

ACTS  
OF THE  
SEVENTY-FIRST LEGISLATURE  
OF THE  
STATE OF NEW JERSEY,

ACCESSION No. 32987

AND RECEIVED \_\_\_\_\_

CATALOGUED \_\_\_\_\_

THIRD SESSION UNDER THE NEW CONSTITUTION.



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1847.



A C T S  
OF THE  
SEVENTY-FIRST LEGISLATURE  
OF THE  
STATE OF NEW JERSEY.

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AN ACT to renew the charter of the Farmers and Merchants  
Bank of Middletown Point.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled, "An act to incorporate the Farmers and Merchants Bank of Middletown Point," passed February the third, in the year of our Lord one thousand eight hundred and thirty, be, and the same is hereby continued and extended for and during the term of twenty years from and after the time by the said act limited for its continuance. Charter extended.

2. *And be it enacted*, That this act shall take effect immediately upon the expiration of the term in and by the said act, entitled, "An act to incorporate the Farmers and Merchants Bank of Middletown Point," limited for the continuance thereof. Act, when to take effect.

Approved January 28, 1847.

## AN ACT relative to sheriffs.

Accounts of  
sheriffs to  
be examin-  
ed by clerk

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the sheriff of each county in this state shall keep a true account of all the moneys by him paid out under the directions of the thirtieth section of an act entitled, "An act relative to juries and verdicts," approved April seventeenth, eighteen hundred and forty-six, and submit the same for examination to the clerk of the court, who is hereby required to examine said account, and certify the same, if found correct; and the said sheriff, upon the production of said account, so certified, to the county collector, shall be paid the amount so due him by said collector, who shall be entitled to an allowance for the same in the settlement of his accounts with the board of chosen freeholders of his county.

Sheriff to  
file state-  
ment of a-  
mount due  
on execu-  
tions, &c.

2. *And be it enacted*, That in case of a sale on execution made by a sheriff, under-sheriff, coroner, or other officer, he shall, within thirty days thereafter, file in the clerk's office of the court out of which the execution issued a true statement and calculation, in order of time, of the execution or executions in his hands upon which such sale was made, and the amount due thereon, respectively, at the time of such sale, mentioning the time or times of sale, as also the amount of sales, certified under his hand, together with his bill of costs or execution fees, for which service he shall be entitled to one dollar; *provided*, that such statement, so filed, shall not be conclusive against any person other than such officer; *and provided*, that if there be more sales than one, such statement shall be made and filed within thirty days after the final sale.

Coroners to  
act in case  
of death,  
&c., of she-  
riff.

3. *And be it enacted*, That where any sheriff, before the expiration of his term of office, shall die or remove out of the jurisdiction of the state, or otherwise become disabled by law to execute the office, the coroners of the county, or either of them, in addition to the powers conferred by Revised Laws, Title xxx. chap. 14, shall have full power and authority to execute all the other duties of such office of sheriff until another sheriff be elected and qualified to act; and such coroners or coroner executing such powers shall be answerable for the due execution of the same during such interval, in like manner as the sheriff would have been.

Approved February 1, 1847.



A supplement to an act entitled, "An act to incorporate the American Mutual Fire Insurance Company at Plainfield."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section second of the act to which this is a supplement be, and the same is hereby so amended, that, at the next and every subsequent election, thirteen directors shall be chosen, who shall transact the business of said company; and that section seventh of said act be, and the same is hereby so amended, that the authorized assessment on the members of the corporation shall in no case exceed the amount of the note or obligation given by each member, any thing in the said act to which this is a supplement to the contrary notwithstanding.

Certain sections of former act amended.

Approved February 2, 1847.

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A supplement to the act entitled, "An act to incorporate the Paterson Gas Light Company," passed the ninth day of December, eighteen hundred and twenty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the capital stock of said corporation be increased twenty-five thousand dollars, and that each share in the same shall be five dollars, and the subscriptions to the same be opened by the appointment, and under the direction of Andrew Parsons, John Colt, James Van Blarcom, Abraham Godwin, and Robert King, the surviving directors of said company, or a majority of them, subject to such rules, limitations, and conditions as they, or the future directors of the said company, shall prescribe; that the additional capital stock, hereby authorized, shall be entitled to the same privileges, and be subject to the same conditions, limitations, and prohibitions, as are contained and prescribed in the act to which this is a supplement.

Capital increased.

2. *And be it enacted*, That the stock, property, and concerns of the said corporation shall be ordered and managed under the direction of seven directors, being stockholders; and a majority of them shall be residents of the town of Paterson, and shall hold their offices for one year, and shall be elected on the second Monday of March in each year, at such time and

Time of annual election of directors.

place in the said town of Paterson as a majority of the directors for the time being may appoint.

Part of former act repealed.

3. *And be it enacted*, That so much of the third section of the act to which this is a supplement, as prescribes the number of directors, the time from which they hold their offices, and the time of the annual election, be, and the same is hereby repealed.

Approved February 2, 1847.

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AN ACT to change the names of James H. Turk and Catharine Turk, his wife, of the county of Essex.

Preamble. WHEREAS James H. Turk and Catharine Turk, his wife, have presented their petition to the legislature, praying that their names may be respectively changed to James H. Irving and Catharine Irving, and in such petition have stated satisfactory reasons why their prayer therein contained should be granted—therefore,

Names of James H. and Catharine Turk changed.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of James H. Turk, of Essex county, be changed to James H. Irving, and that the name of Catharine Turk, his wife, be changed to Catharine Irving; and that henceforth all business and other transactions had by or with the said James and Catharine, or by and with either of them, shall be in the name or names given them respectively by this act, and that by such names they shall respectively be known, in as full a manner as if the name of Irving had been the paternal name of the said James; *provided nevertheless*, that nothing herein contained shall in any manner affect any matter, thing, or transaction heretofore had by or with, in favour of or adverse to the said James and Catharine, or either of them.

Approved February 2, 1847.

AN ACT for the relief of the New Jersey Iron Company.

1. BE IT ENACTED by the Senate and General Assembly of <sup>Company not dissolved for failure to elect on day prescribed.</sup> the State of New Jersey, That the New Jersey Iron Company shall not be deemed to be dissolved by reason of the omission or neglect of the said company, at any time or times before the passage of this act, to hold an election of directors on any day when, pursuant to the act of incorporation of the said company, it ought to have been held, or on any subsequent day, within one year thereafter, or for want of public notice by the directors, of election on such subsequent day, as required by the said act.

2. And be it enacted, That all the official acts of the present <sup>Acts of former directors made valid.</sup> board of directors of the said company, as well as the official acts of all previous boards, shall not be invalidated by reason of any such election not having taken place at the time and in the mode directed by the said act of incorporation; *provided*, such official acts are not inconsistent with any other provision of the said act of incorporation, in other respects, or with the constitution or laws of this state.

Approved February 2, 1847.

AN ACT to incorporate the Eagle Life and Health Insurance Company in the county of Hudson.

1. BE IT ENACTED by the Senate and General Assembly of <sup>Style of incorporation.</sup> the State of New Jersey, That all such persons as shall become stockholders to the capital stock hereinafter mentioned, their successors and assigns, shall be and are hereby constituted and made a body politic and corporate, by the name and style of "the Eagle Life and Health Insurance Company;" and the office of the said company shall be located at Jersey City, in the county of Hudson, in this state.

2. And be it enacted, That the capital stock of said corporation shall not exceed two hundred thousand dollars, and shall <sup>Capital stock.</sup> be divided into shares of fifty dollars each; and there shall be paid into the treasury of said corporation by each subscriber to the capital stock, at the time of subscription, an instalment of five per cent. on the stock by him subscribed, and the remainder shall within thirty days from the time of said subscrip-

tion be paid, or secured to be paid, either by mortgage on real estate or such other securities as the directors shall deem sufficient; and until fifty thousand dollars of said stock is paid or secured to be paid, as aforesaid, said company shall not commence business.

Election of  
directors.

3. *And be it enacted*, That the stock, property, and affairs of said corporation shall be managed and conducted by nine directors, residents of the state of New Jersey, who shall be chosen annually on the third Monday of January in each year, at such time and place in Jersey City as a majority of the directors shall appoint, of which notice shall be given in some public newspaper printed and circulating in the county of Hudson, at least ten days previous to said election; such election shall be held under the direction of three stockholders, to be appointed by the directors; and such election shall be by ballot and by a plurality of the votes of the stockholders and their proxies, allowing one vote for every share of stock.

Directors to  
elect presi-  
dent and  
vice presi-  
dent.

4. *And be it enacted*, That it shall be the duty of the directors, on organizing the company, and annually thereafter, to choose out of their number a president; and they may also elect a vice president in the same manner, both of whom shall be residents of this state; and the vice president shall perform the duties of the president in case of his death, absence, or inability to act.

Commis-  
sioners to  
receive sub-  
scriptions.

5. *And be it enacted*, That Phineas C. Dummer, Edward Coles, and George W. Savage shall be commissioners to receive subscriptions to the capital stock of said company; and when the whole of said stock is subscribed, and five per cent. paid, the commissioners shall call a meeting of the stockholders, by an advertisement published at least ten days previously in some newspaper published and circulating in the county of Hudson, stating the hour and place in Jersey City at which such meeting of the stockholders shall be held; and they shall, by ballot, elect the first directors of said company; said commissioners shall appoint three stockholders, to act as inspectors of said election; but it is *provided nevertheless*, that if there should be any deaths or resignations among the commissioners above appointed, then the remainder shall elect others to supply the vacancies so occasioned.

Company  
may make  
life insur-  
ance.

6. *And be it enacted*, That the said company shall have power to make all and every insurance appertaining to or connected with life insurance, and against sickness and casualty.

Policies,  
how made.

7. *And be it enacted*, That all policies of insurance or other contracts authorized by this act, which shall be made and entered into by said corporation, may be with or without the

seal thereof, and shall be subscribed by the president or vice president and attested by the secretary, and being so signed, executed, and attested, shall be binding and obligatory upon the said corporation, according to the true intent and meaning of said policies and contracts; and all such policies and contracts may be so made, signed, executed, and attested without the presence of the board of directors.

8. *And be it enacted*, That it shall and may be lawful for the said company to take and hold any real estate or securities bona fide mortgaged or pledged to the said company, or to secure the payment of any debt which may be contracted with the said company, and to foreclose the same; and also to purchase on sales made by virtue of any judgment at law, or any order or decree of any court of equity, or any other legal proceedings, or otherwise to receive and take any real estate in payment or towards satisfaction of any debt previously contracted and due to the said company, and to hold the same until they can conveniently sell and convert the same into money or other personal property, and also to invest the capital stock, or so much of the surplus profits of the said company as they may deem fit, in such manner as the directors shall decide; but no loans shall be made on real estate, unless the same be situated in this state, and to call in and reinvest the same, so often as it shall be deemed necessary for the interests of the said company.

What real estate may be held.

9. *And be it enacted*, That the capital stock of said company shall be transferable, according to the rules and regulations prescribed by the directors; and every subscriber of any share or shares of said stock, who shall neglect to pay the instalments aforesaid, or to secure the residue of the share or shares by him subscribed, shall forfeit the same to the said corporation, and all payments made thereon, and all profits that may have arisen thereon.

Shares forfeited for nonpayment.

10. *And be it enacted*, That it shall and may be lawful for the directors of said company to make dividends of so much of the profits of the said company as shall appear advisable; and the said dividends shall be paid to the stockholders or their representatives, but the dividends shall not at any time exceed the amount of clear profits made by the company, but the capital stock shall be and remain unimpaired; and if the said directors shall at any time knowingly make a dividend of the capital as aforesaid, they shall be individually liable for the proportion of the stock so divided, and an action of debt may be brought against them, their heirs, executors, or administrators, or any of them, in any court of record in this state, by any creditor of said company, and may be prosecuted thereon to judgment

Dividends not to be made from capital stock.

and execution; and each director present when such dividend shall be declared, shall be adjudged to be consenting thereto, unless he forthwith protest against said dividend, and request his protest to be entered on the minutes of the board, and give further notice to the stockholders of the declaring of such dividend, by advertising his said protest, within ten days thereafter, in a newspaper published and circulating in the county of Hudson.

Tax to be  
paid by  
company.

11. *And be it enacted*, That the said company shall pay into the treasury of this state one quarter of one per centum per annum on the capital stock paid in, to commence three years after the said company shall go into operation; which amount shall be paid in under the oath or affirmation of the president and secretary thereof.

Limitation.

12. *And be it enacted*, That this act shall continue in force for the term of twenty years, and the said corporation shall possess the general powers, and be subject to the restrictions and liabilities contained in the act entitled, "An act concerning corporations," approved the fourteenth day of February, one thousand eight hundred and forty-six, so far as the same are applicable.

13. *And be it enacted*, That this act shall take effect immediately.

Approved February 2, 1847.

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### AN ACT to incorporate the Flemington Copper Company.

Preamble. WHEREAS Hugh Capner, Edward F. Gay, George I. Gross, John G. Brenner, Alexander Cummings, Gideon G. Westcott, and Henry Welsh have, in behalf of themselves and their future associates, by their petition set forth, that they are proprietors in fee of certain tracts of land in the vicinity of Flemington, in the county of Hunterdon, and state of New Jersey, containing mines of copper and other minerals and metals; and also the proprietors of certain other mining privileges, steam engines, smelting furnaces, and other improvements, for conducting the business of mining and smelting copper ores, and refining and manufacturing the same, valued at two hundred thousand dollars (\$200,000); and have full right, by virtue thereof, to work the said mines, and have requested the legislature to pass an act incorpo-

rating the said petitioners and their future associates, for the purpose of enabling them to work the said mines, and also, to manufacture the ores and metals in such manner as they may think proper—therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Hugh Capner, Edward F. Gay, George I. Gross, John G. Brenner, Alexander Cummings, Gideon G. Westcott, and Henry Welsh, and such others as are or may hereafter be associated with them for the purposes aforesaid, shall be, and hereby are ordained, constituted, and declared to be a body corporate and politic, in fact and in name, by the name of "the Flemington Copper Company." Names of corporators  
Style.

2. *And be it enacted*, That the stock, property, concerns, and affairs of the said corporation shall be managed and conducted by seven directors, who shall be annually elected on the second Tuesday of January, at such time of the day, and at such place in the county of Hunterdon, state of New Jersey, as the by-laws of the said corporation shall direct; and public notice shall be given of the time and place of holding such election, not less than thirty days previous thereto, in one of the newspapers printed at Flemington, and in one of the newspapers printed in the city of Philadelphia; and the election shall then and there be made by such of the stockholders as shall attend for that purpose in person or by proxy; and all elections shall be by ballot, each share having one vote; and the persons who shall have the greatest number of votes shall be the directors; and the said directors, so soon as may be after their election, shall proceed, in like manner, to elect by ballot one of their number to be their president; and if any vacancy or vacancies shall at any time happen among the directors elected by the stockholders, by death, removal, resignation, or otherwise, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen, by such person or persons as the remainder of the directors for the time being, or a majority of them, shall appoint; *provided*, that the first election shall be held within ninety days after the passage of this act, twenty days' notice in the papers aforesaid to be given of said election by the persons named in the preamble to this act; and the directors so elected shall serve until the second Tuesday of January, A.D. eighteen hundred and forty-eight. Time and mode of annual election of directors.

3. *And be it enacted*, That in case it should at any time happen that an election of directors should not be made on the day that pursuant to this act it ought to be made, the said corporation shall not for that cause be deemed to be dissolved; but it shall and may be lawful to hold such election on such other Corporation not dissolved for failure to elect on day prescribed.

day, in the manner aforesaid, as shall be prescribed by the by-laws and ordinances of the said corporation.

Amount of  
capital.

4. *And be it enacted*, That the capital stock of the said corporation shall consist of the tracts of lands, mines, mining privileges, minerals and ores, engines, smelting furnaces, and all the improvements thereon referred to in the preamble to this act, and which are valued at two hundred thousand dollars, which shall be divided into ten thousand shares, of twenty dollars each; and it shall be lawful for the directors of said corporation to assess, from time to time, upon each share of the stock of said corporation, a sum not exceeding the gross amount of five dollars, in sums not exceeding one dollar at any one time, and at intervals of not less than thirty days; and it shall be lawful for the directors to assess a still further sum of five dollars on each share of the capital stock; *provided*, that two-thirds in interest of the stockholders of said corporation shall advise and consent thereto, at a meeting of the stockholders called for this purpose, and notice given of the same, as provided for in the second section relating to election of directors; any stockholder refusing to pay an assessment regularly laid, and of which notice shall have been given as heretofore provided for, shall forfeit to said corporation each and every share of stock upon which such assessments remain unpaid for the period of thirty days after notice shall have been given in such form as the directors may ordain in the by-laws, to the stockholder, that such assessment was due and unpaid.

Quorum.

5. *And be it enacted*, That a majority of the directors for the time being shall form a board or quorum for the transacting of the business of the said corporation.

Stocktrans-  
ferable.

6. *And be it enacted*, That the stock of the said corporation shall be deemed personal estate, and be transferred in such manner as shall be prescribed by the by-laws of the said corporation.

Transfers  
to be regis-  
tered.

7. *And be it enacted*, That no transfer of stock of said corporation shall be valid or effectual until such transfer shall be entered or registered in the book or books to be kept by the president and directors for that purpose, which book shall at all times be open to the inspection of the stockholders.

Limitation.

8. *And be it enacted*, That this act shall continue in force for the term of twenty years, and the said corporation shall possess the general powers, and be subject to the restrictions and liabilities contained in the act entitled, "An act concerning corporations," approved the fourteenth day of February, one thousand eight hundred and forty-six, so far as the same are applicable.

9. *And be it enacted*, That this act shall take effect immediately.

Approved February 2, 1847.



AN ACT to provide for the assessment and collection of taxes in the township of Manchester, in the county of Passaic.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the provisions of an act entitled, "An act to provide for the assessment and collection of taxes in the township of Paterson, in the county of Passaic," passed March tenth, eighteen hundred and forty-two, shall be extended to, and be in full force and effect in the township of Manchester, in the county of Passaic. Provisions of former act extended.

2. *And be it enacted*, That this act shall go into effect upon the passage thereof.

Approved February 2, 1847.

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AN ACT to authorize Jonathan McClane to maintain and keep in repair a dock or wharf in front of his land in the township of Shrewsbury, in the county of Monmouth.

WHEREAS Jonathan McClane now has an old dock or wharf, Preamble. which has been built for a great many years, at the village of Red Bank, and upon and in front of his lands in said village, in the township of Shrewsbury, and county of Monmouth, and extending a small distance into the North Shrewsbury river; and whereas, for many years past, the sand has been washing in around said dock, until it has become necessary for the said wharf or dock to be extended farther into said river, and to be rebuilt and reconstructed, in order to accommodate the vessels navigating the said river—therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for Jonathan McClane, his heirs and assigns, to rebuild, reconstruct the said dock or wharf, and to extend the same so far into said North Shrewsbury river as may be necessary for the accommodation of vessels navigating the said river, and at all times to maintain and keep in repair the said dock or wharf, when so built and extended upon and in front of land so belonging to said Jonathan McClane, at the village of Red Bank, in the township of Shrewsbury, and county of Monmouth, and J. McClane authorized to build dock.

from time to time to rebuild and repair the same, and to lay vessels at said dock or wharf, and receive dockage and wharfage for the use of said dock or wharf, from any person or persons using the same; *provided*, that this act shall not affect the legal rights of any person whatever.

Penalty for  
injuring  
dock.

2. *And be it enacted*, That if any person or persons shall destroy or in any way injure the said dock or wharf, such person or persons shall be responsible, and shall make good all damage which the owner or owners may sustain, recoverable by action of trespass, in any court having jurisdiction of the same.

Act, when  
to take ef-  
fect.

3. *And be it enacted*, That this act shall take effect immediately.

Approved February 2, 1847.

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AN ACT for the relief of Mary Genung, of the township of Chatham, in the county of Morris.

\$50 to be  
paid to M.  
Genung.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is hereby authorized and directed to pay to Mary Genung, widow of Isaac Genung, a soldier of the Revolutionary war, or her order, fifty dollars per annum, during her natural life, in semi-annual payments of twenty-five dollars each, the first payment to be made on the fourth day of March, eighteen hundred and forty-seven.

Approved February 3, 1847.

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AN ACT to authorize George T. Boon, Lawrence H. Boon, and Robert M. Boon to erect and build docks, wharves, and piers in front of the land now owned by them on Salem creek, in the county of Salem.

Dock on Sa-  
lem creek  
authorized  
to be built.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George T. Boon, Lawrence H. Boon, and Robert M. Boon, all of the town and county of Sa-

lem, be, and are hereby authorized and empowered to erect and build all such docks, platforms, wharves, and piers in front of the land now owned by them on Salem creek, between lands of Minor Harvey and John S. Wood, in the town and county of Salem, as may be necessary and suitable for a steamboat or other landing, and extend the same below low water mark in the said Salem creek, as far as may be requisite or necessary for said purposes, and to reclaim and improve the lands under water in front of said tract of land owned by the said George T. Boon, Lawrence H. Boon, and Robert M. Boon, so far as may be necessary for the purposes of wharves and docks, and to hold and enjoy the same, to them and their heirs and assigns for ever, and charge and collect dockage and wharfage from any person or persons using said docks, wharves, or piers; *provided*, that nothing herein contained shall be so construed as to impair the legal rights of any other person or persons, or to authorize any interruption or hinderance to the navigation of said Salem creek.

2. *And be it enacted*, That this act shall take effect immediately. Act, when  
to take ef-  
fect.

Approved, February 3, 1847.

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A supplement to an act entitled, "An act to ascertain the times and places of holding certain courts," approved April eighteenth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the several courts in said act mentioned, which by said act are to be holden in the county of Middlesex on the fourth Tuesday of February, May, August, and November, and in the county of Warren on the second Tuesday of March, June, September, and December, shall, after the first day of May next, be holden at the times following, and not otherwise: in the county of Middlesex, on the second Tuesday of March, June, September, and December, respectively; in the county of Warren, on the fourth Tuesday of February, May, August, and November, respectively. Time of  
holding cer-  
tain courts  
altered.

2. *And be it enacted*, That the provisions of the act to which this is a supplement, inconsistent with this act, are hereby repealed when this act takes effect. Part of for-  
mer act re-  
pealed.

Act, when  
to take ef-  
fect.

3. *And be it enacted*, That this act shall go into effect on the first day of May next.

Approved February 4, 1847.

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AN ACT to set off from the township of Evesham, in the county of Burlington, a new township, to be called the township of Medford.

Boundaries  
of township.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That all that part of the township of Evesham, in the county of Burlington, that lies eastwardly of the boundaries following, *to wit*: beginning at a station in the middle of the south branch of Ranocas creek, and opposite the mouth of Mason's creek; thence up the channel of said Mason's creek to a stone at or near the head of Darnel's mill-pond, standing north, twenty-three degrees west, thirteen chains and fifty links from the middle of the bridge over said creek on the Mount Holly road; and from thence, on a course of south, four degrees west, to the line of Camden county, shall be, and the same hereby is established a separate township, to be called the township of Medford.

Township  
incorporat-  
ed.

2. *And be it enacted*, That the inhabitants of that part of the township of Evesham that lies eastwardly of the boundaries above mentioned be, and they and their successors are hereby constituted a body politic and corporate, by the name of "the inhabitants of the township of Medford, in the county of Burlington;" and that the inhabitants of that part of said township of Evesham that lies westwardly of the above mentioned boundaries be, and they and their successors are hereby constituted a body politic and corporate, by the name of "the inhabitants of the township of Evesham, in the county of Burlington;" which said two townships, in their corporate capacities respectively, shall be entitled to all the rights, powers, privileges, and advantages, and subject to the same regulations, duties, and liabilities as the inhabitants of the other townships in the said county of Burlington may be entitled to or subject to by the existing laws of this state.

Time and  
place of  
first town  
meeting.

3. *And be it enacted*, That the townships of Medford and Evesham, hereby created, shall each hold their first town meetings on the day appointed by law for holding the annual town meetings in the other townships in said county of Burlington,

the former to be held at the town hall (cross-roads), within the said township of Medford, and the latter at the house of Richard L. Cox, called the Green Tree tavern, within the said township of Evesham, and afterwards at such place in their respective townships as the inhabitants of each shall determine, in manner prescribed by law.

4. *And be it enacted*, That the township committees of the townships of Evesham and Medford shall meet on the second Monday in April next, at ten o'clock in the forenoon, at the town hall aforesaid, and shall then and there proceed by writing, to be signed by a majority of those present, to allot and divide between the said townships all the property and money on hand or due, in proportion to the taxable property and ratables, as valued and assessed by the assessor within the respective limits of the said two townships at the last assessment; and the township of Medford shall be liable to pay their just proportion of the debts, if any there be; and if any of the members of the said township committee should neglect to meet, as aforesaid, those present may proceed to make such division, and their decision, or the decision of a majority of them, shall be final and conclusive; *provided*, that it shall and may be lawful to adjourn the above meeting to such time and place as a majority of those assembled, as aforesaid, may think proper, not, however, to exceed ten days from the time of the first meeting.

