right as the law directs;" and if any person shall wilfully tear down or deface any of the printed rates of toll or directions, or shall cut, break down, or destroy, or otherwise injure any gates, turnpikes or bridges that shall be erected, pursuant to this act, or shall forcibly pass the same without having paid the legal toll at such gate or turnpike, such person or persons shall forfeit and pay a fine not exceeding twenty dollars besides being subject to an action of damages for the same, to be recovered by the corporation to their use, with costs of suit; and if any person with his carriage, team or horse, turn out of said road to pass a gate or gates, on private ground adjacent thereto, and again enter on said road so as to avoid the toll due by virtue of this act, such person or persons shall forfeit and pay three times as much as the legal toll would have been for passing through said gates, to be recovered by the said corporation for the use thereof, in action of debt with costs of suit.

Penalty on forcibly passing gates.

Sec. 9. *And be it enacted*, That if any toll-gatherer shall unnecessarily delay or hinder any traveller passing at any of the gates, or shall receive more toll than is by this act established, he shall for every such offence, forfeit and pay a penalty not exceeding twenty dollars with costs of suit, to be prosecuted by and recovered to and for the sole use of the person so unreasonably hindered and defrauded.

Penalty for improper conduct in toll gatherers.

Stock personal property.

Proviso.

Sec. 10. *And be it enacted*, That the shares in the said turnpike road shall be taken, deemed and considered as personal property, and be transferred in such manner as the directors may appoint: *Provided*, That if the said company shall not commence their operations within three years or complete the said road according to the true intent and meaning of this act, within ten years, then in either of these cases, this act shall cease and become of no effect, except so far as compels said company to make reparation for damages.

Carriages to keep to the right.

Sec. 11. *And be it enacted*, That all drivers of carriages, sleighs or sleds of all kinds, or persons on horseback, using the said road, shall keep their horses, carriages, sleighs or sleds on the right hand of the said road in the passing direction, and any person offending against this provision, shall forfeit and pay to any person obstructed in his passage who will sue for the same, the sum of two dollars, and shall also be subject to an action of damages, to be recovered with costs of suit.

How to proceed in case the road is not good.

Sec. 12. *And be it enacted*, That if the said company shall not keep the said road and bridges in good repair, and complaint thereof be made to any justice of the peace of the county of Sussex who may be disinterested, the said justice shall immediately appoint by writing under his hand and seal, three of the township committee of the township wherein the cause of complaint arose, or if it be on the line of any two townships, of either of said townships, which three persons being disinterested in the said road, or a majority of them, on notice being given to the keepers of the nearest gate,

shall meet at such time and place as the said justice may appoint, and having taken an oath or affirmation to act impartially, shall proceed to view and examine said road so complained of, and to report to the said justice in writing under their hands and seals, or under the hands and seals of any two of them, whether it be in such state as the law requires it to be kept; and if the report be unfavourable to the said road, the said justice shall immediately, in writing under his hand and seal, order the keeper of the said gate to keep open the same until otherwise ordered; and if the said keeper shall notwithstanding the order of the justice to open said gate, exact toll of travellers, he shall for each offence forfeit and pay twenty dollars, to be sued for by any person that will prosecute for the same, in an action of debt with costs of suit; and the said justice shall be allowed for his services, fifty cents, and the persons so appointed, one dollar each, to be paid by the turnpike company; and it shall be the duty of the persons so appointed or a majority of them, on application from said turnpike company, again to view said road, and report as aforesaid their opinion to the said justice, who shall, if authorized by the report of said persons or any two of them, by license under his hand and seal directed to the toll-gatherer, permit the gates to be shut, and the toll to be collected as before, and the same fees shall be allowed and paid as before directed; but if on the first view, as before mentioned, the report of the persons appointed, shall be in favour of the turnpike company, the same fees shall be allowed as before prescribed, and paid by the person instituting the complaint; and

Penalty on
keepers of
gates.

Fees of jus-
tice and
committee.

in case three of the township committee aforesaid are not disinterested, then the said justice shall appoint in the same manner above prescribed, one or more respectable freeholders, in the township or townships who may be disinterested, to serve in the place and stead of any member or members of the township committee so disqualified.

Sec. 13. *And be it enacted*, That no toll gate shall be erected, or other obstruction placed on such part of said road as is at present a public high-way.

A. Passed February 12, 1817.



An Act making a further appropriation for expenses incurred in the execution of the act, entitled "An act for ascertaining the most eligible route for, and probable expense of, a canal to connect the tide waters of the Delaware, with those of the Raritan."