5. *And be it enacted*, That the township committee of the said township of Evesham shall have power, and they are hereby authorized and empowered, to sell and release to the said township of Medford all the right, share, and interest of the said township of Evesham in and to the real estate now belonging to the said townships, respectively, or any part thereof, for such sum or sums of money as may be agreed upon by the committees of the townships interested, and to make and deliver good and sufficient deed or deeds for the same; and that the township committee of the said township of Medford shall also have power, and they are hereby authorized and empowered, to sell and release to the said township of Evesham all the right, share, and interest of the said township of Medford in and to the real estate now belonging to the said townships, respectively, or any part thereof, for such sum or sums of money as may be agreed upon by the committees of the townships interested; or that the committees of both said townships, or a majority of them, may sell to private individuals all or any part of the real estate now belonging to said townships, and to make and deliver good and sufficient deed or deeds for the same, and in all cases to allot and divide the pro-

ceeds of the sales in manner prescribed in the fourth section of this act.

Land in both townships, how taxed.

6. *And be it enacted*, That all such farms and other parcels of land as are now held as separate and distinct tracts, and are situate on and along both sides of the aforesaid boundary line, and between the head of Darnel's mill-pond and Hewling's mill stream, shall be assessed by, and the tax thereon paid to the township in which the principal buildings thereon are now standing; and if no such improvements thereon at this time, the same to be assessed and paid to the township having within its limits the greater part of such tract of land; and that such assessment shall not be hereafter affected by any change of ownership in the same, or any part thereof whatsoever.

Right of the township of Medford to surplus revenue not impaired.

7. *And be it enacted*, That nothing in this act contained shall be construed to impair or in anywise affect the right of the said township of Medford in and to any portion of the surplus revenue of the general government, to which the said township may now or at any time hereafter be entitled in the distribution of said surplus revenue.

Act, when to take effect.

8. *And be it enacted*, That this act shall take effect on the first day of March next.

Approved February 4, 1847.

AN ACT to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the insane.

Managers.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That Thomas J. Stryker, Lewis W. R. Phillips, Eli F. Cooley, Stacy G. Potts, and Richard Stockton, of the county of Mercer; Daniel Haines, of Sussex; John S. Darcy, of Essex; James Parker, of Middlesex; Charles Ridgway, of Burlington, and Isaac S. Mulford, of Camden, be, and they are hereby appointed managers of the State Lunatic Asylum, and shall hold their offices as follows: the said Thomas J. Stryker and John S. Darcy shall hold their offices until the first day of February, one thousand eight hundred and forty-eight; the said Lewis W. R. Phillips and Richard Stockton shall hold their offices until the first day of February, one thousand eight hundred and forty-nine; the said Eli F. Cooley and Stacy G. Potts shall hold their offices until the

Their terms of office.

first day of February, one thousand eight hundred and fifty; the said Daniel Haines and Isaac S. Mulford shall hold their offices until the first day of February, one thousand eight hundred and fifty-one; and the said James Parker and Charles Ridgway shall hold their offices until the first day of February, one thousand eight hundred and fifty-two: and they shall hold their offices until others are appointed in their stead, subject to being removed by the supreme court, at any time, upon the recommendation of the governor; their successors shall be appointed by the supreme court, at the January term, and shall hold their offices for five years and until others are appointed in their stead, and subject to be removed in the manner aforesaid; the supreme court, at any term, may fill vacancies in the board, but the person appointed to fill a vacancy shall only serve under such appointment for the unexpired time of the person whose place he is to supply.

Successors,  
how ap-  
pointed, and  
vacancies,  
how filled.

2. *And be it enacted*, That the government of the State Lunatic Asylum shall be vested in the said board of managers, five of whom, at least, shall reside within twelve miles of said asylum: they shall have the general direction and control of all the property and concerns of the institution, not otherwise provided for by law, and shall take charge of its general interests, and see that its design be carried into effect, and every thing done faithfully according to the requirements of the legislature and the by-laws, rules, and regulations of the asylum, (and to this end they shall confer, counsel, advise, and co-operate with the commissioners appointed to erect said asylum, whenever and as often as occasion may require): and the first meeting of the said board of managers shall be held in the city of Trenton, on Tuesday, the sixth day of April next.

Powers and  
duties of  
managers.

3. *And be it enacted*, That whenever the proper time shall arrive, the said board of managers shall provide the necessary stock, furniture, and property for the conducting of said asylum, and appoint a superintendent, who shall be a well educated physician, and a treasurer, who shall give bonds for the faithful performance of his trust, in such sum and with such sureties as the said managers shall approve: they shall also, on the nomination of the superintendent, appoint a steward, who shall give bonds for the faithful performance of his trust, in such sum and with such sureties as the managers shall approve: they shall also, on the nomination of the superintendent, appoint an assistant physician and a matron, all of whom shall constantly reside in the asylum, and be designated the resident officers thereof.

Managers  
to appoint  
officers.

4. *And be it enacted*, That the managers shall, from time to time, determine the annual salaries and allowances of the resi-

Salaries of  
officers.

dent officers of the asylum, subject to the approval of the governor of the state; and such salaries shall not exceed, in the aggregate, five thousand dollars in any one year.

What real  
or personal  
property  
may be held

5. *And be it enacted*, That the managers may take and hold in trust, for the state, any grant or devise of land, or any donation or bequest of money or other personal property, to be applied to the maintenance of insane persons or the general use of the asylum.

Managers  
to make by-  
laws.

6. *And be it enacted*, That said managers are hereby authorized and empowered to establish such by-laws as they may deem necessary and expedient for regulating the appointment and duties of officers, attendants, and assistants; for fixing the conditions of admission, support, and discharge of patients, and for conducting, in a proper manner, the affairs and business of the institution; to ordain and enforce a suitable system of rules and regulations for the internal government, discipline, and management of the asylum.

Duties and  
powers of  
superinten-  
dent.

7. *And be it enacted*, That the superintendent shall be the chief executive officer of the asylum: he shall have the general superintendence of the buildings, grounds, and farm, with their furniture, fixtures, and stock, and the direction and control of all persons therein, subject to the laws and regulations established by the managers: he shall daily ascertain the condition of the patients, and prescribe their treatment, in the manner prescribed in the by-laws: he shall appoint, with the approval of the managers, so many assistants and attendants as he may think proper and necessary for the economical and efficient performance of the business of the asylum, and to prescribe their several duties and places, and to fix, with the managers' approval, their compensation, and to discharge any of them at his sole discretion; but in every case of discharge, he shall forthwith record the same, with the reasons, under an appropriate head, in one of the books of the asylum: he shall also have power to suspend, until the next monthly meeting of the managers, for good and sufficient cause, a resident officer; but in such case he shall give written notice of the fact, with its causes and circumstances, to one of the managers, whose duty thereupon shall be to call a special meeting of the board, to provide for the exigency: he shall also, from time to time, give such orders and instructions as he may judge best calculated to ensure good conduct, fidelity, and economy in every department of labour and expense; and he is authorized and enjoined to maintain salutary discipline among all who are employed by the institution, and to enforce strict compliance with such instructions, and uniform obedience to all the rules and regulations of the asylum: he shall cause full and fair ac-



counts and records of all his doings, and of the entire business and operations of the institution, to be kept regularly, from day to day, in books provided for that purpose, in the manner and to the extent prescribed in the by-laws; and he shall see that all such accounts and records are fully made up to the last day of December in each year, and that the principal facts and results, with his report thereon, be presented to the managers immediately thereafter: the assistant physician shall perform his duties, and be subject to the responsibility of the superintendent, in his sickness or absence.

8. *And be it enacted*, That the resident officers of the asylum, and all attendants and assistants actually employed therein, during the time of such employment, shall be exempt from serving on juries, and, in time of peace, from all service in the militia; and the certificate of the superintendent shall be evidence of the fact of such employment. Officers exempted from jury duty, &c.

9. *And be it enacted*, That the board of managers shall keep, in a bound book to be provided for that purpose, a fair and full record of all their doings; which shall be open at all times to the inspection of the governor of the state, and all persons whom he or either house of the legislature may appoint to examine the same. Books of minutes to be kept.

10. *And be it enacted*, That the managers shall maintain an effective inspection of the asylum, for which purpose one of them, or more, shall visit it at least once in every week; two or more, at least once in every month; a majority at least once in every three months; and the whole board once a year, at the times and in the manner prescribed in the by-laws: in a book to be kept for that purpose, the visiting manager or managers shall note the date of each visit, the condition of the patients, with remarks of commendation or censure, and all the managers present shall sign the same; the general result of these inspections, with suitable hints, shall be inserted in an annual report, detailing the past year's operations and actual state of the asylum; which the managers shall make to the governor, on or before the fifth day of January in each year, to be by him presented to the legislature, accompanied with an annual report of the superintendent and treasurer. Visits of managers to asylum.

11. *And be it enacted*, That it shall be the duty of the resident officers to admit any of the managers into every part of the asylum, and to exhibit to him or them, on demand, all books, papers, accounts, and writings belonging to the institution, or pertaining to its business, management, discipline, or government; also, to furnish copies, abstracts, and reports, whenever required by the managers. Officers to exhibit books, &c., to managers.

Duties of  
treasurer.

12. *And be it enacted*, That the treasurer shall have the custody of all moneys, bonds, notes, mortgages, and other securities and obligations belonging to the asylum: he shall open an account at one or more banks, to be approved by the managers, in his own name, as treasurer of the asylum, and he shall deposit therein all moneys, immediately on receipt thereof, and shall draw for the same only for the uses of the asylum, and in the manner prescribed in the by-laws, upon the written order of the steward, specifying the object of the payment: he shall keep full and accurate accounts of receipts and payments, in the manner directed in the by-laws, and such other accounts as the managers shall prescribe: he shall balance all the accounts on his books annually, on the last Monday of December, and make a statement of the balances thereon, and an abstract of the receipts and payments of the past year; which he shall, within two days thereafter, deliver to the auditing committee of the managers, who shall compare the same with his books and vouchers, and verify the results by a further comparison with the books of the steward, and certify the correctness thereof, within the next three days, to the managers: he shall, further, render a quarterly statement of his receipts and payments, on the first Monday of April, July, and October, in each year, to the auditing committee, who shall compare and verify the same as aforesaid, and report the results thereof, duly certified, to the managers, who shall cause the same to be recorded in one of the books of the asylum: he shall, further, render an account of the state of his books, and of the funds and other property in his custody, whenever required so to do by the managers.

Treasurer  
may compel  
payment of  
expenses of  
lunatic.

13. *And be it enacted*, That the treasurer of the State Lunatic Asylum shall be vested with the same powers, rights, and authority which are now given by law to the overseers of the poor in any township or city of the state, so far as may be necessary for the indemnity and benefit of the asylum, and for the purpose of compelling a relative, or committee, or guardian, to defray the expenses of a lunatic's support in the asylum, and reimburse actual disbursements for his necessary clothing and travelling expenses, according to the by-laws of the institution; also, for the purpose of coercing the payment of similar charges, when due from any township, city, or county that is liable for the support of any lunatic in said asylum.

Moneys  
due, how  
recovered.

14. *And be it enacted*, That said treasurer shall also have authority to recover, for the use of the asylum, any and all sums which may be due upon any note or bond in his hands belonging to the asylum; also, any and all sums which may be charged and due, according to the by-laws of the asylum, for the support of any patient therein, or who may have been

therein, or for actual disbursements made in his behalf for necessary clothing and travelling expenses, in an action to be brought in said treasurer's name, as treasurer of the State Lunatic Asylum, and which shall not abate, by his death or removal, against the individual, township, city, or county legally liable for the maintenance of said patient, and having neglected to pay the same, when demanded by the treasurer, in which action the declaration may be in a general indebitatus assumption, and judgment shall be rendered for such sum as shall be found due, with interest from the time of the demand made as aforesaid; said treasurer may also, upon the receipt of the money due upon any mortgage in his hands belonging to the asylum, execute a release, and acknowledge full satisfaction thereof, so that the same may be discharged of record.

15. *And be it enacted*, That the steward shall, under the direction of the superintendent, make all purchases for the asylum, and preserve the original bills and receipts thereof, and keep full and accurate accounts of the same, and copies of all orders drawn by himself upon the treasurer: he shall also, under like directions, make contracts, in the superintendent's name, with the attendants and assistants, and keep and settle their accounts: he shall also keep the account for the support of patients, and expenses incurred in their behalf, and furnish the treasurer every month with copies of such as fall due: he shall make quarterly abstracts of all his accounts to the last Monday of every March, June, September, and December, for the treasurer and managers: he shall also be accountable for the careful keeping and economical use of all furniture, stores, and other articles provided for the asylum, and shall, annually, during the third week in December, make out and furnish the managers with a true and perfect inventory, verified by oath, of all the personal property belonging to the asylum, in and about the premises, with an appraisal thereof, made, under oath or affirmation, by himself and two suitable persons, whom the managers shall appoint for that purpose. Duties of steward.

16. *And be it enacted*, That as soon as the asylum shall be ready for the admission of patients, the managers shall cause notice thereof to be published, and also to be sent to the clerk of every county in the state, who shall transmit a copy thereof to the overseer of the poor of each township in their respective county: a circular from the superintendent shall accompany such notice to each county clerk and overseer of the poor, designating different days for the counties, severally, to send to the asylum their respective quotas of patients, and giving all necessary directions respecting admission and support, according to the by-laws. Managers to give notice of completion of asylum.

Application  
for admis-  
sion of pa-  
tients.

17. *And be it enacted*, That no person shall be admitted into the asylum as a patient, except upon an order of some court or judge authorized to send patients, without lodging with the superintendent—first, a request, under the hand of the person by whose direction he is sent, stating his age and place of nativity, if known, his christian and surname, place of residence, occupation, and degree of relationship, or other circumstance of connection between him and the person requesting his admission; and second, a certificate, dated within one month, under oath, signed by two respectable physicians, of the fact of his being insane; each person signing such request or certificate shall annex to his name his profession or occupation, and the township, county, and state of his residence, unless these facts appear on the face of the document.

Record of  
admissions  
to be kept.

18. *And be it enacted*, That the superintendent shall make, in a book kept for the purpose, at the time of reception, a minute, with date, of the name, residence, office, and occupation of the person by whom and by whose authority each insane person is brought to the asylum, and have all the orders, warrants, requests, certificates, and other papers accompanying him carefully filed, and forthwith copied into said book.

Proportion  
of patients  
in each  
county.

19. *And be it enacted*, That each county may, at all times, keep such number of patients, in just proportion with other counties, as the asylum can accommodate; which proportion shall be regulated by the managers: if any one or more of the counties should not send their full proportion, the vacancies may be allotted, by the managers, to other counties having patients, who they may desire to send.

Proceed-  
ings in case  
of insane  
paupers.

20. *And be it enacted*, That whenever any pauper may be insane, it shall be the duty of the overseer of the poor in the township wherein he resides to make application in his behalf to any judge of the court of common pleas of the county; and said judge shall call two respectable physicians, and fully investigate the facts of the case; and if satisfied, after such examination, that the disease is of such a nature as may be cured, he shall issue an order to such overseer, requiring him, without delay, to take such insane pauper to the lunatic asylum, where he shall be kept and supported at the expense of the county in which is his residence, until he shall be restored to soundness of mind, if effected in three years; the judge, in such case, shall have power to compel the attendance of witnesses, and shall file the certificate of the physicians, taken under oath, and other papers relating thereto, and a report of the proceedings and decision, with the clerk of the county, who shall report the facts to the board of chosen freeholders, whose duty it shall be, at their next annual meeting, to raise the money re-

quisite to meet the expenses of support, and; as soon thereafter as practicable, pay it to the treasurer of the asylum.

21. *And be it enacted*, That when a person in indigent circumstances, not a pauper, becomes insane, application may be made in his behalf to any two judges of the court of common pleas of the county where he resides; and said judges shall call two respectable physicians and other credible witnesses, and fully investigate the facts of the case, and, either with or without the verdict of a jury, at their discretion; shall decide the case as to his insanity and indigence; and if the said judges unite in a certificate that satisfactory proof has been adduced, showing him to be insane, and his estate insufficient to support him and his family, (or if he has no family, himself,) under the visitation of insanity, on their certificate, authenticated by the county clerk, under the seal of the court, he shall be admitted into the asylum, and supported there, at the expense of said county, until he shall be restored to soundness of mind, if effected in three years; the said judges in such case shall have requisite power to compel the attendance of witnesses and jurors, and shall file the certificate of the physicians, taken under oath, and other papers relating thereto, with a report of their proceedings and decision, with the clerk of the county, and report the fact to the board of chosen freeholders, whose duty it shall be, at their next annual meeting, to raise the money requisite to meet the expenses of support, and, as soon thereafter as practicable, pay it to the treasurer of the asylum.

Proceed-  
ings in case  
of indigent  
insane per-  
sons.

22. *And be it enacted*, That when an insane person, in indigent circumstances, shall have been sent to the asylum by his friends, who have paid his bills therein for six months, if the superintendent shall certify that he is a fit patient, and likely to be benefited by remaining in the institution, the chosen freeholders of the county of his residence are authorized and required, upon an application, under oath, in his behalf, to raise a sum of money sufficient to defray the expenses of his remaining there a year, and pay the same to the treasurer of the asylum; and they shall repeat the same for two succeeding years, upon like application, and the production of a new certificate each year, of like import, from the superintendent.

Extension  
of time of  
patient in  
asylum.

23. *And be it enacted*, That the inspectors of the state prison shall have power, from time to time, on the recommendation of the physician of the prison, to cause any insane prisoner to be removed to the asylum, where he shall be supported until he shall be restored to soundness of mind, or discharged by the expiration of his sentence; should he be restored before the end of the term of his imprisonment, the managers of the

Inspectors  
of state pri-  
son to re-  
move in-  
sane pri-  
soners to  
asylum.

asylum shall order him returned to the prison ; the expense of his maintenance and clothing at the asylum shall be paid, from time to time, by the keeper of the prison, to the treasurer of the asylum, and shall be included in the current expenses of the prison.

No patient admitted for less than six months. 24. *And be it enacted*, That no person shall be admitted into the asylum for a shorter period than six months, except in special cases provided for in the by-laws.

Managers may authorize admissions in cases of vacancies. 25. *And be it enacted*, That the managers may authorize the superintendent to admit, under special agreements, whenever there are vacancies in the asylum, such cases as may seek admission.

County officers to provide clothing, &c. 26. *And be it enacted*, That all town and county officers sending a patient to the asylum, shall, before sending him, see that he is in a state of perfect bodily cleanliness, and is comfortably clothed and provided with suitable changes of raiment, as prescribed in the by-laws.

Proceedings in case of persons acquitted of crime on grounds of insanity. 27. *And be it enacted*, That when a person shall have escaped indictment, or have been acquitted of a criminal charge upon trial, on the ground of insanity, upon the plea pleaded of insanity or otherwise, the court, being certified by the jury or otherwise of the fact, shall carefully inquire and ascertain whether his insanity in any degree continues, and if it does, shall order him in safe custody, and to be sent to the asylum: the county from which he is sent shall defray all his expenses while there, and of sending him back, if returned; but the county may recover the amount so paid from his own estate, if he has any, or from any relative, township, city, or county that would have been bound to provide for and maintain him elsewhere.

Proceedings in case of insane persons in confinement. 28. *And be it enacted*, That if any person in confinement, under indictment, or under sentence of imprisonment, or for want of bail for good behaviour, or for keeping the peace, or appearing as a witness, or in consequence of any summary conviction, or by order of any justice, or under any other than civil process, shall appear to be insane, the judge of the circuit court of the county where he is confined shall institute a careful investigation, call two respectable physicians and other credible witnesses, invite the prosecutor of the pleas to aid in the examination, and, if he shall deem it necessary, call a jury, and for that purpose is fully empowered to compel the attendance of witnesses and jurors; and if it be satisfactorily proved that he is insane, said judge may discharge him from imprisonment, and order his safe custody and removal to the asylum, where he shall remain until restored to his right mind; and then, if the said judge shall have so directed, the superintendent shall

inform the said judge and the county clerk and prosecutor of the pleas thereof, whereupon he shall be remanded to prison, and criminal proceedings be resumed, or otherwise discharged; the provisions of the last preceding section, requiring the county to defray the expenses of a patient sent to the asylum, shall be equally applicable to similar expenses arising under this section and the one next following.

29. *And be it enacted*, That persons charged with misdemeanors, and acquitted on the ground of insanity, may be kept in custody and sent to the asylum in the same way as persons charged with crimes. Insane persons charged with misdemeanors.

30. *And be it enacted*, That the price to be paid for keeping any person in indigent circumstances in the asylum, shall be annually fixed by the managers, and shall not exceed the actual cost of support and attendance, exclusive of resident officers' salaries; but the managers may reduce the price, if they think proper, in behalf of one indigent patient from each county, if admitted within six months of the first attack of the disease, for one year, unless sooner cured. Price of admission.

31. *And be it enacted*, That every insane person supported in the asylum, shall be personally liable for his maintenance therein, and all necessary expenses incurred by the institution in his behalf; and the committee, relative, township, city, or county that would have been bound by law to provide for and support him, if he had not been sent to the asylum, shall be liable to pay the expenses of his clothing and maintenance in the asylum, and actual necessary expenses to and from the same. Expenses of patients, who liable for.

32. *And be it enacted*, That the expenses of clothing and maintenance in the asylum, of a patient who has been received upon the order of any court or judge, shall be paid by the county from which he was sent to the asylum; the county collector of said county is authorized and directed to pay to the treasurer of the asylum the bills for such clothing and maintenance, as they shall become due and payable, according to the by-laws of the asylum, upon the order of the steward, countersigned by the superintendent: and the chosen freeholders of said county shall annually levy and raise the amount of such bills, and such further sum as will probably cover all similar bills for one year in advance; said county, however, shall have the right to require every individual, township, city, or county, that is legally liable for the support of such patient, to reimburse the amount of said bills, with interest, from the day of paying the same. Expenses, clothing, &c., of patients sent by counties, how paid.

33. *And be it enacted*, That whenever the managers shall order a patient removed from the asylum to the county whence he came, the collector of said county shall audit and pay the Expenses of removal of patients from asylum, how settled.

actual and reasonable expenses of such removal, as part of the expenses of said county; but if any township or person be legally liable for the support of such patient, the amount of such expenses may be recovered, for the use of the county, by said collector: if such collector neglect or refuse to pay such expenses on demand, the treasurer of the asylum may pay the same, and charge the amount to said county, and the county collector shall pay the same, with interest; and the chosen freeholders of said county shall levy and raise the amount, as other county charges.

Expenses,  
how recovered.

34. *And be it enacted*, That every township or county paying for the support of a lunatic in the asylum, or for his expenses in going to or from the same, shall have the like rights and remedies to recover the amounts of such payments, with interest from the time of paying such bill, as if such expense had been incurred for the support of the same, at other places under existing laws.

Authority  
of court of  
chancery  
not abridged.

35. *And be it enacted*, That none of the provisions of this act shall restrain or abridge the power and authority of the court of chancery over the persons and property of the insane.

Discharge  
of patients.

36. *And be it enacted*, That the managers, upon the superintendent's certificate of a complete recovery, may discharge any patients, except those under a criminal charge, or liable to be removed to prison; and they may send back to the poor-house of the county or township whence he came, any person admitted as "dangerous," who has been two years in the asylum, upon the superintendent's certificate that he is harmless, and will probably continue so, and not likely to be improved by further treatment in the asylum; or when the asylum is full, upon a like certificate that he is manifestly incurable, and can probably be rendered comfortable at the poor-house, they may also discharge and deliver any patient, except one under criminal charge as aforesaid, to his relatives or friends, who will undertake, with good and approved sureties, for his peaceable behaviour, safe custody, and comfortable maintenance, without further public charge.

Discharge  
of criminal  
patients.

37. *And be it enacted*, That a patient of the criminal class may be discharged by order of one of the justices of the supreme court, if, upon due investigation, it shall appear safe, legal, and right to make such order.

Clothing,  
&c., to be  
furnished  
on discharge.

38. *And be it enacted*, That no patient shall be discharged without suitable clothing, and, if it cannot be otherwise obtained, the steward shall, upon the order of two managers, furnish it; also money, not exceeding ten dollars, to defray his necessary expenses until he reaches home.



39. *And be it enacted*, That the managers of the State Lunatic Asylum shall receive no compensation for their services; but they shall receive their actual travelling expenses, to be paid by the state treasurer, on the warrant of the auditor, on the rendering of their accounts: no court, judge, clerk, or other officer shall receive any compensation for any services performed under this act. Managers  
not to re-  
ceive com-  
pensation.

40. *And be it enacted*, That all purchases for the use of the asylum shall be made for cash, and not on credit or time; every voucher shall be taken duly filled up at the time it is taken; accompanying every abstract of vouchers for money paid, there shall be proof, on oath, that the voucher was filled up, and the money paid therefor, at the time the voucher was taken: and the managers shall make all needful rules to enforce the provisions of this section. Purchases  
for asylum,  
how made.

41. *And be it enacted*, That the terms "lunatic" and "insane," as used in this act, include every species of insanity, and extend to all deranged persons, and to all of unsound minds, other than idiots; the words "asylum" and "institution" mean State Lunatic Asylum; a word denoting the singular number, is to include one or many; and every word importing the masculine gender only, may extend to and include females. Certain  
terms, &c.,  
defined.

42. *And be it enacted*, That this act shall take effect immediately. Act, when  
to take ef-  
fect.

Approved February 23, 1847.

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AN ACT to set off part of the township of Westfield, in the county of Essex, into a separate township, to be called the township of Plainfield.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that part of the township of Westfield lying west of the following line: beginning in the middle of Green brook, near Elijah Shotwell's dwelling, and in the range of the centre of the Terrill road; thence, to run a southeast course, and in the middle of said road, to its junction with the road leading from Plainfield to Rahway, near the two bridges; thence, to run southeast, to the line dividing the township of Rahway from the township of Westfield, shall be, and is hereby set off from the township of Westfield, and Boundaries  
of township

made a separate township, to be called by the name of "the township of Plainfield."

Inhabitants  
incorporat-  
ed.

2. *And be it enacted*, That the inhabitants of the said township of Plainfield shall be, and they are hereby constituted a body politic and corporate in law, and shall be styled and known by the name of "the inhabitants of the township of Plainfield, in the county of Essex," and shall be entitled to all the rights, powers, authority, privileges, and advantages, and subject to the same regulations, government, and liabilities, as the inhabitants of the other townships in the said county of Essex are or may be entitled or subject to by the existing laws of the state.

First town  
meeting.

3. *And be it enacted*, That the inhabitants of the township of Plainfield shall hold their first annual town meeting at the house of John W. Laing, in Plainfield, on the day appointed by law for holding the annual town meetings in the other townships in the county of Essex:

Town com-  
mittees to  
allot and  
divide pro-  
perty.

4. *And be it enacted*, That the town committees of the townships of Westfield and Plainfield shall meet, on the first Monday after the next annual town meetings in said townships, at the inn of William S. Deverna, in the village of Scotch Plains, at ten o'clock in the forenoon of said day, and shall then and there, or as soon afterwards as may be, proceed by writing, signed by a majority of the members of each township committee, to allot and divide between the said townships of Westfield and Plainfield all the property and moneys on hand or due, in proportion to the taxable property and ratables, as taxed by the assessor of the said township of Westfield at the last annual assessment; and the inhabitants of the township of Plainfield shall be liable to pay their just proportion of debts, if any there be.

Settlement  
of paupers.

5. *And be it enacted*, That the said township committees of Westfield and Plainfield shall, at their first meeting, or as soon after as may be, make division by writing, signed by a majority of the members of each township committee, of the paupers at that time chargeable to the said townships, according to the place of their legal settlement.

Act, when  
to take ef-  
fect.

6. *And be it enacted*, That this act shall take effect and be in force on and after the first Monday in April next.

Approved February 4, 1847.

A supplement to an act entitled, "An act to incorporate the Delaware Manufacturing Company of Trenton," passed March third, eighteen hundred and thirty-seven.

WHEREAS, by an act entitled, "An act to incorporate the Delaware Manufacturing Company," passed March third, eighteen hundred and thirty-seven, it was directed that books for subscription to the capital stock of said company should be opened on the first Tuesday in May then next, giving at least twenty days' notice of the time and place, in one or more of the newspapers of the city of Trenton; and whereas the said books were opened at the time so prescribed, and part of said capital stock was subscribed, but, through mistake, only eighteen days' notice was given of opening said books; and whereas the subscribers to said stock are desirous of reopening said books for the balance of said stock—therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Dr. John McKelway and Benjamin Coates be, and they are hereby authorized to reopen said books of subscription for the balance of stock of said company, not heretofore subscribed, at the house of Joshua English, in the city of Trenton, on Thursday, the twenty-fifth day of February next, at ten o'clock in the forenoon of that day, twenty days' notice of the time and place of opening the same having been previously given in one or more of the newspapers printed in the said city of Trenton; and that the original subscriptions be deemed and considered valid, if such original subscribers, being advised of the passage of this law, shall so elect.

Approved February 5, 1847.

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A supplement to the act entitled, "An act to incorporate the Passaic Turnpike Company," passed February second, A. D. eighteen hundred and thirty-two.

It being represented, by the petition of the Passaic Turnpike Company, that the working of the free-stone quarries at the Little Falls has rendered a portion of their turnpike danger-

ous for travelling, and that it is proper for them to change the location of that portion thereof—therefore,

Company  
authorized  
to change  
location of  
road.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the Passaic Turnpike Company to change the location of so much of their road, lying between Peckman's river and the Little Falls, as they may deem to be expedient and for the public convenience and safety, having regard to the provisions of their charter, and particularly to the conditions contained in the third section thereof; and, after a map and survey of such new line shall be filed in the office of the secretary of state, said new location shall become a part of their turnpike road; and the map and survey, or a certified copy thereof, shall be conclusive evidence of the location and course of said road at that place.

Approved February 5, 1847.

AN ACT to extend the time limited for completing the Paterson and Ramapo Railroad.

Time for  
completing  
road ex-  
tended.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time for completing the railroad, limited in the seventeenth section of the act entitled, "An act to incorporate the Paterson and Ramapo Railroad Company," passed the tenth day of March, eighteen hundred and forty-one, be extended to the period of five years from the fourth day of July next.

Approved, February 5, 1847.

AN ACT to incorporate the Trenton Mutual Life and Fire Insurance Company.

Names of  
corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Philemon Dickinson, Xenophon J. Maynard, John A. Weart, Jasper S. Scudder, Joseph C. Potts, Jonathan Fisk, Eli Morris, and others, their associates,

successors, and assigns, shall be, and are hereby ordained, constituted, and declared to be a body politic and corporate, in fact and in name, by the name of "the Trenton Mutual Life and Fire Insurance Company," to be located at Trenton, in this state; and, in addition to the real estate which the said corporation is allowed by law to hold, they may hold all such real estate as shall have been bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its business, or purchased at sales on judgments or decrees which shall have been obtained for such debts. Style.

2. *And be it enacted*, That all persons who shall at any time hereafter ensure in or with the said association, shall, while they so continue, be deemed and taken as members of the said corporation; and that the property and concerns of the said corporation shall be conducted and managed by seven directors, a majority of whom shall be residents of Trenton, to be chosen by ballot, by and from among the members, and shall hold their offices for one year and until others are chosen; and that the election for directors shall be held on the third Monday of April in every year, at the office of the company, or such other place as a majority of the directors may previously designate, public notice of which shall be given by the secretary, in one or more newspapers printed or circulating in the county of Mercer, at least two weeks previous to the time of holding such election; and if any of the said directors shall die, refuse to serve, or neglect to act in their said office for the space of two months, then and in every such case the remaining directors shall have power to fill such vacancy or vacancies until the next annual election; *provided*, that the persons named in the first section of this act shall be directors until others are chosen in their stead. Persons ensuring to be members.  
Time and mode of annual election of directors.

3. *And be it enacted*, That it shall and may be lawful for the said corporation to ensure lives, and to make all and every insurance appertaining to or connected with life risks, of whatever kind or nature, and also to ensure all kinds of property, both real and personal, against loss or damage by fire. Corporation may ensure lives.

4. *And be it enacted*, That it shall be lawful for any married woman, by herself and in her name, or in the name of any third person, with his assent as her trustee, to cause to be ensured, for her sole use, the life of her husband for any definite period, or for the term of his natural life; and in case of her surviving her husband, the sum or net amount of the insurance becoming due and payable by the terms of the insurance shall be payable to her, to and for her own use, free from the claims of the representatives of her husband or of any of his. Married woman may ensure life of husband.

creditors; but such exemption shall not apply when the amount of premium annually paid shall exceed three hundred dollars.

Ensurance,  
how paid in  
case of  
death of  
wife.

5. *And be it enacted*, That, in case of the death of the wife before the decease of the husband, the amount of the ensurance may be made payable after death to her children, for their use, and to their guardian, if under age.

Premium of  
ensurance,  
how paid.

6. *And be it enacted*, That it shall and may be lawful for the officers of said corporation to take the notes or obligations of the members for the amount, either in part or the whole of the premium of ensurance, in proportion to the amount ensured, and to loan such portion of their money on hand as may not be immediately wanted for the purposes of said corporation.

Directors to  
elect president.

7. *And be it enacted*, That at the first meeting of the directors held after the organization of this company, and at every annual meeting of the directors in each year after, they shall choose from among themselves one person for president; who shall continue in office until the next annual meeting and until another shall be appointed in his place.

Policies,  
how made.

8. *And be it enacted*, That all policies of ensurance which shall be made by the said corporation, in pursuance of this act, shall be made on such terms and condttions, and for such periods of time, and confined to such persons as shall be from time to time ordered and prescribed by the by-laws, rules, and regulations of said corporation; and if at any time it shall so happen that there shall be just claims on the corporation for losses sustained, to a greater amount than they have funds on hand to discharge, in such cases the directors for the time being shall, with all convenient expedition, proceed to assess such deficiency in a ratable proportion on the members of the association, or their lawful representatives, according to the amount of each member's ensurance; *provided*, that such assessment shall not exceed the amount of the note or obligation given by each member, and one per cent. on the principal sum mentioned in each policy; which rates or assessments shall be approved of by a majority of the directors; and notice in writing shall be given to each member, or his lawful representative, of the assessment and amount by him, her, or them required to be paid; and each and every member, or his lawful representative, so notified, shall pay the same to the treasurer for the time being within sixty days after such notification, and in default thereof, shall forfeit all right and claim to any policy that he may have obtained, and be no longer a member of the association; and shall also be liable for the amount of such assessment, with interest, to be recovered by action of debt, with costs of suit, before any court of competent jurisdiction; *pro-*

Assessment  
to be made  
in case of  
loss.

vided, that the accumulated funds from premiums for insurance against fire shall be kept upon the books and in the treasury of said company distinct and separate from the other funds thereof, and in case of loss by fire, the indemnification shall be paid out of such fund exclusively; and in all cases of life risks, the indemnification or annuity shall be paid out of the funds arising from premiums upon such risks exclusively.

9. *And be it enacted*, That three or more of the directors shall have power to call a meeting of the directors, by giving notice in one or more newspapers published or circulating in the county of Mercer, at least ten days before said meeting. Meeting of directors, how called.

10. *And be it enacted*, That this act shall continue in force for the term of twenty years; and the said corporation shall possess the general powers, and be subject to the restrictions and liabilities, contained in the act entitled, "An act concerning corporations," approved the fourteenth day of February, eighteen hundred and forty-six, so far as the same are applicable. Limitation.

Approved February 5, 1847.

A supplement to "An act respecting highways in the township of Paterson, in the county of Passaic," approved January twenty-ninth, eighteen hundred and forty-six.

It being represented that the powers conferred upon the township committee of the township of Paterson, by the act to which this is a supplement, are not sufficient to enable them properly to establish such regulations as public convenience and the safety of travellers require—therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of the township of Paterson may make and establish such rules, ordinances, and regulations as they, or a majority of them, shall determine to be necessary for preventing the encumbering or obstructing the streets and side-walks; for preventing or regulating the running at large of dogs and swine; for preventing immoderate riding and driving through or in any of the streets; for preventing or restraining disturbances or disorderly assemblages, at night, in any street or streets; for abating or removing any public nuisance in or upon any of the streets; for re- Township committee to establish rules, &c.

gulating the vending of meats, fish, and vegetables; for grading, gravelling, or paving any streets or side-walks, at the expense of the individual owners of the lots fronting on the same, and for such other purposes as the comfort, health, security, and convenience of the citizens and public may require, and to enforce the observance thereof, by penalties, not exceeding twenty-five dollars each, for the use of the said township, and by imprisonment, not exceeding twenty days, for a wanton repetition of the offence, after the imposition and enforcement of a fine: the expenses of paving and the fines may be recovered, with costs of suit, in an action of debt, in the corporate name of the township, before any justice of the peace within the county; the state of demand may be general for a penalty, and the special matters may be given in evidence, and the inhabitants of the township shall be competent jurors and witnesses; and a justice of the peace, before whom judgment of imprisonment shall be given, may carry the same into effect by warrant of commitment, under his hand and seal, directed to the keeper of the jail of the county, who shall receive and keep the defendant at the expense of the township; *provided however*, that no ordinances shall be made and enforced which will prevent the wagons of farmers, and other vehicles from the country, with wood or the products of their farms, from stopping for the sale thereof, along the sides of the streets, under necessary and uniform regulations.

Fines, &c.,  
how recovered.

Act, when  
to take effect.

2. *And be it enacted*, That this act shall go into operation immediately after the passage thereof.

Approved February 8, 1847.

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#### AN ACT to incorporate the Swedesboro' Steamboat Company.

Names of  
corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Malachi C. Horner, Jacob Hovey, Charles Garrison, Isaac Scull, Samuel Ogden, David C. Ogden, Malachi Knisell, Joshua S. Thompson, John Pierson, George Batten, and Benjamin Rulon, and all such persons as are now members or partners of an association called and known by the name of the Swedesboro' Steamboat Company, and their successors, are hereby made and declared to be a corporation and body politic, by the name, title, and designation of "the Swedesboro' Steamboat Company;" and, by that name, may have continual succession, may make and have a

Style and  
general  
powers.



common seal, and shall have power to sue and be sued, implead and be impleaded, in all courts of record and elsewhere; and may have full power, right, and legal authority to purchase, build, hold, occupy, and convey any steamboat or boats, lands, tenements, hereditaments, and real and personal estate whatsoever, which shall or may be necessary to carry into effect and operation the objects of the said corporation, as hereinafter declared.

2. *And be it enacted*, That all the joint stock of the said association, and all the estate, real, personal, and mixed, all the securities, claims, and demands, all the records, books, papers, and vouchers, in any wise belonging to the said association, shall be transferred to and vested in the said corporation, as absolutely and completely, to all intents and purposes, as if the same had been acquired by the said corporation after the passing of this act; *provided*, that nothing in this section contained shall impair or affect the rights of the creditors of the said association.

3. *And be it enacted*, That the capital stock of said corporation shall not exceed forty thousand dollars, which shall be divided into shares of fifty dollars each; the capital stock of the said association is to be taken as a part of the said sum of forty thousand dollars; and the members of the said association are to receive so many shares of the said stock of the said corporation as will equal in amount the stock which they now respectively own in the said association; and the said capital stock is to be employed in running one or more steamboats from Swedesboro, in the county of Gloucester, to the city of Philadelphia and elsewhere, and is to be vested in the purchase or building of one or more steamboats, with steam engines, boilers, and machinery, and all their rigging, furniture, and apparatus, and in the repairs thereto, and in the purchase, renting, repairing, or building of suitable landings, wharves, and store-houses; and the said capital stock shall be deemed personal estate, and shall be assignable and transferable upon the books of the said corporation, agreeably to the by-laws for that purpose to be made and adopted.

4. *And be it enacted*, That Malachi C. Horner, Jacob Howey, Charles Garrison, Isaac Scull, Samuel Ogden, David C. Ogden, Malachi Knisell, Joshua S. Thompson, John Pierson, George Batten, and Benjamin Rulon shall be directors of the said corporation until the election is held, as is hereinafter provided: the board of directors for the time being shall have power to elect a president (who shall be a director), a treasurer, and all such officers and agents, and to employ such workmen, artificers, and labourers, as shall be necessary to carry

into effect and execute all the powers by this act granted to said corporation, and to allow such compensation as shall be agreed upon, and, if they judge it necessary, to exact and take from their officers and agents bonds for the proper and faithful execution of their several duties and trusts, to and for the faithful performance of their several contracts; and the directors of said corporation shall have power to make, ordain, and establish such by-laws, rules, and regulations for the said company as to them shall seem expedient, not inconsistent with the constitution or laws of this state or of the United States.

Books of subscription to be opened.

5. *And be it enacted*, That the residue of the capital stock of said company, or any part thereof not heretofore disposed of, may be disposed of and taken at any time hereafter, whenever the directors, by direction of three-fourths of the whole number, shall deem it necessary and proper, who are authorized to open books of subscription for said stock, at such time or times, and place or places, as they, or a majority of them, shall think proper, giving at least fifteen days' notice of the time and place of their meeting; and at the time of subscription the sum of ten dollars on each share shall be paid to the directors, and the remainder of such subscriptions shall be paid at such times and in such instalments as the directors for the time being shall appoint, under the pain of forfeiting all previous payments on such shares, for the use of said company; *provided always*, that no instalments shall exceed the sum of twenty dollars on each share, and no two instalments shall be required to be paid within thirty days of each other; *and provided also*, that at least fifteen days' notice of the time and place appointed for the payment of each instalment shall be published in one or more newspapers published in the county of Gloucester and in the city of Philadelphia.

Time and mode of annual election of directors.

6. *And be it enacted*, That the affairs, property, and concerns of the said corporation shall be conducted by eleven directors, a majority of whom shall constitute a quorum, and at least seven shall be residents in this state, and shall be chosen annually by ballot by the stockholders, either in person or by proxy, no person to be eligible as a director who shall not be a stockholder in the said company; and in the choice of directors, and in all other cases, each share shall be entitled to one vote; should a vacancy occur at any time in the board of directors, the place shall be supplied by the remaining directors until the next annual election; the first election for directors under this charter shall be held at Swedesboro', on the first Monday of January next, ten days' notice being first given thereof, in a newspaper published in the county of Gloucester and the city of Philadelphia; and the stockholders, when met, to choose three persons as judges of election; and all future

elections for directors of said corporation shall be held annually, at such time and place as the by-laws shall direct.

7. *And be it enacted*, That the president shall preside at all meetings of said corporation, and if absent, his place shall be supplied, for the time he is absent, by the election of any one of the directors; the directors shall have power to fix, determine, and regulate the prices of transportation of passengers, goods, wares, merchandise, wagons, carriages, vehicles, horses, cattle, stock of every kind and description, and all kinds of produce or other articles that shall be transported in the boat or boats of the said company or corporation; and the said board of directors shall, from time to time, declare dividends of so much of the profits of said corporation as they may deem advisable, and pay the sum over to the persons entitled thereto; but no part of the capital stock shall be divided during the continuance of this charter.

Directors to regulate the prices of transportation.

8. *And be it enacted*, If an election of directors shall not be made during the day when pursuant to this act it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but such election may be held at any time thereafter, upon notice as aforesaid; and the directors for the time being shall continue, in all cases, to hold their offices until new ones shall have been chosen in their stead; and in all elections for directors of said corporation, stockholders may vote either in person or by proxy.

Corporation not dissolved for failure to elect on day prescribed.

9. *And be it enacted*, That the corporation hereby created shall continue twenty years, and shall possess the general powers, and be subject to the general restrictions and liabilities, set forth in an act entitled, "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six.

Limitation.

Approved February 8, 1847.

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AN ACT to incorporate the Jersey City Insurance Company in the county of Hudson.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That all such persons as shall become stockholders to the capital stock hereinafter mentioned, their successors and assigns, shall be and are hereby constituted and made a body politic and corporate, by the name and style of

Style of incorporation.

"the Jersey City Insurance Company;" and the office of the said company shall be located at Jersey City, in the county of Hudson, in this state.

Amount of  
capital.

2. *And be it enacted*, That the capital stock of said company shall not exceed two hundred thousand dollars, and shall be divided into shares of fifty dollars each; and there shall be paid into the treasury of said corporation by each subscriber to the capital stock, at the time of subscription, an instalment of five per cent. on the stock by him subscribed, and the remainder to be paid, or amply secured to be paid, in such securities on real estate, or other securities, as the commissioners hereinafter named shall deem sufficient; and until fifty thousand dollars of said stock is subscribed for and paid, or secured to be paid as aforesaid, said company shall not commence business.

Election of  
directors.

3. *And be it enacted*, That the stock, property, and affairs of said corporation shall be managed and conducted by fifteen directors, two-thirds of whom shall be citizens of this state, who shall divide themselves into three classes: the term of the first class shall expire on the second Monday of January next succeeding their election, or as soon thereafter as others are elected in their stead; the term of the following classes shall expire, successively, on the second Monday of January of the following years, or as soon thereafter as others are elected in their stead; the annual election for directors shall be held on the second Monday of January in each year, at such time and place in Jersey City as a majority of the directors shall appoint, of which notice shall be given in some public newspaper published and circulating in the county of Hudson, at least ten days previous to said election; such election shall be held under the direction of three stockholders, to be appointed by the directors; and such election shall be by ballot and by a plurality of the votes of the stockholders and their proxies, allowing one vote for every share of the said stock.

Directors to  
elect president  
and  
vice president.

4. *And be it enacted*, That it shall be the duty of the directors, on organizing the company, and annually thereafter, to choose out of their number a president; and they may also elect a vice president in the same manner, both of whom shall be residents of this state; and the vice president shall perform the duties of the president in case of his death, absence, or inability to act.

Commissioners,  
&c.

5. *And be it enacted*, That Dudley S. Gregory, George W. Savage, Edward Coles, Phineas C. Dummer, Abraham Van Santvoord, and Peter McMartin shall be commissioners to receive subscriptions to the capital stock of said company; and when the whole of said stock shall be subscribed and paid, or

secured to be paid, as mentioned in the second section of this act, the commissioners shall call a meeting of the stockholders, by an advertisement published at least ten days previously in some newspaper published and circulating in the county of Hudson, stating the time and place at which such meeting of the stockholders shall be held, and they shall, by ballot, elect the first directors of said company; said commissioners shall appoint three inspectors, being stockholders, of said election; but it is *provided nevertheless*, that if there should be any deaths or resignations among the commissioners above appointed, then the remainder shall elect others to supply the vacancies so occasioned.

6. *And be it enacted*, That the said company shall have <sup>General</sup> power— <sup>powers.</sup>

*First.* To make insurance upon vessels, freights, goods, wares, and merchandise, and to make all and every insurance connected with marine risks, and the risks of transportation and inland navigation.

*Second.* To make insurance upon dwelling-houses, stores, and all kinds of buildings, and upon household furniture, merchandise, and other property, against loss or damage by fire.

*Third.* To cause themselves to be re-insured, when deemed expedient.

7. *And be it enacted*, That all policies of insurance or other <sup>Policies,</sup> contracts authorized by this act, which shall be made and <sup>how made.</sup> entered into by said corporation, may be with or without the seal thereof, and shall be subscribed by the president or vice-president and attested by the secretary, and being so signed, executed, and attested, shall be binding and obligatory upon the said corporation, according to the true intent and meaning of said policies and contracts; and all such policies and contracts may be so made, signed, executed, and attested without the presence of the board of directors.

8. *And be it enacted*, That it shall and may be lawful for the said company to take and hold any real estate or securities <sup>What real</sup> bona fide mortgaged or pledged to the said company, or to <sup>estate may</sup> secure the payment of any debt which may be contracted with the said company, and to foreclose the same; and also to purchase, on sales made by virtue of any judgment at law, or any order or decree of any court of equity, or any other legal proceedings, or otherwise to receive and take any real estate in payment or towards satisfaction of any debt previously contracted and due to the said company, and to hold the same until they can conveniently sell and convert the same into money or other personal property, and also to invest the capi-

tal stock, or so much of the surplus profits of the said company as they may deem fit, in such manner as the directors shall decide; but no moneys shall be loaned on real estate, unless the same be situated in this state, and to call in and reinvest the same, so often as it shall be deemed necessary for the interests of the said company.

Shares forfeited for nonpayment.

9. *And be it enacted*, That the capital stock of said corporation shall be transferable, according to the rules and regulations prescribed by the directors; and every subscriber of any share or shares of said stock, who shall neglect to pay the instalments aforesaid, or to secure the residue of the share or shares by him subscribed, shall forfeit the same to the said corporation, and all payments made thereon, and all profits that may have arisen thereon.

Dividends not to be made from capital stock.

10. *And be it enacted*, That it shall and may be lawful for the directors of said company to make dividends of so much of the profits of the said company as shall appear advisable; and the said dividends shall be paid to the stockholders or their representatives, but the dividends shall not at any time exceed the amount of clear profits made by the company, but the capital stock shall be and remain unimpaired; and if the said directors shall at any time knowingly make a dividend of the capital as aforesaid, they shall be individually liable for the proportion of the stock so divided, and an action of debt may be brought against them, their heirs, executors, or administrators, or any of them, in any court of record of this state, by any creditor of said company, and may be prosecuted thereon to judgment and execution; and each director present when such dividend shall be declared, shall be adjudged to be consenting thereto, unless he forthwith protest against such dividend, and request his protest to be entered on the minutes of the company, and give further notice to the stockholders of the declaring of such dividend, by advertising his said protest, within ten days thereafter, in a newspaper published and circulating in the county of Hudson.

Tax to be paid by company.

11. *And be it enacted*, That the said company shall pay into the treasury of this state one quarter of one per centum per annum on the capital stock paid in, to commence three years after the said company shall go into operation; which amount shall be paid in under the oath or affirmation of the president and secretary thereof.

Limitation.

12. *And be it enacted*, That this act shall continue in force for the term of twenty years, and the said corporation shall possess the general powers, and be subject to the restrictions and liabilities, contained in the act entitled, "An act concerning corporations," approved the fourteenth day of February, one

thousand eight hundred and forty-six, so far as the same are applicable.

13. *And be it enacted*, That this act shall take effect immediately. Act, when to take effect.