Sec. 1. **BE IT ENACTED** *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same*, That a further sum not exceeding fifteen hundred dollars, be, and the same is hereby appropriated, for defraying the expenses incurred, and to be incurred, by the commissioners named in the act to which this is a supplement, for carrying into effect the objects of the same, and to be paid by the

treasurer of this state, in the manner and upon the conditions prescribed by the aforesaid act.

A. Passed February 8, 1817.

An Act to authorize repairs to the house and other property, on the government lot in the city of Trenton.

Sec. 1. *BE IT ENACTED by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same, That John Beatty, Robert M'Neely and Gershom Mott, be, and they are hereby appointed commissioners to repair the house, offices, stable and fences, on the government lot in the city of Trenton, in such manner as they may deem expedient, for the accommodation of the governor.*

Sec. 2. *And be it enacted, That the said commissioners shall lay their accounts before the legislature at their next sitting for allowance and settlement.*

Sec. 3. *And be it enacted, That the Treasurer of the state be authorized, and directed to pay the orders of the said commissioners, for such repairs, out of any unappropriated monies in his hands, not exceeding the sum of five hundred dollars, which sum is hereby appropriated to that purpose.*

A. Passed February 13, 1817.

An Act for the relief of the commissioners of forfeited estates, for the county of Monmouth.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the Treasurer, be, and he is hereby authorized and required to pay to John S. Holmes, Samuel Hubbard and John Stillwell, the sum of two hundred dollars in full, for services rendered and money expended by them, in the exercise of their official duties, as commissioners of forfeited estates for the county of Monmouth.

A. Passed February 13, 1817.



An Act to defray sundry incidental charges.

Sec. 1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That it shall be lawful for the treasurer of this state, to pay to the several persons hereinafter named, to wit:—

To Mahlon Dickerson, for postage paid on letters on public business, twenty-three dollars and sixty-one cents.

To John Rutherford and others, for discharging the duties assigned them, as commissioners appointed by an act authorizing a transfer of the shares of this state in the stock of the society for establishing useful manufactures, and for money paid the sur-

veyor employed on that occasion, one hundred and seventy-five dollars.

To A M'Kean, for folio record book for the Secretary's office, twelve dollars.

To John Johnson, Clerk of Sussex, for making out and delivering to the governor a list of nominations for members of the fourteenth Congress of the United States; and for making and transmitting to the governor, a schedule of the votes on that occasion, twenty-nine dollars and thirty cents.

To Ellett Tucker, his account for distributing arms, &c. as reported by a committee on that subject, sixty-nine dollars and seventy-eight cents; and for building a platform to the State House, the additional sum of twenty-six dollars, and seventy-eight cents.

To John Tindall, senior, for four cords of hickory wood, thirty-two dollars.

To Reeder Chambers, for glazing done in the State House, three dollars and forty-seven cents.

To Daniel Fenton for stationary, two dollars and eighty-three cents.

To Justice and Cox, for stationary furnished, and for publishing public bills, forty-six dollars and thirty-four and three quarter cents.

To John Bellerjeau, for lock on the Council Chamber door, fifty cents.

To Deare and Myers, for publishing the resolution relative to a map of this state, nine dollars and eight cents.

To Jacob Mann, for publishing the resolution on the subject of a map, nine dollars and eight cents.

To Henry Russell, for publishing the be-

fore mentioned resolution, nine dollars and eight cents.

To John Tuttle, and Co. for publishing the same, nine dollars and eight cents.

To John H. Hall, for publishing the same, nine dollars and eight cents.

To Peter Hay for publishing the same, nine dollars and eight cents.

To Shepard Kollock, for publishing in the New-Jersey Journal, advertisements on various subjects, for the state, from eighteen hundred and three to eighteen hundred and sixteen, inclusive, twenty-four dollars and fifty-eight cents.

To George Sherman, for newspapers furnished, and for publishing resolution, &c. thirty-seven dollars and eight cents.

To J. J. Wilson, for publishing the resolution on the subject of a map, nine dollars and eight cents, and for printing public bills and reports, the additional sum of two hundred and thirty-nine dollars and thirty cents.

To David Fitz Randolph, for sundry public notices inserted in the Fredonian, from eighteen hundred and twelve to eighteen hundred and sixteen, inclusive, twenty dollars and fifty-eight cents.

To William Gould, for accounts paid by him for sawing wood, &c. and for articles furnished for the use of the State House, thirteen dollars and seventy-six cents.

To Samuel Paxson, for two padlocks, one dollar and eighty-seven and a half cents.

To William Cox, for postage paid on letters and documents, relative to a map of this state, four dollars and thirty-four cents.

To Thomas Cain, for candles furnished, six dollars.

A. Passed February 14, 1817.

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