Approved February 10, 1847.

AN ACT to repeal the act entitled, "An act to incorporate the Bank of Plainfield, in the county of Essex," passed March first, eighteen hundred and thirty-seven, and to appoint receivers to settle its business.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled, "An act to incorporate the Bank of Plainfield, in the county of Essex," passed March first, eighteen hundred and thirty-seven, is hereby repealed, and all the powers and functions of said bank shall cease and be void; and the said company and its officers and agents are hereby enjoined from exercising any of the privileges or franchises granted by the act incorporating the said company, and from collecting or receiving any debts, or from paying out, selling, assigning, or transferring any of the estates, moneys, funds, lands, tenements, or effects of the said company. Charter repealed.

2. *And be it enacted*, That Joseph C. Hornblower, John S. Darcy, Joel Dunn, and Daniel Dodd, junior, are hereby appointed receivers or trustees for the creditors and stockholders of the said company, and are hereby invested with immediate legal control and possession of all the moneys, property, and effects, of every kind, of the said company; which receivers shall be invested with the same powers, perform the same duties, and be subject to the same restrictions and liabilities, as though they had been appointed by the chancellor, agreeably to the provisions of the act entitled, "An act to prevent frauds by incorporated companies," approved April fifteenth, eighteen hundred and forty-six: they shall make report to the court of chancery, take the same oath before entering upon the performance of their duties, and be, in all respects, subject to the control of the chancellor, as in the case of receivers appointed by virtue of said act; and any and all persons who shall in any way resist the lawful exercise of the authority of the said receivers, or shall do or perform any act contrary to any legal Receivers appointed.

order or direction, or do any thing contrary to the directions and provisions of this act, shall be subject to all the pains and penalties which they might or would be subject to, if such receivers had been appointed pursuant to the provisions of the before mentioned act; and the court of chancery is hereby invested with full power to carry out the provisions of this act.

Act, when  
to take ef-  
fect.

3. *And be it enacted*, That this act shall take effect immediately.

Approved February 10, 1847.

A further supplement to the act entitled, "An act to incorporate the city of Newark."

Members of  
common  
council to  
be divided  
into classes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That on the second Monday in April next, each of the wards in said city shall proceed to elect four members of the common council, as is now provided by said charter; but at the first, or a subsequent meeting of the said common council after such election, the members elected shall proceed to divide themselves into two equal classes, one of which shall go out of office at the expiration of the first year, and the other at the expiration of the second year; and that, on the second Monday in April, of the year one thousand eight hundred and forty-eight, and every year thereafter, the said wards shall respectively elect two persons as aldermen of said ward, who shall hold such office for two years; and in case of the death, resignation, or other disability of any alderman, a person shall be duly elected to fill the unoccupied term.

Aldermen,  
how elect-  
ed.

Ordinances,  
&c., to be  
approved  
by mayor.

2. *And be it enacted*, That whenever any by-law or ordinance, passed by the common council, and presented to the mayor for his approval, shall be returned by him, with his objections, to the common council, at the next regular or special meeting thereof, the said ordinance or by-law shall not become a law, unless passed by a vote of two-thirds of all the members of the common council.

Proceed-  
ings in case  
owners re-  
fuse to pave,  
&c.

3. *And be it enacted*, That if any lot, private alley, or passage way, in front whereof the side-walks shall, by any ordinance or regulation of the common council, be directed to be levelled, graded, paved, flagged, curbed, or gravelled, shall have no dwelling-house or other building thereon, and the owner or owners thereof shall neglect to comply with such ordinance



or regulation, for the space of one month from the time of its passage, it shall be lawful for the common council to cause the same to be done under the direction of the street commissioner, and the expense thereof, certified and sworn to by the street commissioner, and filed in the office of the city treasurer, shall be and remain a lien upon said lot, until the same shall be paid and satisfied; *provided*, that if the owner or owners of any lot, as above mentioned, shall be a nonresident, it shall be the duty of the street commissioner to give notice of such order or regulation, by advertising the same in two of the public newspapers printed in the city of Newark, describing, as near as may be, the lot or lots in front of which the said paving, curbing, flagging, gravelling, or grading is to be done, for the space of one month, after which he shall cause the said work to be done in the manner herein before provided; and to provide for the payment of the said expenses, the common council may, at their option, either bring an action on the case, in any court of competent jurisdiction, in the name of "the treasurer of the city of Newark," without specifying the individual name of the treasurer, against the owner or owners of such lot, for so much money laid out and expended by them for the use of such owner or owners, and declare generally, and give the special matter in evidence; and either party, from any judgment rendered therein, may have the same remedy, by appeal or otherwise, as if said parties were private individuals; or, having first advertised in two of the newspapers published in said city, for the space of two months, once at least in each week, giving notice of the time and place of sale, together with a particular description of the lot, and specifying the amount of money so laid out and expended on the same, may, at such time and place, sell, at public sale, the said lot, for the lowest term of years at which any person shall agree to take the same, and pay said expenses and such other expenses as may be incurred by said advertisement and sale, and shall give a declaration of such sale to the purchaser thereof, under the common seal of said city; and such purchaser, his executors, administrators, and assigns, by virtue thereof and of this act, shall lawfully hold and enjoy the same, for his and their proper use, against the owner or owners, and all persons claiming under him or them, until his term be fully completed and ended; *provided however*, that if the owner or owners, mortgagee or mortgagees, shall, within the space of one year after such sale, pay to the said purchaser, his executors, administrators, or assigns, the amount of money so by him paid to the common council, with legal interest and all reasonable expenses for fencing the same, in case it be done, then the said owner or owners, mortgagee or mortgagees, as the case may be, shall be entitled to re-enter and repossess the

said lot, in the same manner and to all intents, as if such sale had not been made.

Action for expenses not to affect title.

4. *And be it enacted*, That in any action to be brought before a justice of the peace against any person, to recover the amount of said expenses, the title to the premises shall not in any wise come in question; but it shall be a good defence to said action, that the defendant is tenant for years of said lot.

Street commissioner to keep record of notices, &c.

5. *And be it enacted*, That it shall be the duty of the street commissioner to keep a book, well bound, in which he shall record, under his oath of office, in fair hand and word for word, every notice which shall be served in pursuance of the requirement of this act, and of any ordinance that now is or may be passed hereafter in relation to said notice; and shall also note, at the bottom of said record, the time and manner of the service thereof, and sign his name thereto; which said book shall be received as full evidence of the notice, and the time and manner of the service thereof, and shall be delivered to his successor in office, to be kept by him in the same manner.

Surveys of streets, &c., to be made and recorded.

6. *And be it enacted*, That the said common council shall or may, whenever they deem expedient, cause surveys to be made, and the same to be filed in the clerk's office of the county of Essex, and recorded in the book of records of roads and highways for said county, of all such roads, streets, alleys, and public passage ways, as they shall think proper, which have been opened by the owner or owners of any land over which the same runs, and which has been by such owner or owners dedicated to the public, by permitting the public to use the same, and by selling lots fronting thereon, for the purpose of erecting dwelling-houses or other buildings along the same; and all such streets, roads, alleys, and ways, when surveyed, and such surveys filed and recorded as aforesaid, shall be deemed and taken to be public streets or highways, and shall be made, maintained, and treated as such, in all respects.

Ward offices vacated for failure to qualify.

7. *And be it enacted*, That if any person elected to fill any office at the annual ward election, or to fill any vacancy in any city or ward office, shall not qualify according to law for the space of thirty days after such election, such office shall be deemed vacant, and shall be filled in the manner directed by the charter of said city; *provided nevertheless*, that it shall be lawful for the said common council themselves to proceed to fill any such vacancy, except the same has occurred in the office of mayor or alderman.

Vacancies, how filled.

Privileges of firemen.

8. *And be it enacted*, That if any fireman shall have served the period requisite to entitle him to the privileges extended to firemen by the charter of said city, or its supplements, such

fireman shall enjoy such privileges, although such fireman may have served such period at intermediate times.

9. *And be it enacted*, That any person or persons against whom judgment may be obtained before a police justice, for a violation of a city ordinance or ordinances, may have the right of appeal, in common with the city, to the higher courts, as in the case of civil suits before county magistrates. Persons aggrieved may appeal.

10. *And be it enacted*, That so much of the sixth section of the act entitled, "An act to incorporate the city of Newark," as provides for the election of one person to be recorder, and also so much of said act, or any supplement thereto, as is inconsistent with the provisions of this act, be, and the same are hereby repealed. Part of former act repealed.

11. *And be it enacted*, That this act shall take effect immediately upon the passage thereof. Act, when to take effect.

Approved February 10, 1847.

AN ACT to repeal part of act entitled, "An act to incorporate the Plainfield Mutual Assurance Fire Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the seventh section of the act entitled, "An act to incorporate the Plainfield Mutual Assurance Fire Company," passed February fifteenth, eighteen hundred and thirty-four, be, and the same is hereby repealed. Part of former act repealed.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 10, 1847.

AN ACT to divide the township of Manchester, in the county of Passaic, and to establish a new township, to be called the township of Wayne.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that part of the township of Manchester, in the county of Passaic, lying westerly of the following lines, to wit: beginning at the aqueduct across the Boundaries of township

Passaic river at the Little Falls; thence, running in a straight line, to the top of the Totawa mountain where the Onderdonk road intersects the road leading from Preakness to Paterson; thence, with the course of said mountain, to a large single rock on said mountain east of the house of Peter Zeliff; thence, along said mountain, to the Paterson and Hamburg turnpike east of the Buckley House; thence, in a straight line, to the top of the High mountain; thence, with the course of said High mountain, to the line of Franklin township, shall be, and the same is hereby set off from the township of Manchester, and is hereby established into a new township, to be known by the name of "the township of Wayne."

Inhabitants  
incorporat-  
ed.

2. *And be it enacted*, That the inhabitants of the said township of Wayne shall be, and they hereby are constituted a body politic and corporate, and shall be styled and known as "the inhabitants of the township of Wayne, in the county of Passaic," and shall be entitled to all the rights, powers, authority, privileges, and advantages, and subject to the same regulations, government and liabilities, as the inhabitants of the other townships in the said county of Passaic are or may be entitled or subject to by the laws of this state.

First town  
meeting.

3. *And be it enacted*, That the inhabitants of the said township of Wayne shall hold their first annual town meeting at the house now occupied by Henry Casey, in the township of Wayne, on the day appointed by law for holding the annual town meetings in the other townships in the said county of Passaic.

Committee  
to allot and  
divide prop-  
erty.

4. *And be it enacted*, That the township committees of the townships of Manchester and Wayne shall meet, on the Monday next after their first annual town meetings, at the house now occupied by Henry Casey in the township of Wayne, at ten o'clock in the forenoon, and shall then and there proceed by writing, signed by a majority of the members of each committee, to allot and divide between the said townships all the property or moneys on hand or due, or to become due, in proportion to the taxable property and ratables, as valued and assessed by the assessors within the respective limits of said townships at the last assessment, and may adjourn the said meeting, from time to time, unto such time and place as a majority of those present may think proper; and the township of Wayne shall be liable to pay a just proportion of the debts, if any there be; and if any of the members of the said township committees shall neglect to meet as aforesaid, those present may proceed to make such division, and their division, or a division of a majority of them, shall be final and conclusive.

5. *And be it enacted*, That George A. Ryerson, William

Colfax, and Richard Van Houten, or any two of them, shall be, and they are hereby appointed commissioners to run, survey, mark, and ascertain the several lines herein before mentioned; which said commissioners shall, before the second Monday in April next, execute and discharge the duties of their said appointment in the same manner, in all respects, as if they had been appointed commissioners for the purpose aforesaid by the inferior court of common pleas of the county of Passaic, except, only, that it shall not be necessary for said commissioners to give notice of the time and place of meeting to perform the duties of their said appointment; and the charges and expenses of said commissioners shall be taxed and paid, as is by law directed in case of commissioners appointed by the court of common pleas, upon the application of the board of chosen freeholders.

6. *And be it enacted*, That this act shall take effect on the day of holding the first annual town meeting of the said township of Wayne. Act, when to take effect.

Approved February 10, 1847.

AN ACT relative to the distribution of the Revised Laws of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be the duty of the treasurer of this state forthwith to cause the statutes of this state, recently revised and published, after retaining two copies thereof for himself, as treasurer, to be distributed and delivered to the persons, for the uses, and in the proportions following, that is to say:

To the governor, or person administering the government of this state, two copies.

To each senator and representative of this state in congress, one copy.

To the secretary of this state, for the department of state of the United States, two copies.

For the executive of each state and territory within the United States, for the use of such state or territory, two copies.

To the emperor of Russia and the Paris Athenæum, each, one copy.

For the library of Princeton College, one copy.

For the library of Rutgers College, one copy.

For the library of Burlington College, one copy.

For the library of the New Jersey Historical Society and American Antiquarian Society, each, one copy.

Which copies said secretary shall transmit accordingly.

Of the residue, the said treasurer shall deliver to each member of the court of errors and appeals, &c., one copy.

To the revisors of said statute laws, the attorney general, the prosecutor of the pleas of each county, the secretary of state, of the Senate, and clerk of Assembly, of the court of chancery, and of the supreme court, each, one copy.

To the state librarian, to be by him kept and preserved for the use of the legislature, sixty copies.

To the New Jersey Law Library, two copies.

To the county collector of each county, such number as may be requisite to furnish each judge of the court of common pleas, and justice of the peace, appointed or elected since the second day of September, eighteen hundred and forty-four, to the magistracy of any incorporated city or borough in the county, the sheriff, surrogate, clerk of the court of common pleas, and clerk of the board of chosen freeholders, for the use of said board, and to the assessor, collector, overseer of the poor of each township, and clerk of each township, for the use of the township committee, one copy each.

Books to be  
returned  
on expira-  
tion of term  
of office.

2. *And be it enacted*, That it shall be the duty of the aforesaid judges and justices of the peace, sheriff, clerks, surrogate, assessor, collector, and overseer of the poor, within thirty days after the expiration of his or their term or terms of office, to deliver his or their copy or copies of said statutes to his or their successor or successors in office, or return the same to the aforesaid county collector.

Penalty for  
not return-  
ing books.

3. *And be it enacted*, That in case any of the aforesaid magistrates or officers shall, for the space of thirty days, refuse or neglect to make such delivery or return, he, for such offence, shall forfeit and pay ten dollars, to be recovered by action of debt, by the county collector, in his own name, in any court of competent jurisdiction.

Collector to  
prosecute,  
&c.

4. *And be it enacted*, That it shall be the duty of the collector of the county in which such offence shall happen, to prosecute the same to judgment and execution, and apply the moneys recovered thereon to the use of such county.

Treasurer  
to retain re-  
maining co-  
pies.

5. *And be it enacted*, That the residue of the whole number of said Revised Laws shall remain in charge of the treasurer of this state, for the use of the state, and subject to future distribution.

Approved February 11, 1847.

AN ACT for the relief of Merriam Munson, of the county of Morris.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is authorized and required to pay to Merriam Munson, of the county of Morris, the widow of Josiah Munson, a Revolutionary soldier; or her order, the sum of thirty dollars per annum, during her natural life, in semi-annual payments of fifteen dollars each, the first payment to be made the fourth day of March next; and the receipt of the said Merriam Munson shall be a sufficient voucher to the treasurer, in the settlement of his accounts.

Approved February 11, 1847.

AN ACT for the relief of James H. Trenchard, of Pittsgrove, in the county of Salem.

WHEREAS it is represented that Thomas Whitaker, late of the township of Pittsgrove, in the county of Salem, administrator of John Davis, late of said county, deceased, on the sixteenth day of August, eighteen hundred and forty-three, by virtue of an order of the orphans' court of said county, did sell, at public auction, to James H. Trenchard, for the sum of eighty-five dollars, a certain tract of land, of which said John Davis died seized, situate in the township aforesaid, containing five acres, and which was conveyed to said John Davis by deed from Lewis Woodruff, James B. Potter, and Robert B. Potter, dated February second, eighteen hundred and thirty-eight; and that said sale was duly reported by said administrator to the orphans' court of said county, and by said court duly confirmed, and a deed ordered to be made to said James H. Trenchard; and that the money was paid by said Trenchard to said administrator, and by him accounted for in the settlement of said estate; but that, by reason of the sickness and death of said Thomas Whitaker, no deed was ever made for said land to said James H. Trenchard; and that Deborah S. Whitaker is the administratrix of said Thomas Whitaker, deceased—therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said Deborah S. Whitaker, Administratrix authorized to make deed.

administratrix of said Thomas Whitaker, deceased, is hereby authorized, in fulfilment of the said sale, to make a deed for the said tract of land to the said James H. Trenchard; and that the same shall convey and assure the said tract of land to the said James H. Trenchard, his heirs and assigns, to all intents and purposes, the same as if a deed therefor had been made by said Thomas Whitaker, deceased, in his lifetime, in pursuance of the order of the orphans' court aforesaid.

Act, when  
to take ef-  
fect,

2. *And be it enacted*, That this act shall take effect upon the passage thereof.

Approved February 11, 1847.

AN ACT to make taxes a lien on real estate in the township of Elizabeth, in the county of Essex, and to authorize the sale of the same, for the payment thereof.

Taxes to  
bear inter-  
est.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That all taxes hereafter assessed in the township of Elizabeth, in the county of Essex, shall bear interest, at the rate of six per centum per annum, from and after the twentieth day of December next after the assessment thereof, and shall be collected in like manner as prescribed by the act entitled, "An act concerning taxes," approved April fourteenth, eighteen hundred and forty-six.

Lands to be  
assessed in  
names of  
owners.

2. *And be it enacted*, That it shall be the duty of the assessor of said township, in making his assessments as now provided by law, to assess all lands, tenements, hereditaments, and real estate, in the names of the owners thereof, respectively, and to designate the same by some short description, as will be sufficient to ascertain the location and extent thereof.

Taxes to be  
a lien on  
real estate.

3. *And be it enacted*, That any assessment of taxes hereafter made in the said township against any person or persons, on account of any lands, tenements, hereditaments, or real estate of such person or persons, shall be and remain a lien on all the lands, tenements, hereditaments or real estate on account of which said assessment shall be made as aforesaid, with the lawful interest thereon accruing, and all costs and fees in relation to said assessment, and collection thereof, for the space of two years from the time when the taxes, so as aforesaid assessed, were payable.



4. *And be it enacted*, That in case any assessment of taxes, <sup>Lands may be sold for taxes.</sup> as specified in the last preceding section, together with the interest thereon, and costs and fees aforesaid, shall remain unpaid for the space of one year after the said taxes were payable, then, and in every such case, it shall and may be lawful for the township committee of the said township, or any three of them, to issue their warrant, under their respective hands and seals, directed to any constable of the said township, therein and thereby commanding him to make said taxes, with the interest and costs and fees, as aforesaid, of the lands, tenements, hereditaments, or real estate on account whereof the same were assessed as aforesaid, and of which the assessor's description shall be therein set forth, by selling the same, or any part thereof, as will be sufficient for that purpose, for the shortest term for which any person or persons will agree to take the same and pay such taxes, with the interest thereon, and all costs, fees, charges, and expenses; *and further*, directing the said constable to pay the money or moneys raised by such sale to the said township committee of said township, and to make return of said warrant, and his proceedings thereunder, to said township committee of said township, to be filed by the clerk of said township among the other papers of said township.

5. *And be it enacted*, That the warrant specified in the last <sup>Warrant to be recorded.</sup> preceding section shall, before the execution thereof, be recorded by the clerk of said township, in a book to be provided for that purpose; which said record thereof shall be received as evidence in the several courts of this state.

6. *And be it enacted*, That it shall and may be the duty of the constable to whom such warrant shall be directed, as above specified, before he sells by virtue thereof, to give notice of the time and place of the sale of any lands, tenements, hereditaments, or real estate, under this act, by advertisement, signed by said constable, and inserted in a newspaper printed and published in said township, for at least sixty days, once in each week, before the time appointed for such sale; and, also, set up for the same period, in five of the most public places in said township, one of which shall be at or near the lands, tenements, hereditaments, or real estate to be sold; *provided however*, such sale may be adjourned from time to time, not exceeding ninety days in the whole. <sup>of Sales to be advertised.</sup>

7. *And be it enacted*, That it shall and may be lawful for the said constable, to whom such warrant shall be directed, at the time and place specified in the above required notice, or at the time and place to which he shall adjourn, as provided for in the last preceding section, to sell and strike off such lands, <sup>Proceedings in case of sale.</sup>

tenements, hereditaments, or real estate, as may be set forth in said warrant, or any part thereof, to such person or persons as will agree to take the same for the shortest term, and pay such taxes as may be assessed, as aforesaid, on account thereof, and the interest thereon, and all costs, fees, charges, and expenses, and thereupon to execute and deliver to any such person or persons a deed for the same; under his hand and seal; and such person or persons, and his, her, or their legal representatives, shall, by virtue thereof, lawfully hold and enjoy the said lands, tenements, hereditaments, or real estate, during the term for which he, she, or they shall have purchased the same, for his, her, or their own proper use and benefit, against the owner or owners thereof, and all and every person or persons claiming under him, her, or them, until said term shall be fully completed and ended; and shall be at liberty, at or before the expiration of said term, to remove any building or buildings, and materials, erected and placed by him, her, or them thereon; and when said term shall have been ended, shall peaceably and quietly yield up the same to the lawful owner or owners thereof, in as good condition as when he, she, or they took possession of the same, damage resulting from ordinary use and the elements excepted.

Mistake in name of owner not to invalidate assessment.

8. *And be it enacted*, That notwithstanding any mistake in the name or names of the owner or owners, or omission to name the real owner or owners of any lands, tenements, hereditaments, or real estate, in the said township, in assessing the taxes on account thereof, as aforesaid, such assessment shall be valid and effectual in law against said lands, tenements, and hereditaments, or real estate; and the same may be proceeded against and sold, in the manner prescribed herein.

Fees of officers.

9. *And be it enacted*, That the constable to whom such warrant, as aforesaid, shall be directed, shall be entitled to receive the sum of one dollar for executing the same, and, in addition thereto, two cents on each dollar by him collected and paid over to the township committee of said township; for advertising the sale of any lands, tenements, hereditaments, or real estate, for each delinquent, the same fees which the sheriffs of the counties are entitled to for the like services; and for a deed to the purchaser, the sum of two dollars; and the township committee of said township shall be entitled to receive for said warrant the sum of fifty cents; and the clerk of said township, for recording and filing said warrant, shall be entitled to receive the sum of twenty-five cents.

Act, when to take effect.

10. *And be it enacted*, That this act shall take effect immediately.

Approved February 11, 1847.

AN ACT for the relief of Anna Atkinson, of the county of Cape May.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is authorized and required to pay to Anna Atkinson, of the county of Cape May, the widow of Isaac Atkinson, a Revolutionary soldier, or her order, the sum of fifty dollars per annum, during her natural life, in semi-annual payments of twenty-five dollars each, the first payment to be made the fourth day of March next; and the receipt of the said Anna Atkinson shall be a sufficient voucher to the treasurer, in the settlement of his accounts. \$50 per annum to be paid to A. Atkinson.

Approved February 11, 1847.

An additional supplement to an act entitled, "An act to incorporate the New Jersey, Hudson, and Delaware Railroad Company," passed the eighth day of March, one thousand eight hundred and thirty-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the New Jersey, Hudson, and Delaware Railroad Company to commence the construction of any of the lateral roads authorized by the act to which this is a supplement, at any point or places in the counties of Sussex or Warren, without extending the said lateral roads to the Delaware river; and that the said company shall be invested with the same privileges, and subject to the same liabilities, in the survey, laying out, and construction of any such lateral roads, and in the use and enjoyment thereof, as the said corporation is entitled and subject to, without any forfeiture of the act of incorporation, by reason of not commencing or completing all the road or roads authorized by said act in the time prescribed; and that the period limited by the act to which this is a supplement, for the commencement and completion of the said road or roads, shall be computed from the passage of this supplemental act. Time for completing road extended.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 11, 1847.

A further supplement to an act entitled, "An act securing to mechanics and others payment for their labour and materials in erecting any house or other building within the limits therein mentioned," passed February twenty-fifth, eighteen hundred and twenty.

Writs may  
be issued  
on liens  
filed in  
Camden.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act, it shall be lawful to issue a writ or writs of scire facias, either out of the circuit court or inferior court of common pleas of the county of Camden, upon any lien heretofore filed, or hereafter to be filed and recorded, in pursuance of the act, and the supplements thereto, to which this is a further supplement thereto; *provided*, this act shall not affect any suit or action now pending in either of said courts.

Act, when  
to take ef-  
fect..

2. *And be it enacted*, That this act shall take effect immediately.

Approved, February 4, 1847.

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#### AN ACT respecting the signing of judgments.

Preamble.

WHEREAS it is suggested to the legislature that there are a number of judgments in the supreme court and in the circuit court of this state, and in the courts of common pleas of the several counties of this state, which have been rendered and recorded, but which have not been signed by any of the justices or judges of the said courts, respectively; and that in many instances there are no persons in office, as justices or judges of the said courts, respectively, who were justices or judges thereof at the time such judgments were rendered—therefore, to avoid all question in relation to such judgments,

Judges and  
justices au-  
thorized  
to sign judg-  
ments in  
certain ca-  
ses.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the justices of the supreme court, and the judges of the circuit court of this state, and the judges of the courts of common pleas in the several counties of this state, for the time being, shall be, and they are hereby authorized to sign all judgments, in their respective courts, that have been or may hereafter be recorded in their said courts, respectively; and such judgments, so signed by any one of the said justices or judges now in office, or that may hereafter be in

office, though not in office at the time of rendering such judgments, shall be as good and effectual in law as if such judgments had been rendered and recorded, and signed, by a justice or judge who was in office at the time of rendering, recording, and signing the same.

Approved February 16, 1847.

AN ACT for the better security of mechanics and others erecting buildings, and furnishing materials therefor.

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That any person who shall hereafter, by virtue of any contract with the owner thereof, or his agent, or any person who, in pursuance of an agreement with any such contractor shall, in conformity with the terms of the contract with such owner or agent, perform any labour, or furnish materials in building, altering, or repairing any house or other building, or appurtenances to any house or other building, in the city of Newark, in the townships of Elizabeth and Rahway, in the county of Essex, and the townships of Woodbridge and South Brunswick, in the county of Middlesex, shall have a lien for the value of such labour and materials upon such house or building and appurtenances, and upon the lot of land on which the same stands, to the extent of the right, title, and interest, at the time existing, of such owner, in the manner and to the extent hereinafter mentioned; but the aggregate of all the liens authorized by this act to be created, for the labour performed and materials furnished in building, altering, or repairing any house or other building or appurtenances, shall not exceed the price stipulated in the contract with such owner, or his agent, to be paid therefor; and such owner shall not be obliged to pay for or on account of such house, building, or appurtenances, any greater sum in amount, or at a different time, than the price so stipulated and agreed to be paid therefor, in and by such contract; and if the aggregate of liens shall exceed such sum or amount, the same shall be applied to the proportion of the amount of the several liens.

2. *And be it enacted*, That the person performing such labour or furnishing such materials shall cause to be drawn up specifications of the work by him contracted to be performed, or materials to be furnished, and stating the price or prices

Lien for labour done and materials furnished in erecting houses, &c.

Proceedings in cases of lien created by this act.

agreed to be paid therefor, and shall file them, or if there be a contract, a true copy thereof, if the same be in writing, in the office of the clerk of the county in which the lien is created, and serve a notice thereof, personally, on such owner, or his said agent, within fifteen days after the making of such contract, or after commencing such labour or the furnishing said materials; the said clerks shall provide and keep a book which shall be called "the Mechanics' and Labourers' Lien Book," in which they shall enter, alphabetically, the names of the owners, and, opposite to them, the names of contractors or labourers, or other person claiming a lien, and the lot and street on which such work is to be done, or materials furnished, at the time of filing such specification or a copy of such contract; and if the said specification or copy of contract shall not be filed, and notice served as above provided, the said lien, and all claim thereby, shall be for ever barred and excluded from the benefits of this act; the said clerk's shall receive for their services required by this section, the sum of eighteen cents.

Liens, when  
to com-  
mence and  
terminate.

3. *And be it enacted*, That the lien, so created by this act, shall take effect from such filing and such service of the said notice, and shall continue in full force for the space of six months after the completion of said building, unless discharged, as hereinafter provided; and such lien may be discharged on such docket at any time by said clerk, on the production to, and filing with him of a certificate, signed by the contractor or labourer, or other person claiming such lien, that the claim for which such lien was created is satisfied and discharged; which certificate shall be acknowledged or proved in the same manner as deeds are required to be acknowledged or proved, to entitle the same to be recorded; and upon paying the clerk the same fees as for filing other papers and entering satisfaction of judgments.

Remedy in  
cases of re-  
fusal to pay  
demand.

4. *And be it enacted*, That any contractor or labourer, or any person furnishing materials, in pursuance of any contract made by such contractor with such owner, or his agent therefor, or any person in whose favour a lien has been created by this act, after such labour has been performed, or materials furnished, and payment for the same has become due, and the said owner, after demand made, shall refuse to pay the same, may enforce or bring such lien to a close, by action or suit at law, in any court of competent jurisdiction in the county in which the lien is created; and if the sum claimed shall be one hundred dollars, or under, the action shall be in the court for the trial of small causes, before any justice of the peace in said city, or in the townships, respectively, in which the lien is created; and the suits shall be conducted, and like proceedings had, in all respects, as in other cases; and if the action

shall be for a sum exceeding one hundred dollars, it may be prosecuted, as in other cases, to judgment and execution, and a sale made of the house or building and appurtenances, and lot of land, on which the lien was created, as in other cases of sale of land by virtue of judgment and execution; and if judgment shall be recovered in the court for the trial of small causes, and no appeal be demanded, or other proceedings had upon said judgment, the party recovering may file a transcript of said judgment, under the hand and seal of the said justice, in the office of the clerk of said county, with an affidavit of the claimant, that the said judgment is unsatisfied; and thereupon, the said clerk shall docket and record the said judgment, as in other cases, and execution may issue thereon; and the said judgment and execution shall have the same force and effect as in other cases, and the said house or other building, and lot of land, upon which the same is a lien, may be sold, as is provided for the sale of land upon judgment and execution; but no priority shall be given to such judgment and execution over other liens, but the said house or building and appurtenances, and lot of land, or the avails thereof, over and above all prior encumbrances, if any, shall be for the equal benefit of all persons who have obtained a lien, and have a just and legal claim thereon by virtue of this act, in the proportions mentioned in the first section thereof; but nothing in this act contained shall authorize the claimant to recover or receive any greater sum or amount than he is justly and by law entitled to, and the like costs and fees, as near as may be, shall be recovered, as in other cases, in the said several courts.

5. *And be it enacted*, That if any dispute shall arise between the parties in whose favour a lien is created by this act, as to the amount which shall be due to said claimants, or either of them, the said parties shall take measures, within fifteen days after the lien shall take effect, or the claim shall be due, to settle the same by suit at law or otherwise, and bring the same to a close without delay, or be for ever debarred of the benefits of said lien; and the owner or owners of said house or other building, and lot of land, upon which said lien rests, may be relieved therefrom, by paying the amount of money which, by contract, he or they are legally bound to pay, making a rebate of interest for the time unexpired, if by the contract the same should not be due, to the clerk of the county in which the lien is created, who shall receive and retain the same until the rights of the claimants shall be finally settled; and upon satisfactory evidence of such settlement, the said clerk shall pay to the claimant or claimants the amount which he or they shall be entitled to receive, in whole or part, as provided in the first section of this act, deducting from said de-

Proceed-  
ings in ca-  
ses of dis-  
puted am't.

posit one per centum for his services for receiving and paying the same, and the surplus, if any, shall be paid to the depositor; and the certificate of such deposit shall be a bar to all suits or actions against the said owner or depositor by the claimants aforesaid; and upon such payment to the said clerk, as aforesaid, the said lien shall cease and determine, and the premises subject thereunto for ever discharged therefrom, and satisfaction shall be entered on the docket aforesaid.

Liens to be  
created on-  
ly for la-  
bour done.

6. *And be it enacted*, That any person performing such labour, or furnishing such materials in pursuance of any agreement made by him, with the original contractor with such owners, or his said agent, who shall have done the acts prescribed by the second section of this act, to create a lien therefor, shall have a lien for only such labour as shall be performed, and for only such materials as shall be furnished subsequently thereto.

Approved February 16, 1847.

AN ACT FOR THE RELIEF OF MARTHA TINGLEY, OF THE COUNTY OF MORRIS.

AN ACT for the relief of Martha Tingley, of the county of Morris.

\$30 per an-  
num to be  
paid to M.  
Tingley.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is authorized and required to pay to Martha Tingley, of the county of Morris, the widow of Lemuel Tingley, a Revolutionary soldier, or her order, the sum of thirty dollars per annum, during her natural life, in semi-annual payments of fifteen dollars each, the first payment to be made the fourth day of March next; and the receipt of the said Martha Tingley shall be a sufficient voucher to the treasurer, in the settlement of his accounts.

Approved February 16, 1847.

AN ACT FOR THE RELIEF OF ELENOR ROSS, OF THE COUNTY OF MORRIS.

AN ACT for the relief of Elenor Ross, of the county of Morris.

\$30 per an-  
num to be  
paid Ele-  
nor Ross.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is authorized and required to pay to Elenor Ross, of the county of Morris, the widow of John Ross, a Revolutionary soldier, or



her order, the sum of thirty dollars per annum, during her natural life, in semi-annual payments of fifteen dollars each, the first payment to be made the fourth day of March next; and the receipt of the said Elenor Ross shall be a sufficient voucher to the treasurer, in the settlement of his accounts.

Approved February 16, 1847.

### AN ACT to incorporate the Trenton Iron Company.

1. BE IT ENACTED *by the Senate and General Assembly of* <sup>Names of</sup> *the State of New Jersey,* That Peter Cooper, James Hall, Edward Cooper, and Abram S. Hewitt, and their associates and successors, are hereby made and created a body politic and corporate in law, by the name of "the Trenton Iron Company," <sup>Style and</sup> <sup>general</sup> <sup>powers.</sup> for the purpose of manufacturing iron and other commodities and articles of which iron forms a constituent part, and for the transaction of such business as may be properly connected therewith; and may raise by subscription, a capital not exceeding five hundred thousand dollars, in shares of one hundred dollars each; and that the mills and manufactories of the said company shall be located in the borough of South Trenton, and county of Mercer; but it may, nevertheless, be lawful for the said corporation to manufacture or procure the raw material used in the said mills, at such points and places as the said corporation shall deem most advantageous.

2. *And be it enacted,* That the said corporation may purchase, use, hold, possess, and enjoy any such real estate, water <sup>What real</sup> <sup>estate may</sup> <sup>be held.</sup> power, water privileges, machinery, goods, effects, and chattels, whatsoever, as shall seem good to the said corporation to carry on its said business; and whenever it shall see fit, the said corporation may sell, mortgage, lease, and otherwise dispose of the same at pleasure.

3. *And be it enacted,* That it shall and may be lawful for the said corporation to issue unto the said Peter Cooper and his associates, two thousand five hundred full paid shares of the capital stock of the said corporation, on receiving from the said Peter Cooper, or his successors, a full conveyance of the property, situated in the borough of South Trenton, and county of Mercer, now known as "the Trenton Iron Works," together with all the fixtures and machinery therein contained, and the water power and water privileges now held by

the said Peter Cooper, jointly with the Trenton Water Power Company, and the basins and outbuildings attached to the said works; *provided always*, that the said property shall be conveyed unto the said corporation free and clear of any encumbrance, judgment, or lien whatsoever, so that the said corporation shall enter upon the possession of the said property entirely free from debt; and, as soon as the capital of two hundred and fifty thousand dollars shall be thus subscribed and invested, of which facts and affidavit shall be made by two or more of the directors of the said corporation, and filed in the office of the secretary of state, it shall and may be lawful for the said corporation to commence and carry on its said business under the provisions of this act, and to erect, maintain, and keep up a wharf in the rear of the said works on the river Delaware; *provided*, the rights of navigation and other common rights are not injuriously affected thereby.

Books of subscription may be opened.

4. *And be it enacted*, That in case it should not seem good to the said corporation to purchase, or to the said Peter Cooper to convey, the whole of the property in the last section enumerated, it shall and may be lawful for the associates named in the first section of this act, or a majority of them, at such time and place as they shall select, to open books of subscription to the capital stock of the said corporation; and whenever the sum of one hundred thousand dollars shall have been subscribed, and actually paid into the treasury of the said corporation, and an affidavit thereof, made by two or more of the directors of the said corporation, shall be filed in the office of the secretary of state, it shall and may be lawful for the said corporation to commence and carry on its said business under the provisions of this act.

Capital stock may be increased.

5. *And be it enacted*, That the said corporation may, by a vote of the stockholders thereof, from time to time increase its capital stock, until it reaches the sum of five hundred thousand dollars; and it shall be lawful for the directors of the said corporation to call for and demand of the stockholders, respectively, all such sums of money as are by them subscribed, at such time and in such proportion as the said directors shall see fit, under the pain of forfeiture of their shares, and all previous payments thereon, to the said corporation, the said stockholders being notified at least thirty days previous to the time of payment of each instalment; and at each increase of capital, an affidavit thereof shall be filed in the office of the secretary of state, as before; and the capital stock of the said corporation shall be deemed personal estate, and be transferable upon the books of the said corporation; and no part of the said capital stock shall at any time, or upon any pretence whatever, be divided among the stockholders for dividends; neither shall

it be withdrawn or refunded to the stockholders until all debts and liabilities of the company are fully paid, and an affidavit thereof, and of the amount of capital proposed to be withdrawn or refunded to the said stockholders, filed in the office of the secretary of state; and each stockholder shall, in all questions submitted to the said stockholders, and in all elections, be entitled to one vote for every share he holds in the stock of the said corporation, which vote he may cast in person or by proxy; and all matters before the said stockholders shall be decided by a majority of votes cast.

6. *And be it enacted*, That the stock, property, and affairs of the said corporation shall be managed by not less than three, nor more than nine directors, one of whom the said directors shall appoint their president; that the said directors shall be stockholders in the said company, and shall hold their offices for one year and until others shall be chosen to fill their places; they shall be elected at the annual meeting of the stockholders, to be held on the first Monday in August, at such hour of the day and at such place as the by-laws of the said corporation shall direct; and until such annual election shall take place, the associates named in this act, with such other persons, being stockholders, as they shall see fit to appoint, shall be the directors of the said corporation; a majority of the directors shall, on all occasions when assembled at such place as the by-laws shall prescribe, constitute a board competent to the transaction of business; and all questions before them shall be decided by a majority of votes; and in case any vacancy shall happen in the office of director, by death, resignation, or failure of the stockholders to elect the full number authorized by this act, the remaining directors for the time being, or a majority of them, shall have power to fill such vacancy by the appointment of any stockholder.

Time and mode of annual election of directors.

7. *And be it enacted*, That the said directors shall submit to the stockholders, at their regular annual meeting, a written statement of the affairs of the said company, setting forth the amount of capital stock paid in, the amount of money due to and from the said corporation, as nearly as the same can be ascertained, and shall accompany the same by an oath or affirmation that the same is correct, to the best of their knowledge and belief.

Directors to make annual statement.

8. *And be it enacted*, That in case it should happen that an election of directors should not be made on the day designated for that purpose, the said corporation shall not be deemed dissolved; but the stockholders may proceed to hold an election on any other day, due notice being given of the time and place of such election.

Corporation not dissolved for failure to elect on day prescribed.

Books of  
account  
and trans-  
fer to be  
kept.

9. *And be it enacted*, That regular books of account shall be kept in the office of the said company, in the city of Trenton or the borough of South Trenton, to which books any stockholder may have free access at all reasonable hours for the purpose of inspection; and that books of transfer of stock shall also be kept, and shall be evidence of the ownership of said stock, in all elections and other matters submitted to the decision of the stockholders of the said corporation.

Limitation.

10. *And be it enacted*, That the corporation hereby created shall possess the general powers, and be subject to the general restrictions and liabilities, set forth in "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six, so far as the same are applicable.

Act may be  
repealed.

11. *And be it enacted*, That the legislature may at any time hereafter modify, alter, or repeal this act.

Approved February 16, 1847.

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AN ACT to authorize the making of a road or causeway in Elizabethtown Great meadows, leading from the Great island to Oyster creek.

Commis-  
sioners to  
lay out road

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Jonathan Townley, Joseph Cross, John B. Meeker, Abraham A. Mulford, and James C. Baker be, and are hereby appointed commissioners, with full power to locate, lay out, and make, or cause to be made, from the east end of the Great island to Oyster creek, at the bend thereof, in the Elizabethtown Great meadows, in the county of Essex, a road or causeway, with such ditches and bridges as they may deem necessary.

Commis-  
sioners to  
assess ex-  
pense of  
road on  
owners of  
land.

2. *And be it enacted*, That the said commissioners, and a majority of them, shall have full power to assess and collect from the owners of the meadows adjacent to the said causeway, in proportion as they may be benefited by the said road or causeway, ditches, and bridges, such amount as will be sufficient to pay the expenses of making such road or causeway, ditches, and bridges, together with a reasonable compensation to the said commissioners for their services; and the owner and owners of meadow adjacent to said road or causeway and bridges, or who may use the same, are hereby enjoined and required to

give to the said commissioners a true and correct statement of the number of acres of meadow by them owned, respectively, under the same penalty as in case of a tax to be levied; and it shall be the duty of said commissioners, after apportioning to each owner of meadow, respectively, the amount of their assessment, to give them notice thereof; and the said commissioners are hereby authorized and empowered to collect said assessments, and enforce the payment thereof, when refused, in the manner hereafter prescribed.

3. *And be it enacted*, That in case any owner or owners of said meadow shall neglect or refuse payment of the assessments levied upon the meadow by them respectively owned, for the space of thirty days after they shall have been notified of the amount, the said commissioners are hereby authorized and required to cite such owner or owners, so neglecting or refusing to pay, before any justice of the peace of the county of Essex (not interested in the said road or causeway, bridges, ditches, or meadow); and the said justice of the peace is hereby authorized and required to judge of the amount of assessment so assessed, and shall have discretionary power to rate the same lower; and for so much as he shall rate the same at, he shall forthwith issue execution, to be levied upon the goods and chattels of the delinquents, with costs of suit.

Proceedings in case of refusal to pay assessment.

4. *And be it enacted*, That the said commissioners shall keep just and true accounts of the moneys by them received and expended in pursuance of this act, which accounts shall be open to the inspection of all the persons interested; and the said commissioners shall be accountable to the persons assessed for any balance remaining in their hands, and shall cause the same to be laid out from time to time, if wanted, in repairs upon the said road, bridges, and ditches; and if the said commissioners should at any time neglect or refuse to exhibit their accounts to any of the persons who have been assessed, any three or more of the persons so assessed may apply to a justice of the peace of the said county, not interested as aforesaid, stating their complaint; and it is hereby made the duty of the said justice of the peace to summon said commissioners before him, with their accounts properly authenticated, and to decide on all matters in dispute between said parties, on the principles of equity and justice.

Commissioners to keep account of moneys expended.

5. *And be it enacted*, That the said commissioners, or a majority of them, shall have as full and ample power to keep the said road, bridges, and ditches in repair, as they have by this act to make the same.

Commissioners authorized to keep road in order.

6. *And be it enacted*, That upon the death of either of the above named commissioners, the survivors or survivor of them

Vacancies, how filled.

shall have full power to receive, and, if necessary, to sue for any moneys that may have been in the hands of the deceased commissioner at the time of his death, on account of the above trust, and for the use and purposes of the same; and, also, it shall be the duty of the said survivors or survivor, whenever any vacancy or vacancies shall have occurred, by advertisement three weeks in any newspaper having a general circulation in the townships of Union and Elizabeth, to require a meeting of those interested in said road or causeway, at a time and place in the township of Elizabeth, mentioned in the said advertisement, to choose, by a majority of votes of those interested who may attend, a commissioner or commissioners to fill the vacancy or vacancies which may have occurred; and the commissioner so chosen shall have the same powers, and be subject to the same regulations, as the commissioners named in this act have and are subject to.

Approved February 16, 1847.

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AN ACT for the relief of Hannah Miller, of the county of Essex.

\$50 per annum to be paid to H. Miller.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is hereby authorized and directed to pay to Hannah Miller, widow of Eleazer Miller, a soldier of the Revolutionary war, or her order, fifty dollars per annum, during her natural life, in semi-annual payments of twenty-five dollars each, the first payment to be made on the fourth day of March, eighteen hundred and forty-seven.

Approved February 18, 1847.

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AN ACT to set off from the townships of Shrewsbury, Freehold, and Middletown, in the county of Monmouth, a new township, to be called the township of Atlantic.

Boundaries of township.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that part of the townships of

Shrewsbury, Freehold, and Middletown, in the county of Monmouth, lying within the following boundaries, that is to say: beginning at the southwest corner of the township of Shrewsbury, where the Freehold, Shrewsbury, and Howell township lines meet; thence running northerly, until it comes to the mouth of the road that leads through Jacob Conover's farm; thence northerly, following the middle of said road, until it comes to the road near — Hulse's house, which road leads to John J. Ely's mills; thence easterly, following the middle of said road, until it strikes Middle Hop brook; thence easterly, down said brook, its various courses, until it comes to Swimming river bridge; thence southerly, along the middle of the main road leading to Tinton Falls, until it comes to Haggerty's corner; thence southerly, until it strikes the Tinton Falls mill-pond brook; thence up the said brook, its various courses, until it comes to Pine brook; thence up the said Pine brook, until it strikes the Howell township line; thence westerly, along the line dividing the townships of Howell and Shrewsbury, to the Freehold line, the place of beginning, is hereby set off from the said townships of Shrewsbury, Freehold, and Middletown, and erected into a separate township, to be called and known by the name of "the township of Atlantic."

2. *And be it enacted*, That the inhabitants of the said township of Atlantic are hereby constituted a body politic and corporate in law, and shall be styled and known by the name of "the inhabitants of the township of Atlantic, in the county of Monmouth;" shall be vested with, and entitled to all the rights, powers, authority, privileges, and advantages, and subject to the same regulations, government, and liabilities, as the inhabitants of the other townships in the said county of Monmouth. Inhabitants incorporated.

3. *And be it enacted*, That the inhabitants of the township of Atlantic shall hold their first annual town meeting at the public house now kept by Samuel Laird, in the village of Colt's Neck, on the day appointed by law for holding the annual town meetings in the other townships of the county of Monmouth, and afterwards at such places in the township of Atlantic as the said inhabitants shall determine, in the manner prescribed by law. First town meeting.

4. *And be it enacted*, That all paupers who may be chargeable to the said townships of Shrewsbury, Freehold, and Middletown, at the time when this act shall go into operation, shall hereafter be chargeable to and supported by that township within the bounds of which they have acquired their settlements, respectively, or in which the said paupers may have resided at the time of acquiring their respective settlements; Settlement of paupers.

and all persons whose present settlements are in the said townships of Shrewsbury, Freehold, and Middletown, and who shall hereafter become chargeable as paupers, shall be supported by that one of the said townships of Atlantic, Shrewsbury, Freehold, and Middletown, within the bounds of which they respectively resided at the time of acquiring their settlements.

Property of township, how divided.

5. *And be it enacted*, That all the real and personal property now belonging to the said township of Shrewsbury, shall hereafter belong to the said townships of Atlantic and Shrewsbury, in proportion to the taxable property and ratables, as valued and assessed by the assessor within the respective limits of the said township at the last assessment, and shall be owned and held by them in common; all the real and personal property now belonging to the township of Freehold, shall hereafter belong to the townships of Atlantic and Freehold, in the same proportion and manner as above mentioned and described; and all the real and personal property now belonging to the township of Middletown, shall hereafter belong to the townships of Atlantic and Middletown, in the same proportion and manner as above mentioned and described.

Town committees to allot and divide property.

6. *And be it enacted*, That the township committees of Atlantic, Shrewsbury, Freehold, and Middletown shall meet on the second Tuesday of April next, at ten o'clock in the forenoon, at the house of Samuel Laird, in the village of Colt's Neck, in the said township of Atlantic, and shall then and there proceed by writing, to be signed by a majority of those present, to allot and divide between the said townships all the property and money on hand, due, or to become due, in proportion to the taxable property and ratables, as valued and assessed by the assessors within the respective limits of the said townships at the last assessment; and shall also ascertain and determine which of the paupers now supported by the townships of Shrewsbury, Freehold, and Middletown shall have their residence in that part of said township hereby set off as the township of Atlantic, and may adjourn the said meeting from time to time, and to such time and place as a majority of those present may think proper; and the township of Atlantic shall be liable to pay her just proportion of the debts, if any there be, and to support and maintain the paupers so allotted to the said township of Atlantic; and if any of the members of the said township committees shall neglect or refuse to meet as aforesaid, those present may proceed to make such division, and their decision, or a decision of a majority of them, shall be final and conclusive.

7. *And be it enacted*, That the township committee of the



said township of Atlantic shall have power, and they are hereby authorized and empowered to sell and release to the said townships of Shrewsbury, Freehold, and Middletown, respectively, all the right, share, and interest of the said township of Atlantic in and to the property, both real and personal, now belonging to the said townships, respectively, or any part thereof, for such sum or sums as may be agreed upon by the committees of the township interested, and to make and deliver good and sufficient deed or deeds for the same.

8. *And be it enacted*, That nothing in this act contained shall be construed to impair or in any wise affect the rights of the said township of Atlantic in and to any portion of the surplus revenue of the general government, to which the said township may now, or at any time hereafter be entitled in the distribution of said surplus revenue. Committee to sell property.  
Right of Atlantic to surplus revenue.

9. *And be it enacted*, That this act shall take effect and go into operation immediately after the passage thereof. Act, when to take effect.

Approved February 18, 1847.

#### AN ACT to incorporate the Newark Library Association.

WHEREAS the persons hereinafter named, and others, have formed themselves into an association, under the name and title of "the Newark Library Association," the object of which association is the establishment of a library, with all proper conveniences and appurtenances, and the erection of a suitable edifice for its accommodation, with a view to advance the interest of learning generally, and to instruct and better educate the youth of the city of Newark in science, literature, and the arts; and whereas the said association is desirous of an act of incorporation, that its purposes may be more effectually subserved—therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William Rankin, Samuel I. Prime, William A. Whitehead, Jacob D. Vermilye, John H. Stephens, James B. Pinneo, John Chadwick, William R. Inslee, Beach Vanderpoel, Jeremiah C. Garthwaite, Frederick T. Frelinghuysen, William B. Kinney, and Samuel Meeker, and all and every other person or persons who are or may become their associates, their successors and assigns, shall be, and are hereby incorporated by the name of "the Newark Library Association." Names of incorporators.  
Style.

Association," and by that name shall be a body corporate and politic, and shall be for ever hereafter capable to hold, receive, by donation or otherwise, purchase, lease, and convey real and personal estate; *provided always*, that the yearly income of such real and personal estate do not, at any time, exceed the sum of ten thousand dollars.

Amount of capital.

2. *And be it enacted*, That the capital stock of the said corporation shall not exceed fifty thousand dollars, which shall be divided into shares of twenty-five dollars each; the said association having the power to commence operations as soon as the sum of fifteen thousand dollars is subscribed.

Election of directors.

3. *And be it enacted*, That on the first Wednesday after the first Monday in January, in the year of our Lord one thousand eight hundred and forty-eight; and annually thereafter, an election shall be held, at a general meeting of the stockholders, for thirteen of their number, as directors for the ensuing year; and that each stockholder present at such election shall have one vote for each share of stock he may hold, if not more than five, and one vote for every additional five shares; and those persons having a majority of all the votes thus cast shall be deemed elected, but no stockholder shall be allowed to vote whose dues to the association are not fully paid; and that the persons above particularly named as corporators, shall constitute a board of directors until others are elected; and that, in case an election shall not be made on the day appointed by this act, the corporation shall not for that cause be deemed to be dissolved, but it shall and may be lawful to hold such election on some other day, not more than six weeks after the time herein appointed for the annual election; and the directors at any time in office, shall hold their offices until others are elected; and in case of the death, resignation, or removal of any director, the vacancy occasioned thereby shall be filled, for the remainder of the term, by a vote of a majority of the board of directors; three inspectors for the annual election, shall be appointed by the directors, from stockholders who are not directors.

Directors to elect president and vice president.

4. *And be it enacted*, That the directors shall choose from among themselves a president and vice president, and either from among themselves, or from among the stockholders generally, a secretary and a treasurer, whose duties shall be performed gratuitously; and the directors shall have authority to appoint a librarian and such other officers as may be necessary, to establish regulations and restrictions, which shall be binding both upon stockholders and others in the use of the books, and in the enjoyment of the privileges and objects of the association; and seven directors of the corporation shall constitute a quorum competent to do all business, excepting such business

as, by the requirements of this act or any by-law of the association, shall require more than seven to perform.

5. *And be it enacted*, That all instalments now due, or that may at any time be due from stockholders, on the share or shares by them respectively held, shall be paid at such times as the directors for the time being shall appoint; and the nonpayment of such instalments by the stockholders, after due notice, shall, if the board of directors so determine, either work a forfeiture of all previous payments; and the stock upon which such instalments shall not be paid, as aforesaid, shall revert to the association, and be by them sold for the benefit of the association, or the board of directors may take legal measures to enforce the payments of such sum or sums as may at any time be due on their stock. Shares forfeited for nonpayment.

6. *And be it enacted*, That the capital stock of the said association shall be deemed personal property, and that the shares of stock shall be transferable only on the books of the association; under such regulations as the board of directors may prescribe. Stock transferable.

7. *And be it enacted*, That no state, county, city, township, or other public assessments, taxes, or charges, whatsoever, shall at any time be levied or imposed upon the said association, or upon the stocks and estates which may become vested in them under this act, other than their lands and tenements. Corporation not to be taxed.

8. *And be it enacted*, That this corporation shall possess the general powers, and be subject to the restrictions and liabilities, contained in the act entitled, "An act concerning corporations," approved the fourteenth day of February, one thousand eight hundred and forty-six, as far as the same are applicable. General powers.

Approved February 19, 1847.

#### AN ACT to incorporate the Trenton Gas Light Company.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That Xenophon J. Maynard, Gregory A. Perdicaris, John A. Weart, Jesper Harding, and Joseph C. Potts, and all and every person or persons who may become subscribers, according to the mode hereinafter prescribed, and their successors, are hereby created a body politic and corpo- Names of corporators

Style of in-  
corpora-  
tion.

rate in fact, by the name of "the Trenton Gas Light Company;" and, by the said name, the said corporation shall have power and authority to manufacture, make, and sell gas, to be made of bituminous coal or other materials, for the purpose of lighting the streets, buildings, manufactories, and other places situated in Trenton and South Trenton; and to enter into and execute contracts, agreements, or covenants in relation to the objects of this corporation, and of enforcing the same; and be capable of purchasing, taking, and holding any estate, real or personal, necessary to give effect to the specified purposes of this corporation, for the accommodation of their business and concerns, or which it may be necessary for the said corporation to acquire and hold, for the purpose of securing debts which have become due to them in the regular business of the said corporation; *provided*, that the said real estate shall not exceed what may be necessary for the purpose mentioned; and no private lands shall be in any way injured or defaced, without permission first obtained in writing from the owner or owners thereof.

Company  
authorized  
to lay down  
pipes.

2. *And be it enacted*, That the said corporation shall be empowered to lay down their gas pipes, and to erect gas posts, burners, and reflectors in the streets, alleys, lanes, avenues, or public grounds of Trenton and South Trenton, and to do all things necessary to light the said city of Trenton and South Trenton, and the dwellings, stores, and other places situated therein; *provided*, that the public travel shall at no time be affected or impeded by the laying of the said pipes or the erection of the said posts; and the streets, side and cross walks, public grounds, lanes, and avenues shall not be injured, but all be left in as good and perfect condition as before the laying of the said pipes or the erection of the said posts.

Commis-  
sioners to  
receive sub-  
scriptions.

3. *And be it enacted*, That Xenophon J. Maynard, Gregory A. Perdicaris, John A. Weart, Jesper Harding, and Joseph C. Potts are hereby appointed commissioners for receiving subscriptions for the sum of one hundred thousand dollars, to constitute the capital stock of the said corporation, in shares of twenty dollars each; and the said commissioners, or a majority of them, shall open books for that purpose, at such time and in such place or places, within this state, as they shall designate by a public advertisement, to be previously inserted, for at least three weeks, in a public newspaper printed in the city of Trenton, and shall continue the same open until the said capital stock shall be subscribed, or, at their discretion, close the same after they shall have remained open two days, and again open the same at some other time or times, place or places, giving public notice thereof, as aforesaid; and the sum of five per centum upon each share so subscribed shall be paid in specie,

or in the bills of banks which redeem their bills with specie, by each subscriber, at the time of subscription, to the said commissioners, or a majority of them; and each subscriber shall be entitled to receive a certificate for such stock from said commissioners; and the amount so received by the said commissioners at the time of subscription shall, by them, or a majority of them, be paid over to the directors of the said company, to be appointed as hereinafter directed; and all the powers of the said commissioners shall cease and determine on the appointment of such board of directors; and the said board, when so appointed, shall have power, and they are hereby authorized from time to time, under the foregoing regulations, to open the books for the further subscription of stock, until the whole stock subscribed amounts to the sum of one hundred thousand dollars; and are also authorized to call upon the said subscribers for the payment of further instalments, in such sum or sums, at such time or times, and under such forfeiture or forfeitures, as they may deem expedient, until the whole amount of said shares so subscribed shall have been fully paid.

4. *And be it enacted*, That the management of the concerns of the said company shall be vested in five directors, to be selected from the stockholders, three of whom shall be residents of Mercer county; and the said directors shall choose, by plurality of votes, a president from among themselves; and, as soon as conveniently may be after thirty thousand dollars shall have been subscribed, the before named commissioners, or a majority of them, shall convene the said stockholders by public notice, to be given as aforesaid, and, at such time and place as they shall designate in said notice, to choose the first board of directors, who shall hold their offices until the second Monday in June, eighteen hundred and forty-eight; and the said directors and president shall hold their offices from the second Monday of June, in every year, for one year, and shall be elected on the second Monday of June in each year, at such time and place as a majority of the directors shall appoint; and public notice shall be given of the time and place of holding such election, for ten days, in a newspaper published in the city of Trenton; and any vacancy in the said board of directors may be supplied by appointments, to be made by the board of directors, until the next election; and all elections shall be by ballot of the stockholders, or their proxies, allowing one vote for each share which they shall have held, in his, her, or their name or names, at least fourteen days before the time of voting.

Time and mode of annual election of directors.

Vacancies, how supplied.

Corporation not dissolved for failure to elect on day prescribed.

5. *And be it enacted*, That if, at any time, an election is not held on the day herein appointed, the corporation shall not be dissolved for that cause, but an election shall be held, in such

manner as is directed by the by-laws, at any time within one year.

Quorum.

6. *And be it enacted*, That the directors for the time being shall form a board, and they, or a majority of them, shall be a quorum for transacting business.

Stocktrans-  
ferable.

7. *And be it enacted*, That the stock of the corporation shall be transferable, according to the by-laws and regulations of the corporation, and shall be considered personal property; and the stock and transfer books shall be opened at all times to the inspection of the stockholders.

Penalty for  
injuring  
works.

8. *And be it enacted*, That if any person or persons shall wilfully do, or cause to be done, any act or acts whatever, thereby to injure any conduit, pipe, cock, machine, or structure whatsoever, or any thing appertaining to the works of the said corporation, or whereby the same may be stopped, obstructed, or injured, the person or persons so offending shall be considered guilty of a misdemeanor, and, being thereof convicted, shall be punished by fine, not exceeding three hundred dollars, or imprisonment at hard labour, not exceeding two years, or both; *provided*, such criminal prosecution shall not in any wise impair the right of action for damages by a civil suit, hereby authorized to be brought for any such injury as aforesaid, by and in the name of the said corporation, in any court of this state having cognizance of the same.

Books of  
accounts to  
be kept.

9. *And be it enacted*, That the said company shall cause to be kept at their office proper books of accounts, in which shall be fairly and truly entered all the transactions of the company, which books shall be at all times open for the inspection of the stockholders.

Limitation.

10. *And be it enacted*, That this act shall continue in force for thirty years; and the said corporation shall possess the general powers, and be subject to the restrictions and liabilities, contained in the act entitled, "An act concerning corporations," approved the fourteenth day of February, eighteen hundred and forty-six, so far as the same are applicable.

Approved February 19, 1847.

AN ACT respecting public schools in the township of Bridgeton,  
in the county of Cumberland.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be the duty of the superintendent of public schools, to be elected in the township of Bridgeton, to set off one district in said township, with the following boundaries, viz: beginning at the mouth of Stone bridge run; thence, up the township line, to the old Burlington road; thence, along the same southwardly, to the line of Fairfield township; thence, along the township lines, to the place of beginning; which shall be known and continued hereafter as the first school district of said township; and he shall, from time to time, set off the remainder of said township into one or more school districts, as he shall think proper. Boundaries of first district.

2. *And be it enacted*, That the trustees hereafter elected in said first district, in pursuance of the act entitled, "An act to establish public schools," and their successors in office, shall be, and are hereby constituted a body politic and corporate, by the name of "the Trustees of the First School District in the township of Bridgeton." Trustees incorporated.

3. *And be it enacted*, That the said trustees may, in their corporate name aforesaid, purchase and hold such real estate as may be necessary for the purpose of public school-houses, not exceeding two acres, and may sell, exchange, or mortgage the same, as may be most for the public benefit, and may, from time to time, apply the money in the hands of the town superintendent, apportioned to said district, for the erection and maintenance of suitable school-houses thereon. What real estate trustees may hold.

4. *And be it enacted*, That the said trustees may employ one or more suitable teachers, and may, in their discretion, extend the benefits of the schools under their direction to children under the age of five, or over the age of sixteen years, under such regulations as they may prescribe; *provided*, none but children between the said ages of five and sixteen shall be reported to the town superintendent, so as to affect the apportionment of money for said district; and the said trustees may, from time to time, make such regulations for the government of said schools, not inconsistent with the existing laws of this state, as they shall deem expedient. Duties and powers of trustees.

5. *And be it enacted*, That the inhabitants of the township of Bridgeton may, at any annual town meeting hereafter held, raise, by tax or otherwise, any such sums of money, for the support of public schools therein, as they may think proper. Money may be raised by tax.

Act, when  
to take ef-  
fect.

6. *And be it enacted*, That this act shall take effect immediately, and the legislature may at any time alter or repeal the same.

Approved February 19, 1847.

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AN ACT to authorize the Trenton Water Power Company to extend their raceway up the river Delaware.

Preamble.

WHEREAS it was provided by the act incorporating the Trenton Delaware Falls Company, passed the sixteenth day of February, A. D. one thousand eight hundred and thirty-one, that said company might erect a wing-dam in the river Delaware, between the mouth of the Assanpink creek and the head of Wells' falls, and a raceway in, along, and near the bank of said river, in the neighbourhood of Trenton; and whereas, in pursuance of said authority, the said company did erect said wing-dam at the head of Scudder's falls, and a raceway therefrom, in, along, and near said river, by which a considerable water power has been created; and whereas the said the Trenton Water Power Company are now desirous to improve and increase said water power, by extending their raceway farther up the river than the head thereof is at present located and constructed; and whereas this legislature is willing to encourage all proper efforts to develop the resources of the state—therefore,

Company  
authorized  
to extend  
raceway.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said the Trenton Water Power Company be, and they are hereby authorized to extend their raceway in, along, and near the bank of the river Delaware; from the present termination thereof, to any point not beyond the head of Taylor's rift; *provided always*, that the same shall be so constructed as not to impede the passage of fish, rafts, arks, and boats, or obstruct the free and uninterrupted navigation of said river.

Location  
and route to  
be filed in  
office of se-  
cretary of  
state.

2. *And be it enacted*, That the location and general route of said extension shall be determined, and a description thereof filed in the office of the secretary of state, in the same manner as was required by the charter in regard to the original work; and when this shall have been done, the said the Trenton Water Power Company may proceed to acquire the lands which may be needed therefor, and, for that purpose, shall



have the like powers and privileges, and be subject to the like restrictions and liabilities, given to and imposed on the said the Trenton Delaware Falls Company, by their act of incorporation; *provided always*, that nothing in this act contained shall be so construed as in any way to affect or impair the legal rights, powers, and privileges of the said the Trenton Delaware Falls Company in any case now pending, or that may hereafter arise in any court of law or equity touching the same.

3. *And be it enacted*, That, when the extension of the said raceway shall have been completed to Taylor's rift, the said the Trenton Water Power Company shall pay to the treasurer of this state one-fourth of one per cent. upon their capital, each and every year, for the term of three years, and from and after that time one half of one per cent. yearly; *provided*, that said capital shall not be less than one hundred thousand dollars; and it shall be the duty of the president and treasurer of said company to make an annual statement in writing, under oath or affirmation, of the actual amount of capital of said company, and file the same in the office of the secretary of state of this state. Tax on capital stock.

Approved February 19, 1847.

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AN ACT for the relief of the infant children of Mary Ann Christophers, deceased.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the deed of conveyance, executed by and between Thomas S. Christophers and Mary Ann, his wife, of the first part, and Thomas Vermyla, of the second part, purporting to convey the estate belonging to the said Mary Ann Christophers, in her own right, in trust for her infant children, dated the twenty-ninth day of January, one thousand eight hundred and forty-six, and recorded in the office of the clerk of Hudson county, in liber 8 of deeds, pp. 286 and 287, be, and the same is hereby declared to be as valid and effectual, to all intents and purposes, and of the same force and effect, as if the same had been duly acknowledged by the said Mary Ann, and were accompanied by the proper certificate of one of the officers before whom it is now necessary, by law, that such acknowledgment shall be made, in order to pass the Deed of conveyance made valid.

estate of a married woman, in real estate, notwithstanding that the said Mary Ann died after the execution of said deed by her, but before the acknowledgment of the same could be made before such officer.

Approved February 19, 1847.

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AN ACT for the relief of John Phillips, of the county of Mercer.

\$50 per annum to be paid to J. Phillips.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is authorized and required to pay to John Phillips of the county of Mercer, a soldier of the Revolutionary war, or his order, the sum of sixty dollars per annum during his natural life, in semi-annual payments of thirty dollars each, the first payment to be made the first day of March next; and the receipt of the said John Phillips, or his order, shall be a sufficient voucher to the treasurer, in the settlement of his accounts.

Approved February 19, 1847.

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AN ACT to change the corporate name of the Trustees of the Second Presbyterian Church of Upper Freehold.

Corporate name changed.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the corporate name of "the Trustees of the Second Presbyterian Church of Upper Freehold," in the county of Monmouth, be, and the same is hereby changed to the name of "the trustees of the First Presbyterian Church of Millstone," and by that name they and their successors in office shall be hereafter known, and shall be capable in law to use, exercise, and enjoy the same powers and privileges, and to perform the same acts, in all respects, as if the said corporate name had not been changed.

Approved February 19, 1849.

## AN ACT to confirm the will of William Aitkin, deceased.

WHEREAS William Aitkin, now deceased, did, on the twelfth day of May, A. D. eighteen hundred and forty-five, being then a citizen of the state of New York, make and execute his last will and testament in writing, under his hand and seal, and did therein appoint his wife, Elizabeth Aitkin, and his brother-in-law, George W. Johnson, executors thereof, and did also devise and bequeath all the residue of his estate, real and personal, of every kind whatsoever and wheresoever, (after payment of his debts and funeral expenses) unto his said executor and executrix, to have and to hold the same, to them, or to the survivor of them, in trust nevertheless, to sell and dispose of the same, and to convert the whole into money, and to invest and dispose of the same in the manner in said will expressed; and whereas said executors proved the said will in the state of New Jersey, and also in the state of New York, and received a grant of letters testamentary thereon in each state, and took upon themselves the duties of such executors, and afterwards, in discharge of said duties, sold a farm belonging to the estate of their testator, situate in the county of Mercer, in this state, to Samuel H. Smith, for the sum of two thousand eight hundred dollars, and received the consideration money, and executed to him a deed for said farm, bearing date the twenty-first day of August, A. D. eighteen hundred and forty-five; and whereas it is now represented to the legislature, by the said George W. Johnson, that his coexecutrix, the said Elizabeth Aitkin, has departed this life, whereby the sole execution of the said will has devolved upon him, as surviving executor, and that he is desirous of carrying out the intentions of his testator, as therein expressed, but that his power and authority to do so are denied, because said will was signed and published by the testator in the presence of two subscribing witnesses, as required by the laws of New York, instead of three such witnesses, as required by the laws of New Jersey; and also, that the sale and conveyance, so as aforesaid made of said farm to the said Samuel H. Smith, are questioned, and the validity thereof denied; and whereas it is deemed just and right that the will of said testator, having been made and executed in the state of New York, and according to the laws thereof, and being in all respects, except the attestation thereof, according to the laws of this state, should not be suffered to fail for the want of one more subscribing witness thereto—therefore,

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the last will and testament of William Aitkin, deceased, be confirmed.

the said William Aitkin, deceased, is hereby in all things confirmed, and declared to be as valid and effectual as if the same had been signed and published by the testator in the presence of three subscribing witnesses, and shall be so held and considered in all the courts and by all the officers of this state.

Sale and conveyance made valid.

2. *And be it enacted*, That the aforesaid sale and conveyance, made by the said George W. Johnson and Elizabeth Aitkin, executor and executrix as aforesaid, to the said Samuel H. Smith, is hereby declared to be valid and effectual, and shall have the same force and effect as if the said will had been in all things executed according to the laws of this state.

Approved February 19, 1847.

A further supplement to the act entitled, "An act to incorporate the city of Trenton," passed the seventh day of March, A. D. one thousand eight hundred and thirty-seven.

Streets, how laid out, &c.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the power to lay out, vacate, widen, or alter public streets or alleys in the city of Trenton, shall belong exclusively to the common council thereof; but the laying out of any road which may have heretofore been laid in said city by surveyors of the highways shall be deemed valid, so far as regards the power of the surveyors to lay the same.

Consent of owners to be obtained.

2. *And be it enacted*, That no street or alley shall be opened in said city, without the consent of two-thirds of the owners of the lands required for the same.

Common council may accept lands to be used as streets.

3. *And be it enacted*, That the said common council may at their discretion, by ordinance, accept such lands, as may be dedicated by the owners thereof, as public streets or alleys, and thereupon shall be bound to keep up, repair, and maintain the same, to the same extent that they may be bound to keep up, repair, and maintain streets or alleys laid out by other legal proceedings.

Public streets to be recognized by common council.

4. *And be it enacted*, That no street or alley hereafter to be opened in said city shall be recognized, considered, or treated as a public street or alley, unless the same be accepted by the common council, as provided in the preceding section,

or be laid out, as provided in the act to which this is a supplement.

5. *And be it enacted*, That whenever the common council of said city shall desire to lay out, alter, or widen any public street or alley, and shall procure the appointment of commissioners to estimate the damages which any one or more land owners may sustain by such contemplated improvement, it shall be the duty of said commissioners, after estimating said damages, to assess the amount thereof fairly and justly upon the owners of such lands, as in their opinion will be benefited by said improvement, specifying the lands so benefited, and to embrace said assessment in the report they are required by law to make; and the clerk of said city shall lay said report before the common council, at their next meeting thereafter.

Commissioners to assess damages.

6. *And be it enacted*, That it shall be the duty of the said common council, within one month after the presentation of said report, to cause a notice of the said assessment, and the amount thereof, to be served upon every person, his or her guardian or legal representative, against whom the same is made, and whose residence is in said city; and also, to cause a like notice, directed to such of said persons as do not reside in said city, to be inserted in one or more of the newspapers of said city, for the period of one month; and if, within two months from the presentation of said report, none of said persons, their guardians, or legal representatives, shall file with the clerk of the city their refusal in writing to agree to said assessment, that then the same shall be binding and conclusive, and shall thence, and until paid, be due from said several persons, with interest, to said city, and be a lien on the land against which the same is assessed, for the satisfaction of any judgment to be obtained therefor; and the said common council, in the name of "the inhabitants of the city of Trenton," may sue and recover of each person so assessed, his or her proportion of said assessment, with interest and costs, by action of debt, in any court of competent jurisdiction; and if any such person reside out of the state, an attachment may be resorted to, as in other cases of nonresident debtors; but if, within said two months, any one of said persons, their guardians, or legal representatives, shall file with the clerk such refusal, then no further proceedings to enforce the collection of said assessments shall be had; but nothing herein shall be construed to prevent the said common council from taking said lands at the expense of the city, as they may now do, if in their opinion the public interest requires it.

Notice of assessment to be given to owners.

7. *And be it enacted*, That the said common council may, at any time within four months from the presentation to them

Common council may abandon improvement.

of said report, determine to abandon such proposed improvement; and, upon their so determining, their right to take said lands, and the right of the owners to recover the valuation and damages thereof, shall cease and determine; but after such abandonment, it shall not be lawful to proceed again for the accomplishment of said improvement (unless by the unanimous consent of those landholders whose lands may be needed) for the period of five years.

Streets not  
to be laid  
through  
houses.

8. *And be it enacted*, That no street, road, or alley shall be laid or opened in said city, by virtue of this act, through any building of the value of one hundred dollars, without the consent of the owner or owners thereof; but nothing herein contained shall be construed to take away any of the powers heretofore possessed by the common council of said city under the act to which this is a supplement.

Issue may  
be tried in  
Mercer.

9. *And be it enacted*, That the issue which, by the forty-second section of the act to which this is a supplement, is provided to be tried at the circuit court holden in the county of Hunterdon, shall be tried at the next, or some subsequent circuit court, to be holden in the county of Mercer.

Part of former  
act repealed.

10. *And be it enacted*, That the forty-third section of the act to which this is a supplement, and all other parts of said act which are inconsistent with the provisions of this act, be, and the same are hereby repealed.

11. *And be it enacted*, That this act shall take effect immediately.

Approved February 19, 1847.

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AN ACT to authorize the granting of administration upon the estate of Doctor Thomas P. Stewart, late of Hackettstown, in the county of Warren, deceased.

Preamble. WHEREAS, the said Thomas P. Stewart, in and by an instrument in writing, purporting to be his last will and testament, bearing date the thirty-first day of May, A. D. eighteen hundred and forty-four, after giving various specific and pecuniary legacies, and making provision for his widow, disposed of all the rest and residue of his estate, in trust, for his children; and whereas it appears that, by reason of the nature, extent, and probable duration of the trusts created

thereby, the executors named in said last will and testament decline proving the same, and that no competent person or persons can be found willing to administer upon the estate of said deceased, with the will annexed, whereby the said estate is in danger of being wasted for the want of some person authorized to administer the same; and whereas the children of said Thomas P. Stewart are under the age of discretion; and Susan S. Stewart, the widow of said Thomas P. Stewart, hath, by her petition, prayed the aid of the legislature in the premises—therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That upon the execution of the last will and testament of the said Thomas P. Stewart, being duly proved as is required by law, it shall be lawful for the ordinary, or the surrogate of the proper county, to grant letters of administration upon the estate of said Thomas P. Stewart, to the executors named in said will, or to either of them, if they or either of them will accept the same, and if not, then to such person or persons as by law would have been entitled to the said administration, if the said Thomas P. Stewart had died intestate, if any of them will accept the same; and if none of them will accept thereof, then to such other proper person or persons as will accept the same.

Ordinary or surrogate may issue letters of administration.

2. *And be it enacted*, That the person or persons to whom administration of said estate shall be granted by the authority of this act, shall not be charged with, or responsible for the execution of the trusts named in said last will and testament, but only for the due and faithful administration of said estate, as in other cases, and for the payment and delivery of all the rest and residue of the goods, chattels, and credits which shall be found remaining upon the account of the said administration, such account being first examined and allowed by the judges of the orphans' court of the proper county, or other competent authority, to such persons as by the said last will and testament are or shall be lawfully authorized and entitled to receive the same, according to the true intent and meaning of said last will and testament, and the provisions of this act.

Administrators not responsible for trusts named in will.

3. *And be it enacted*, That upon granting of administration, in pursuance of this act, bond shall be taken with sureties, as directed by the eleventh section of the act entitled, "An act concerning executors, and the administration and distribution of intestates' estates," approved April sixteenth, eighteen hundred and forty-six, with such variations in the condition only, as the nature of the case may require.

Administrator to give bond.

4. *And be it enacted*, That the administrator or administrators, to be appointed in pursuance of this act, shall be accountable for the settlement of the estate.

Settlement of estate.

able in the settlement of said estate, and subject to be proceeded against in the same manner, and shall be entitled to the like remedies as executors and administrators, by law, now are or hereafter may be.

Trustees to  
be appoint-  
ed.

5. *And be it enacted*, That it shall be the duty of the court of chancery, upon application being made to that court, to appoint some proper, fit, and responsible person or persons, as trustee or trustees, to execute and carry into effect the trusts created by said will; and it shall also be the duty of said court of chancery to see that the said trusts are faithfully carried into effect and fulfilled, as in other cases of trusts cognizable in that court, and according to the course and practice of that court.

Will not to  
be changed.

6. *And be it enacted*, That nothing herein contained shall be construed to alter or change the said last will and testament of said Thomas P. Stewart.

Approved February 23, 1847.

AN ACT establishing the official acts of George A. Vescelius, esq.

Preamble.

WHEREAS, in the reannexing of the township of Tewksbury to the county of Hunterdon, it appears that George A. Vescelius, who was one of the justices of the peace in said township, and was originally appointed and sworn into office in said county of Hunterdon, was not again sworn into office in said county until the second day of May, eighteen hundred and forty-five; and whereas he has continued to exercise the office of a justice of the peace in said county; and as doubts have arisen in regard to the validity of his official acts, as such justice, whereby injury might accrue to parties—therefore,

Official acts  
of G. A.  
Vescelius  
made valid.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That all the official acts, as justice of the peace, of the said George A. Vescelius, done since the first day of May, in the year of our Lord one thousand eight hundred and forty-five, until the time of the passing of this act, shall, and the same are hereby declared to be as valid and effectual, to all intents and purposes, as if the said George A. Vescelius had been sworn into office in the said county of Hunterdon on the said first day of May, in the year of our Lord one thousand



eight hundred and forty-five; *provided nevertheless*, that this act shall not be so construed as to expose or subject to punishment or prosecution, of any kind, any constable or other officer who may have declined, neglected, or refused to serve any process issued by the said George A. Vescelius between the said first day of May, one thousand eight hundred and forty-five, and the passage of this act.

Approved February 23, 1847.

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AN ACT confirming the official acts of Philip C. Huffman.

WHEREAS, in the reannexing of the township of Tewksbury to the county of Hunterdon, it appears that Philip C. Huffman was one of the commissioners to take acknowledgments and proof of deeds and other writings, in and for the said township of Tewksbury, and was originally appointed and sworn into office in said county of Hunterdon, before the clerk of said county, on the seventeenth day of November, one thousand eight hundred and forty-two, and was not again sworn into office since said township of Tewksbury was reannexed to the county of Hunterdon; and whereas the said Philip C. Huffman has continued to exercise the office of commissioner as aforesaid; and whereas injury might accrue to persons interested—therefore,

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That all the official acts of Philip C. Huffman, commissioner to take acknowledgments and proof of deeds and other writings, by him performed since the first day of May, in the year of our Lord one thousand eight hundred and forty-five, until the passage of this act, shall, and the same are hereby declared to be as valid and effectual in law, to all intents and purposes, as if the said Philip C. Huffman had again been sworn into office in the said county of Hunterdon on the first day of May, in the year of our Lord one thousand eight hundred and forty-five.

Official acts  
of Philip C.  
Huffman  
confirmed.

Approved February 23, 1847.

AN ACT to extend the northern boundary line of the township of Millstone, in the county of Monmouth.

Northern  
boundary of  
township.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the northern boundary line of the township of Millstone, in the county of Monmouth, shall begin at the point in the Middlesex and Mercer county line where the middle of the public road leading from Milford, by way of Disborough's northwest corner to Perrineville crosses the same; and shall run thence, along the middle of the said road, an easterly course, till it strikes the present Middlesex and Monmouth county line, the residue of the northern boundary line of the township of Millstone remaining as heretofore; and that all that part of the township of Monroe, in the county of Middlesex, lying southward of the aforesaid bounds, shall be, and the same is hereby set off from the said township of Monroe, in the county of Middlesex, and annexed to the township of Millstone, in the county of Monmouth, and shall be subject to all the laws which the county of Monmouth now is or may be subject to; and the said line shall hereafter be the boundary line between the said counties of Monmouth and Middlesex.

Act, when  
to take ef-  
fect.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 24, 1847.

AN ACT to incorporate a meadow company, to be called the Lower Meadow Company on Raccoon creek, in the county of Gloucester.

Boundaries  
of tract.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the owners and possessors of all that tract of meadow and marsh, lying and being on the westerly side of Raccoon creek, in the township of Woolwich, in the county of Gloucester, beginning at the fast lands of Benjamin Saulsbury, on Joseph Kille's bank; thence, up the said Joseph Kille's bank, to the mouth of Raccoon creek; thence up said creek, the several courses thereof, to the meadow of the Thoroughfare Company; thence, along the line of the said Thoroughfare Company,

to the fast land now owned by Samuel Creighead, to be, and they hereby are formed into a company, to be called and known by the name of "the Lower Meadow Company on Raccoon creek." Style of incorporation.

2. *And be it enacted*, That a meeting of the owners of said meadow company shall be held on the first Tuesday in April in each year, the first meeting to be held at the house now occupied by Charles Elkinton, at Bridgport, and afterwards at such place as the said company shall direct, and then and there, by a majority of votes, choose two managers for the ensuing year; and in case of any omission to choose managers at any annual meeting, the old managers shall be continued until others are chosen; and in case of neglect to choose managers, or in case of the death, refusal, or inability of any person chosen, it shall be lawful for either of the managers, or any three of the owners, to call a meeting of said company by advertisements, to be set up at least ten days before the time of meeting in three of the most public places in the said township of Woolwich, and when met, to choose a manager or managers, as the case may require, who shall be vested with all the powers, and subject to the same penalties, as if chosen at the annual meeting; and any person may be chosen a manager, whether he be an owner or possessor or not. Time and mode of annual election of managers.

3. *And be it enacted*, That the bank or banks of said meadow shall be put up and maintained by said company, each owner or possessor paying his or her ratable proportion thereof, according to quantity and quality of the meadow so owned or occupied by them; and in case any owner or possessor shall neglect or refuse to pay his ratable proportion of the expense of said bank, then and in such case the managers for the time being shall present their account forthwith to the said delinquent owner or possessor, under oath or affirmation; and on the neglect or refusal of the said owner or possessor to discharge the same, within the space of twenty days after notice in writing, it shall and may be lawful for the said managers to enter upon the meadow or marsh of such delinquent, and take the rents, issues, and profits, or sell and dispose of the grass, hay, or grain thereon, or may advertise the meadow of the said owner or possessor, so neglecting or refusing to pay, in three of the most public places in the said township for the space of twenty days, and sell the same at public vendue, and execute a lease for the said meadow, for so long a time, and no longer, as will be sufficient to discharge the said expenses and all costs which may have accrued thereon; and the sale and lease so made shall be good and effectual in law. Owners of tract to pay ratable proportion of expense.

4. *And be it enacted*, That all sluices, dams, and other ne-

Dams, how  
construct-  
ed.

Water-  
courses,  
how kept  
open.

cessary water works for the purpose of keeping out the tide, shall be constructed and erected at the common expense of the owners of and possessors of said meadow; and any owner or possessor neglecting or refusing to pay his ratable proportion of the expense thereof, such delinquent shall be proceeded against as directed in the third section of this act, respecting the bank or banks of said meadow; but all water-courses shall be kept open by the owner or possessor of the meadow through which the same may run; and on neglect or refusal of any owner or possessor to clear out and keep the same open as aforesaid, after ten days' notice thereof having been given in writing to such owner or possessor by the managers, then it shall and may be lawful for the managers to cause the necessary work to be done, and to present their account therefor to said delinquent, and, on refusal of payment by such delinquent, to advertise the grass, hay, or grain, or the meadow, of the person or persons so neglecting or refusing to pay, and to sell the same, as is directed in the third section of this act; and it shall be the duty of the owners and possessors to cause their banks to be mown and cleared of all the rubbish twice in every year, once between the tenth day of June and the fourth day of July, and once between the first day of September and the first day of October, and if neglected ten days after either of the times above specified, the managers are required to enter upon the said banks, and cause the work to be done; and they are authorized to recover the amount of the expenses thereof, in the manner directed in the third section of this act.

Proceed-  
ings in cer-  
tain cases.

5. *And be it enacted*, That in case it should be necessary to remove the bank of any part of the meadow in said company from the place where it now stands, and the owner of such part of the meadow cannot agree with the managers where a new bank shall be erected, then it shall and may be lawful for such owner to choose one disinterested person, and the managers another, to determine where such bank shall be erected; and if they two so chosen cannot agree, then such persons chosen shall choose a third person, and the place agreed upon by the three persons so chosen, or any two of them, shall be the place for erecting such new bank; and that if it should appear necessary to open the sluice or sluices of said company, for the purpose of watering the meadow at any time, the managers shall call a meeting of said company, giving at least three days' notice thereof to the owners and possessors of said meadow, by written notices forwarded to them, or by advertisements put up in three of the most public places in the township of Woolwich, and said meeting shall determine the same; but in no case shall both owner and possessor of the same piece of land be permitted to vote.

6. *And be it enacted*, That if any person duly appointed a manager as aforesaid, and having accepted the appointment, shall neglect or refuse to perform any of the duties required of him by this act, he shall for every such refusal forfeit the sum of five dollars, to be recovered by action of debt, by any owner or possessor who may sue for the same, with costs of suit; and the fine so recovered shall be paid to the succeeding managers, for the use of the company; *provided*, that no manager shall be liable to be fined until after one day's notice in writing, from an owner or possessor, of the case requiring his attention. Penalty for neglect of duty by managers.

7. *And be it enacted*, That the said company, at their annual or other meetings, shall have power to order to be raised such sum or sums of money as they shall judge necessary for the use of said company; and the managers shall make assessments upon all the meadow and marsh within the bounds of said company, according to quantity and quality, and the owners and possessors are required to pay the amount so assessed against them respectively; and the said managers shall produce the duplicate of said assessment at the annual meeting of said company, and at the same time render a true account of all the money by them received and expended for the use of said company, and shall pay over the balance which may remain in their hands upon settlement of their accounts to the succeeding managers; who are required to receive the same, and on failure of payment thereof, to sue for and recover the same, with costs of suit, in any court having cognizance thereof; and the said managers shall provide a book, in which shall be entered the proceedings of all meetings of said company. Managers to assess owners and possessors.

8. *And be it enacted*, That all the meadow and marsh within the bounds of the said company shall be liable for the money which may be assessed thereon for the use of said company; and all the meadow and marsh, and grass, hay, or grain thereon, belonging to any individual, shall be liable for the payment of any money which may be expended by the managers, under the provisions of this act, on the banks or watercourses belonging to him, any sale or alienation thereof notwithstanding; and the managers shall be entitled to receive ten per centum upon all sums assessed and collected for the use of said company, and the same commission upon all sums by them expended for the use of individuals, pursuant to the directions of this act. Meadows liable for assessment.

9. *And be it enacted*, That all line or division ditches between owners shall be considered as watercourses, and being nine feet wide at the top, and four and a half feet wide at bot- Ditches lawful fences.

tom, and three feet deep, upon a mud or miry bottom, shall be taken and esteemed to be lawful fences within the said company; and for all trespasses done over or through the same, damages shall be recoverable, as if done over any lawful fence.

Commissioners to survey meadow.

10. *And be it enacted*, That at the next annual meeting, or at a special meeting called for that purpose, the owners and possessors, when met, by a majority of those present, shall choose three disinterested judicious freeholders as commissioners, one of whom shall be a surveyor, who, or a majority of whom, after notification of their election by the managers, or a majority of them, shall view the said premises, and cause the meadow and marsh of each owner and possessor to be strictly measured, and a correct map or plot thereof to be made, exhibiting the number of acres held by each one, and also make a valuation of the said meadow and marsh, having regard to quantity and quality; and their map and report, and valuation under their hands, or under the hands of any two of them, in writing, shall be given to the managers and entered in the company's book, and shall remain in their possession during their continuance in office, and at the expiration of their term of office be delivered to their successors; which map, report, and valuation shall be received as evidence of each owner's quantity of acres, and the value each lot is rated at; and all future assessments shall be made in proportion thereto.

Special meetings, how called.

11. *And be it enacted*, That whenever the managers, or any three of the owners, deem it necessary to call a special meeting of the said meadow company, they shall give at least five days' notice thereof, by advertisements put up in five of the most public places nearest the aforesaid company, designating the time, place, and object of such meeting.

Managers to give bond.

12. *And be it enacted*, That the said managers, before entering on the discharge of their duties, shall give bond to the said company, in their corporate name, with such security and in such amount as said company shall direct, for the true and faithful performance of their duties, as prescribed by this act; which bond shall be delivered to the clerk of the said company, who is required to receive the same, and prosecute the said bond in any court of competent jurisdiction, when so ordered by the said company, and to give a proper discharge under his hand, exonerating the said managers from further liability, whenever the said company shall so order and direct.

Managers to erect dams, &c.

13. *And be it enacted*, That it shall be the duty of the managers to make and erect good and sufficient banks, dams, floodgates, sluices, and every other work necessary and proper

to keep out the tide, and to dig, and take for the purposes aforesaid, any earth, mud, or sod in any part of the said meadow and marsh the most convenient and least detrimental to the owners thereof; and also to purchase materials, and to make and construct the works aforesaid; and to have free ingress and regress, for themselves and their teams, through any part of said meadow; and may take and cart the ditch bank for the purposes aforesaid, whenever convenient so to do.

14. *And be it enacted*, That if it shall be found necessary to have a cross bank between the Thoroughfare Company and the company established by this act, that the expenses of making and maintaining such bank shall be paid equally, that is, one half by each company, to be assessed by the managers of the respective companies on all the meadow and marsh in each company, and collected as directed in the third section of this act. Cross bank, how made.

15. *And be it enacted*, That Charles Elkinton and Joseph Richards shall be the managers of the company hereby created, until the next annual meeting after the passage of this act; and that all money heretofore expended, or that may be expended by the said managers for the purposes of said company, until the time when this act shall take effect, shall be assessed and collected in the manner directed in the third section of this act. First managers.

16. *And be it enacted*, That this act shall take effect on the first Tuesday of April next, and that the act entitled, "An act concerning the meadow and marsh lying on the westerly side of Raccoon creek, and near the mouth thereof, in the township of Woolwich and county of Gloucester," passed February fifth, eighteen hundred and eleven, be, and the same is hereby repealed; *provided*, that nothing herein contained shall be so construed as to impair or in any wise affect any matter or thing heretofore legally done under the said act, but that such proceedings may be had thereon as if this act had not been passed. Former act repealed.

Approved February 24, 1847.

AN ACT to incorporate the Camden Hall Association of the city  
of Camden, New Jersey.

Names of  
corporators

Style and  
general  
powers.

When to  
commence  
business.

Stock trans-  
ferable.

Commis-  
sioners to  
receive sub-  
scriptions.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph C. DeLacour, John F. Starr, Charles Bontemps, Isaac Mickle, and William E. Laferty, and their associates and successors, be, and they are hereby incorporated and made a body corporate and politic, in fact and in law, by the name of "the Camden Hall Association," for the purpose of erecting and building a hall in the said city of Camden, and for the transaction of all such business as may be necessarily connected with the erecting, building, conducting, leasing, or otherwise disposing of such hall; and they shall have power to raise, by subscription, a capital not exceeding ten thousand dollars, in shares of fifty dollars each; and, by the same name, shall have full power to purchase, have, take, receive, possess, and enjoy all such lands, tenements, property, goods, chattels, and effects, as may be required for the purposes of the said corporation, and the same to grant, bargain, sell, alien, convey, demise, mortgage, charge, encumber, and dispose of, at their will and pleasure.

2. *And be it enacted*, That the said corporation shall not go into operation until five thousand dollars of the capital stock of said corporation shall be paid, in gold or silver coin or in current bank notes; and an oath or affirmation thereof shall be made, by some one of the associates named in the first section of this act, and filed in the office of the clerk of the said county of Camden.

3. *And be it enacted*, That the capital stock of said corporation shall be deemed personal estate, and shall be transferable upon the books of said corporation; and no part of said stock shall be, at any time or under any pretence, withdrawn or refunded to the stockholders, until all debts and liabilities of the corporation are fully paid; and each stockholder, at all elections for managers or directors, shall be entitled to one vote for each share of capital stock held by him or her, which vote may be given in person or by proxy.

4. *And be it enacted*, That Joseph C. DeLacour, John F. Starr, Charles Bontemps, Isaac Mickle, and William E. Laferty, or a majority of them, may open books and take subscriptions for the capital stock, in such manner as they may deem expedient; and, whenever such subscriptions amount to five thousand dollars, the stockholders, having had two weeks' notice in writing, or in a newspaper published in the said county of Camden, in which said notice shall be specified the



time, place, and object of the meeting; shall proceed to elect such directors and officers, and make such by-laws as they may deem necessary for conducting the affairs of the said corporation; and such directors and officers shall hold office until their successors shall be elected; and the remainder of the stock, if any, shall be disposed of by the directors of said corporation, as shall be provided for by the by-laws of said corporation.

5. *And be it enacted*, That in the month of May, annually, Directors to the directors shall submit to the stockholders of said corpora-<sup>make annual state-</sup>tion a written statement, under the oaths or affirmations of<sup>ment.</sup> said directors, of the amount of capital stock paid in, the amount of all existing debts against the corporation, as well as the receipts and credits of said corporation; and no dividend shall be declared or paid to the stockholders, except from the net profits of the said corporation.

6. *And be it enacted*, That this act shall continue in force<sup>Limitation.</sup> thirty years; unless sooner altered, amended, or repealed by the legislature of this state.

7. *And be it enacted*, That this act shall take effect im-<sup>Act, when</sup>mediately.<sup>to take ef-</sup>

Approved February 24, 1847.

# AN ACT to incorporate the Manasquan river and Barnegat Bay Canal Company.

WHEREAS it has been represented to the legislature of the state of New Jersey, that a canal from the Manasquan river to<sup>Preamble.</sup> the head waters of Barnegat bay, in the township of Howell and county of Monmouth, for the passage of steamboats, sailing vessels, scows, and other craft, would greatly facilitate intercourse, prevent many disasters on the coast, and essentially promote the prosperity of that part of the state—therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Abraham Osborn, John S. For-<sup>Commissioners to receive sub-</sup>man, Robert Laird, Daniel Christopher, and Samuel C. Dun-<sup>scriptions.</sup>ham, of the county of Monmouth, be, and are hereby appointed commissioners to receive subscriptions to the capital stock of “the Manasquan river and Barnegat bay Canal Company,” at such times (within two years from the passage of this act) and

at such places as they, or a majority of them, may direct, giving notice thereof, at least twenty days prior to the opening of the books, by publishing the same in a newspaper printed in this state, and circulated in the said county of Monmouth.

Amount of capital.

2. *And be it enacted*, That the capital stock of said company shall be twenty-five thousand dollars, and shall consist of one thousand shares, of twenty-five dollars each; and that five dollars shall be paid on each share at the time of subscribing, and that the residue of such subscription shall be paid in such instalments, and at such times and places, and to such persons as the president and directors of said company shall from time to time direct and give public notice of; *provided*, that no instalment to be called for shall exceed five dollars on each share; *and provided also*, that if the number of shares subscribed for shall exceed the number authorized by this act, the said commissioners shall apportion the said stock among the subscribers, in the proportion of the number of shares by them respectively subscribed.

Proviso.

Style of incorporation and general powers.

3. *And be it enacted*, That as soon as the sum of five thousand dollars shall be subscribed, the persons subscribing or holding the same shall be, and hereby are incorporated into a company, by the name of "the Manasquan river and Barnegat bay Canal Company," and, by that name, shall become capable of purchasing and holding, or otherwise becoming possessed, and conveying real and personal estate; and shall have all other powers and privileges incident to a body corporate and politic, and necessary to carry into effect the purposes of this act; and as soon as the said five thousand dollars shall be subscribed, as aforesaid, it shall be the duty of the said commissioners, or the majority of them, or the survivors of them, to call a meeting of the subscribers, at such convenient place as they shall direct, giving at least twenty days' notice of the time and place of such meeting, in the manner herein directed with regard to opening the books, at which meeting the subscription books shall be laid before the stockholders who may be present, who shall proceed to elect by ballot, from among the subscribers, five directors to manage the affairs of said company, who shall hold their office for one year and until others are elected in their place, of which election the said commissioners shall be the judges; and at the expiration of one year, and annually thereafter, upon like notice, to be given by the directors for the time being, the said stockholders shall elect the same number of directors, who shall hold their office in manner aforesaid; and at every such election each stockholder may vote in person or by proxy, and shall have as many votes as he, she, or they have shares of stock; *provided*, no stockholder shall have more than ten votes.

Election of directors.

4. *And be it enacted*, That within twenty days after the first and every annual election of said company, the said directors shall choose one of their number as president of said company, who shall hold his office for one year, who shall preside at all meetings of the board of directors, a majority of whom shall always constitute a quorum for the transaction of business; and the said directors shall, also, within the time aforesaid, elect a treasurer of said company, who shall hold his office during the pleasure of the board, and who shall, before he enters upon the duties of his office, enter into bond to the said president and directors, with sufficient sureties, for the faithful performance of his office; and the said directors shall have power to supply all vacancies occasioned in the board, by death or otherwise, and, at every annual election after the first, to choose two discreet and impartial men as judges of said election.

Directors to elect president.

5. *And be it enacted*, That it shall be lawful for the said company, as soon as they are organized in manner aforesaid, to construct a canal or artificial navigation from the Manasquan river to the head waters of Barnegat bay, in the township of Howell, from such point on said river to such point on said bay as the said commissioners shall deem most advantageous, and upon such line or route as the said commissioners may select; which canal shall not exceed forty feet in width at the water line, and shall be of such depth as the said commissioners shall deem necessary, and for that purpose it shall be lawful for said company, by their president and directors, or any agent, engineer, or superintendent, or the said commissioners, to enter upon and explore any land lying between the points on said river and bay, the said commissioners may select, or adjacent thereto, doing no unnecessary damage; and when the route of said canal shall be fixed, it shall be lawful for said company, by their agents, engineers, contractors, or other persons, to enter upon and take possession of such lands as may be necessary for the construction of said canal, by first paying such compensation to the owner or owners thereof as is hereinafter directed.

Company to construct canal.

6. *And be it enacted*, That when the said company or its agents cannot agree with the owner or owners of such required lands, for the use or purchase thereof, and the damages sustained by them, or when such agreement cannot be made by reason of the absence or legal disability of such owner or owners, it shall be lawful for the president and directors of said company, or the owner or owners of such lands, to apply to any one of the judges of the court of common pleas of said county, who shall, on such application, appoint three disinterested commissioners, who shall, after giving

Proceedings in case owners and company cannot agree.

notice to the parties concerned of the time and place of meeting, and taken an oath before the said judge of the said court faithfully to perform the duties of their appointment, proceed to examine the said lands, and appraise the value thereof, and the damages sustained by such owner or owners, and make report thereof, in writing, to the next subsequent term of the court of common pleas of said county; and the said company shall pay the costs of such application and report; and if either party shall be dissatisfied with such report, and shall signify the same to the said court, the said court shall forthwith direct a proper issue for the trial of such controversy, by jury empanelled for that purpose; and the said issue shall be set down for trial at the term next subsequent to the coming in of the said report; and the determination of such jury shall be final and conclusive; and if the sum, by them, be greater than that reported by the said commissioners, then the said company shall pay the costs of such trial, but if the sum found shall not exceed the sum reported, then the owner or owners shall pay the costs of such trial; *provided*, the said trial is had at the instance of such owner or owners; and if the trial is had at the instance of said company, and the sum found should not be less than that reported, then the said company shall be at the cost of the said trial, and if it be less than the sum so reported, the said owners shall pay the cost of such trial; and the said owner or owners shall be entitled to recover, by the judgment of the court upon such verdict, the amount so found by the jury against said company, upon the payment of which, the title to said lands shall forthwith vest in said company.

Locks to be erected.

7. *And be it enacted*, That the said company shall erect, or cause to be erected, on said canal one or more good and substantial locks or tide-gates, which they shall maintain and keep in good repair, to stop the water from flowing through said canal, whenever they may think it necessary so to do; *provided*, that in case Manasquan inlet should at any time shut or close up, then it is hereby made the duty of said canal company to keep their gates or locks shut, so as to prevent the water from running through said canal into the bay, until said inlet shall be reopened.

Proviso.

Company to erect bridges.

8. *And be it enacted*, That it shall be the duty of the said company to construct and keep in repair good and sufficient bridges over said canal, where any public road shall cross the same, so that the passage of carriages, horses, and cattle on said roads shall not be prevented; and the said company shall make and keep in repair all fences across the line of said canal, where the same now are and may hereafter be erected by the owner or owners of the adjacent lands.

9. *And be it enacted*, That if any person or persons shall wilfully and maliciously injure said canal, its locks, gates, or any other thing thereunto appertaining, or shall obstruct the navigation thereof, he, she, or they shall be liable to indictment, and fined and imprisoned, or both, at the discretion of the court, the fine not exceeding one hundred dollars, nor the imprisonment six months, and shall be liable also to make good all damages the company may sustain thereby. Penalty for injuring works.

10. *And be it enacted*, That, as soon as the said canal shall be completed, the said company are hereby authorized and empowered to demand and take a toll for passing through said canal, at the following rates, viz: Rate of tolls.

For every steamboat, at a rate not exceeding twenty cents per ton.

For every sail vessel, at a rate not exceeding ten cents per ton.

For every scow or vessel without sails, at a rate not exceeding ten cents per ton.

For every fish boat or skiff, twenty-five cents, each.

11. *And be it enacted*, That if any person or persons shall pass through said canal as aforesaid, without first paying the toll, according to the rates aforesaid, he shall forfeit and pay to the said company a fine not exceeding forty dollars, to be sued for and recovered by action of debt, with costs, before any competent court. Penalty for nonpayment.

12. *And be it enacted*, That if any toll gatherer or agent, or any person acting by the authority of said company, shall unnecessarily stop, hinder, or delay any boat, vessel, scow, or other craft that may navigate the same, or shall take more toll than by this act is authorized, he shall for every such offence forfeit and pay to the injured party the sum of forty dollars, to be recovered by action of debt, with costs, in any competent court, in the name and for the use of the injured party. Penalty for excessive toll, &c.

13. *And be it enacted*, That the president and directors of said company shall, as soon as the affairs of the company will admit, declare and make such dividend as they may deem prudent and proper of the net profits thereof, and shall, semi-annually thereafter, if the affairs of the company will admit, declare such further dividends, and pay the same to the stockholders, in proportion to the amount of their respective shares, or, in case they fail to do so, assign their reasons to the stockholders in writing. Dividends to be made.

14. *And be it enacted*, That this act shall be deemed and taken as a public act, and as such taken notice of by all courts of justice in this state, without specially pleading the same. Public act.

Time of  
completion.

15. *And be it enacted;* That in case said company shall neglect to have said canal completed at the expiration of ten years from the date of the passage of this act, then this charter shall be annulled, and the title to the lands through which the said canal shall pass be re-vested in the person or persons from whom they were taken by concession or inquisition, as aforesaid, their heirs or assigns.

Approved February 24, 1847.

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AN ACT to incorporate the Camden and Woodbury Railroad Company.

Preamble.

WHEREAS, by an act of the legislature of the state of New Jersey, passed the first day of March, in the year of our Lord one thousand eight hundred and thirty-six, James Matlack, Joseph Ogden, and others, and their associates, were created a corporation, by the name of "the Camden and Woodbury Railroad and Transportation Company;" and, in and by the said act, the said corporation, among other things, were authorized to locate and construct a railroad from some point in the city of Camden to some point at the town of Woodbury, in the county of Gloucester; and whereas the said corporation did afterwards, according to the provisions of said act, locate and construct a railroad between the said two points, and put the same into operation, having first obtained the lands upon which the said road was located, according to the requirements of the said act; and whereas the said railroad, and all the lands upon which the same was located as aforesaid, with the appurtenances, hath since become vested in one Henry R. Campbell, who hath associated with him his brother, John D. Campbell, and they two have prayed that they and their associates may be incorporated into a company, with power and authority to reconstruct said railroad (now greatly dilapidated), and to extend the same from Woodbury aforesaid to Carpenters Landing, and from at or near its present terminus, in said city of Camden, to some other point in said city—now therefore,

Names of  
corporators

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the said Henry R. Campbell and John D. Campbell, and such other persons as may be hereafter associated with them, shall be, and hereby are ordained,

constituted, and declared a body corporate and politic, by the name of "the Camden and Woodbury Railroad Company;" <sup>Style.</sup> and the capital stock thereof shall be one hundred thousand dollars, with liberty to the said company to increase the same to two hundred thousand dollars; and the said capital stock shall be divided into shares of fifty dollars each, which shall be deemed personal estate, and be transferable in such manner as the by-laws of the said company may prescribe; and it shall and may be lawful for the said company to purchase of the said Henry R. Campbell, his heirs or assigns, the said railroad, and all the lands upon which the same was located as aforesaid, and receive his or their deed or deeds of conveyance therefor; and such conveyance shall vest in the said company all the right and title which was ever vested in the aforesaid company, called "the Camden and Woodbury Railroad and Transportation Company," of and in the said railroad, and the lands upon which the same was located; and the said company, hereby created, shall have, hold, use, occupy, possess, and enjoy the same, when so purchased and conveyed, for all the purposes of this act; *provided*, that any sum or sums of money due and unpaid for any lands occupied by said Camden and Woodbury Railroad and Transportation Company shall be paid before the reconstruction of said railroad on said lands; *and provided further*, if it shall appear that title to any land on the line of said railroad has not been legally acquired by said company, then said lands shall be purchased or acquired under the conditions of the eighth, ninth, and tenth sections of the act incorporating said company, prior to the reconstruction of said road on said lands.

2. *And be it enacted*, That it shall and may be lawful for the said company, hereby created, to construct anew, upon the lands where the aforesaid railroad was located, a railroad with as many sets of tracks or rails as they may deem necessary; and to repair or reconstruct the bridges over and across the creeks and streams along the line of the said road, and to extend the same, with one or more tracks or sets of rails, from some point at or near where it now joins the railroad of the Camden and Amboy Railroad and Transportation Company, in the city of Camden, to some point upon the Delaware river, in said city; and, for that purpose, it shall and may be lawful for the said company to pass with said railroad, with one or more tracks or sets of rails, along or down any of the roads or streets of said city, to the said Delaware river, they; the said company, first obtaining permission for that purpose from the common council of said city; *provided*, that if the said railroad shall be so extended, it shall be constructed, maintained, and conducted along or down any of the said roads or

Company  
authorized  
to lay rails.

streets, in such manner, and upon such terms and conditions, as shall or may be agreed upon by and between the said company and the said common council.

Extension  
of railroad  
authorized.

3. *And be it enacted*, That it shall and may be lawful for the said company, hereby created, after having constructed anew the railroad aforesaid, to extend the same, with as many sets of tracks or rails as they may think proper, from some point on said railroad, within half a mile of the town of Woodbury aforesaid, to the village of Carpenters Landing, in the said county of Gloucester; and it shall and may be lawful for the said company, by their agents, engineers, or others in their employ, to enter, at all times, upon all lands and waters, for the purpose of exploring, surveying, levelling, or laying out a route for thus extending said road, doing no unnecessary injury to private or other property; and when such route shall be determined upon (which, as well as the road to be relaid, shall not be more than sixty-six feet in width), and a survey thereof deposited in the office of the secretary of state, it shall and may be lawful for the said company, by their officers and other persons in their employ, to enter upon, take possession of, have, hold, use, occupy, and excavate the lands included in said extended route, and to erect embankments and bridges over and across the said lands and streams along the same, and to do all other things necessary or proper for thus extending said road; *provided*, that the payment, or tender of payment, of all damages for the occupancy of the lands taken or required for thus extending said railroad, shall be made before the said company, or any person under their direction or in their employ, shall enter upon or break ground in the premises, except for the purpose of surveying, laying out, and determining the route for thus extending said road as aforesaid.

Survey to  
be filed.

Proviso.

Proceed-  
ings in case  
company  
and owners  
of land can-  
not agree.

4. *And be it enacted*, That when the owners of the lands on which the said railroad shall be extended, as aforesaid, shall not be willing to give the same for such purpose, and they cannot agree with said company upon the amount of damages to be paid them for thus taking and occupying said lands, then such damages shall be ascertained and determined, in all respects, in the manner pointed out in the act entitled, "An act to incorporate the Camden and Woodbury Railroad and Transportation Company," for ascertaining and determining the price of, or damages sustained by the owners of lands taken for the purposes of that act; and upon payment, or tender of payment, of the damages thus ascertained and determined, with any costs that may be assessed against the said company, the said company shall be deemed to be seized and possessed in fee-simple of the lands taken, as aforesaid, for extending said road; *provided always*, that if the said rail-



road authorized by this act, or any part thereof, shall hereafter be abandoned, then the lands upon which the same is or may be located as aforesaid, or such part thereof as shall be abandoned, shall revert to the original owners of said lands, their heirs or assigns.

5. *And be it enacted*, That it shall and may lawful for the said company, hereby created, to purchase and hold sufficient lands, in fee-simple or otherwise, along the line of said railroad, and at the terminus thereof, for constructing depots, car-houses, store-houses, and other buildings for the use of said company, and to construct such depots, houses, and other buildings thereon; and to construct or purchase, and place upon said road, all machines, engines, cars, wagons, carriages, or vehicles for the transportation of persons and property thereon, and to transport thereon such persons or property as the said company shall think proper; *provided*, that it shall not be lawful for the said company to charge any higher rates for the transportation of persons and property on said road, than the rates set forth and contained in the aforesaid act incorporating the Camden and Woodbury Railroad and Transportation Company.

What real and personal property company may hold.

6. *And be it enacted*, That the affairs of the said company, hereby created, shall be managed by a board of five directors, a majority of whom shall be a quorum; they shall be elected, by and from among the stockholders, by ballot, and shall hold their offices for one year and until their successors shall be elected; and at all elections of directors, the stockholders may vote in person or by proxy, and shall be entitled to one vote for each share of the stock which he, she, or they may own; and the board of directors for the time being shall and may elect, out of their own body, a president of said company; *provided*, that until the said company shall be fully organized under this act, and a board of directors elected, the said Henry R. Campbell and John D. Campbell shall be the board of directors, and the said Henry R. Campbell shall be president of said company; but the said company shall be organized, and a board of directors elected within one year from the date of the approval of this act.

Mode of election of directors.

7. *And be it enacted*, That the said company, hereby created, shall have power to borrow money, from time to time, for the purpose of constructing the railroad and appendages authorized by this act, not exceeding in all fifty thousand dollars; and for the purpose of securing the payment of all such sum or sums of money as may be borrowed as aforesaid, with interest, it shall and may be lawful for said company to mortgage the said railroad authorized by this act, and all the lands

Company authorized to borrow money.

upon which the same is or shall be located, and all the corporate powers, franchises, and privileges of said company, with the appurtenances; and in case of a sale upon any such mortgage under a decree of the court of chancery of this state, the purchaser or purchasers at said sale shall be deemed and considered a body corporate and politic, endowed with all the powers, franchises, and privileges conferred or granted to the said company created by this act, and subject to all the conditions, restrictions, and limitations imposed on said company by this act; and the said purchaser or purchasers, as such body corporate and politic, may, after such purchase by him or them, organize themselves into a company, by such name as they may think proper, as nearly as may be in the manner provided in this act for the organization of the company hereby created.

Company  
to keep  
bridges in  
repair, &c.

8. *And be it enacted*, That it shall be the duty of the said company, hereby created, to construct and keep in repair good and sufficient bridges and passages over or under the said railroad, where any public or private way shall cross the same, so that the passage of carriages, horses, and cattle over the said road shall not be impeded thereby; and also, when the said railroad shall intersect any farm or other lands of individual or individuals, to provide and keep in repair suitable wagon ways over or under said railroad, so that the same may be conveniently passed; and also to keep in repair, maintain, and make good and sufficient fences along the line of said railroad, when the same shall be necessary; and upon failure to repair, maintain, and make such fences as shall and may be lawful for the owner or owners of the land when such failure shall occur, to repair, maintain, and make such good and sufficient fences, and demand payment, and ten per cent. in addition, therefor, from said company; and upon failure of said company, for the space of ten days after such demand, to make payment therefor, the said owner or owners may recover the same, by action of debt or other suitable form of action, in any court of competent jurisdiction, with costs, to be taxed by the court in which such recovery shall be had; *provided*, that said company shall not be held liable to make or maintain any fences along the line of said railroad, where the fences, heretofore constructed by the aforesaid "the Camden and Woodbury Railroad and Transportation Company," have been removed by the owner or occupier of the lands where the said fences were so constructed.

Penalty for  
injuring  
works.

9. *And be it enacted*, That if any person shall wilfully impair, injure, destroy, or obstruct the use of the said railroad, hereby authorized, or any part thereof, or any of their works, carriages, horses, bridges, engines, machines, implements, or

tools, such person so offending shall forfeit and pay to the said company the sum of twenty dollars, to be by them recovered, in any court of competent jurisdiction, in an action of debt, and shall also be liable for damages.

10. *And be it enacted*, That the president and directors of the said company, hereby created, shall declare and make such semi-annual dividends out of the clear profits of the said railroad as they may deem prudent, and pay the same to the stockholders, or their legal representatives, in proportion to the shares held by them respectively; *provided*, that the said company shall not at any time make, declare, or pay out any dividend of the capital stock of said company; and as soon as the net proceeds of said road shall amount to eight per cent. per annum on the capital stock, the said company shall pay to the treasurer of this state one half of one per cent. per annum on the said capital stock, to be paid annually, on the first Monday in January of each year; but no other taxes shall be imposed on said company.

Semi-annual dividends to be made.  
Proviso.

11. *And be it enacted*, That in case the reconstruction of said railroad, between the point of its intersection with the Camden and Amboy Railroad in Camden and the town of Woodbury, shall not be commenced within two years, and completed within five years from the passage of this act, or if said company, after reconstructing said road, shall cease to use it at any time for a term of three years, then the rights of said corporation shall cease, and the lands on which said railroad was constructed shall revert to the original owner or owners thereof, or their heirs or assigns.

Within what time reconstruction of road to commence.

Approved February 24, 1847.

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### AN ACT supplementary to the act to incorporate the Trenton City Bridge Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That so soon as the dividends upon the capital stock of the Trenton City Bridge Company shall be sufficient to reimburse to the stockholders the amount of the cost of said bridge, and the interest thereon, a majority of said stockholders may, at a meeting convened for that purpose, of which three weeks' notice shall be given in at least two of the newspapers published in the county of Bucks, and two in the

Bridge may be declared free.

city of Trenton, declare the said bridge to be free for the passage of all foot passengers and vehicles of every description, without the exaction of any tolls whatever therefor; *provided*, the said city, by the common councils thereof, will agree to keep the same in repair; and so long as the same is thus kept in repair, it shall remain free, as aforesaid.

Location. 2. *And be it enacted*, That it shall be lawful for the president and directors of said company to locate said bridge at such place as they may deem most suitable, being at and opposite the city of Trenton, on the river Delaware.

Act, when to take effect. 3. *And be it enacted*, That this act shall not go into effect until a like supplement shall be passed by the legislature of Pennsylvania.

Approved February 25, 1847.

AN ACT for the relief of Hannah Taylor, of the county of Monmouth.

\$50 per annum to be paid to H. Taylor. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state shall and is hereby authorized and required to pay to Hannah Taylor, the widow of Thomas Taylor, or her order, the sum of fifty dollars per annum, during her natural life, in semi-annual payments of twenty-five dollars each, the first payment to be made the first day of March next; and the receipt of the said Hannah Taylor, or her order, shall be a sufficient voucher to the treasurer, in the settlement of his accounts.

Approved February 25, 1847.

AN ACT for the relief of Henry Burdan, of the county of Bergen.

\$60 per annum to be paid to H. Burdan. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state be authorized and required to pay to Henry Burdan, of the county of Bergen, a soldier of the Revolution, or his order, the sum of

sixty dollars per annum, during his natural life, in semi-annual payments of thirty dollars each, the first payment to be made on the fourth day of March next.

Approved February 25, 1847.

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AN ACT to provide for the safe keeping of the prisoners of the county of Sussex.

WHEREAS the jail of the county of Sussex has been destroyed by fire, by reason whereof there is no place for the safe keeping of the prisoners committed to the custody of the sheriff of said county—therefore, Preamble.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That, until a suitable jail shall be built for said county of Sussex, it shall be lawful for the sheriff of said county to convey all prisoners committed, or who shall be committed to his custody, for any cause whatever, to the sheriff or jailer of the county of Warren, who shall thereupon, at the expense of the said county of Sussex, receive and keep such persons in the jail of said county of Warren, until discharged by due course of law, or until demanded by the sheriff or jailer of the county of Sussex, duly authorized by a resolution of the court of common pleas of said county of Sussex, under the seal of said court, and attested by the clerk thereof. Sheriff authorized to convey prisoners to Warren.

2. And be it enacted, That this act shall take effect immediately. Act, when to take effect.

Approved February 25, 1847.

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AN ACT to incorporate the Newark Savings Institution.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That William Wright, John S. Darcy, Joel W. Condict, Samuel Meeker, Beach Vanderpool, Edwin Van Antwerp, Isaac Van Wagenen, William Stevens, Elihu Names of corporators

Style of incorporation and general powers.

Proviso.

Managers and officers.

Day, Charles S. Macknet, Conrad Teese, James Hewson, James Wheeler, James Miller, Owen McFarland, Daniel Price, Peter S. Duryee, John C. Beardsley, James M. Quinby, and Silas H. Kitchell, of the city of Newark, John Wilde, of Bloomfield, Samuel H. Gardiner, of Clinton, John Kennedy, of Belleville, William Pierson, of Orange, and Abel S. Hetfield, of Elizabethtown, in the county of Essex, and their successors, shall be and are hereby constituted a body corporate and politic, by the name of "the Newark Savings Institution;" and, by that name, they shall have perpetual succession, and shall be persons capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places whatsoever; and may have a common seal, with power to change and alter the same from time to time; and, by that name, shall be capable of purchasing, taking, holding, and enjoying, to them and their successors, any real estate, in fee-simple or otherwise, and any goods, chattels, or personal estate which shall be necessary for the purposes above recited, and of selling, leasing, or otherwise disposing of the said real and personal estate, or any part thereof, at their will and pleasure; *provided always*, that the clear annual value of such real and personal estate, exclusive of the profits that may arise from the interest accruing upon investments, or upon the sale of any investments in which the deposits may be made, shall not exceed the sum of ten thousand dollars.

2. *And be it enacted*, That the institution shall be conducted by twenty-five managers, twenty of whom shall be residents of the city of Newark; a majority of the managers shall be a quorum to do business, and the seat of any manager who shall have neglected to attend for four successive meetings, may be vacated by the board; the persons named in the first section of this act shall be the first managers of the institution; and the managers shall hereafter meet annually, on the second Monday in May, and choose one of their number as president; and they shall have power to appoint a secretary, treasurer, and such other officers as to them shall appear necessary; which officers, so chosen and appointed, shall continue in office one year and until others are chosen; and all officers so chosen shall be under oath for the faithful performance of the duties of their office respectively; and such officers shall have power to appoint a clerk or clerks, and such other agents or servants as they may deem necessary for conducting the affairs of the corporation, and to remove them at pleasure, and to appoint others in their stead, and to fix their salaries.

Managers to make by-laws.

3. *And be it enacted*, That the said board of managers shall from time to time have power to make, ordain, and establish

such by-laws and regulations as they shall judge proper for the election of their officers; for prescribing their respective functions, and the mode of discharging the same; for regulating the times and places of meeting of the officers and managers, and for the transacting, managing, and directing the affairs of the institution; *provided*, such by-laws and regulations shall not be repugnant to the constitution and laws of this state and of the United State; and such by-laws and regulations shall be put up in some public and conspicuous place in the room where the business of the said institution shall be transacted, but shall not be altered so as to affect any one who may have been a depositor previous to such alteration.

4. *And be it enacted*, That the said corporation may receive, as deposits, all sums of money which may be offered for the purpose of being invested, in such sums and at such times, and on such terms, as the by-laws shall prescribe, which shall be invested accordingly, and shall be repaid to such depositor at such times and with such interest, and under such regulations, as the board of managers shall from time to time prescribe; and the said corporation may accept and execute all such trusts, of every description, as may be committed to said corporation by any person or persons whatsoever, by will or otherwise, or transferred to the same by order of any court.

Corporation may receive deposits.

5. *And be it enacted*, That it shall be the duty of the managers to regulate the rate of interest to be allowed to the depositors, so that they shall receive a ratable proportion, as near as may be, of the profits, after deducting therefrom all necessary expenses and a reasonable surplus or contingent fund; *provided*, that said rates of interest may, at the discretion of the managers, be so regulated that the interest allowed to depositors having one thousand dollars or more deposited, shall be at least one per cent. less than the interest allowed to other depositors, and so that no interest or dividend on account of said surplus fund shall be allowed for moneys which shall have been withdrawn from deposit.

Managers to regulate rates of interest.

6. *And be it enacted*, That no emolument whatever shall directly or indirectly be received by the president or managers for their services; nor shall they issue any notes or bills; nor shall any manager, officer, or agent of the incorporation be allowed, directly or indirectly, to borrow any money or moneys from the said institution, or to use the same, except to pay necessary expenses; nor shall they have or hold any bonds, mortgages, or other securities for the payment of money drawn or endorsed by, or existing against any manager, officer, or agent of the institution; and no manager or officer shall have any interest in any of the deposits, or the profits arising from

Officers not to receive compensation.

the same, except it may be due for deposits made by them as trustees, for the benefit of others.

Invest-  
ments.

7. *And be it enacted*, That the said corporation shall invest no money in any other public stocks than such as are created under the laws of the United States or of this state, nor on bonds and mortgages, except on unencumbered real estate worth at least double the amount of the sum invested, nor in the stock or loans of any incorporated company whatever.

Certificates  
of deposit.

8. *And be it enacted*, That all certificates or evidence of deposit, made under the hand of the proper officer of the corporation, shall be as binding as if the same were under their common seal.

Deposits of  
minors.

9. *And be it enacted*, That it shall be lawful for the said corporation, at their discretion, to pay to any depositor, being a minor, such sums as may be due to such depositor, not exceeding five hundred dollars, notwithstanding that no guardian shall have been appointed for such depositor, and that the receipt or acquittance of such minor shall be as valid as if the same were executed by a guardian of such minor, duly appointed; *provided*, such deposit shall have been personally made by such depositor, and not by any other person, for his or her benefit.

Payment of  
deposits in  
case of  
death of de-  
positor.

10. *And be it enacted*, That a book shall be kept at the office of the corporation, in which every depositor shall be at liberty to appoint some person or persons to whom, in the event of his or her death, the money shall be paid, if not otherwise disposed of by will; and all payments made to such persons so appointed shall be a full discharge to said corporation; and should no such appointment be made, such deposit, on the decease of the depositor, shall be paid to his or her legal representatives.

Deposits of  
less than \$1  
not receiv-  
ed.

11. *And be it enacted*, That the corporation shall not be required to receive on deposit a less sum than one dollar, nor to allow interest on any deposit until it amounts to the sum of five dollars, nor to pay interest on the fractional part of five dollars; and, to avoid the calculation of days on small sums, they shall not be required to allow interest for the fractional parts of a month.

Deposits to  
be entered.

12. *And be it enacted*, That all deposits and payments shall be regularly entered in the books of the corporation; and every person depositing money shall be furnished with a duplicate of his or her account, in which every deposit or payment shall be regularly entered as soon as made.

13. *And be it enacted*, That the managers shall have power



to fill up by ballot, after notice of one month, any vacancy <sup>Vacancies,</sup> which may occur in their own body or officers, two-thirds of <sup>how sup-</sup> the members present to agree to all removals and new ap- <sup>plied.</sup> pointments; and no appointment or removal to take place when a less number than two-thirds of the managers are present.

14. *And be it enacted*, That it shall be the duty of this incor- <sup>Annual re-</sup> poration to make an annual report to the legislature of this <sup>port to be</sup> state, under the oath or affirmation of its president, secretary, <sup>made.</sup> and treasurer, or any two of them, of the state of its funds; which statement shall be published in one or more newspapers in the city of Newark.

15. *And be it enacted*, That the office or place of business <sup>Place of</sup> of the said incorporation shall be in the city of Newark; and <sup>business of</sup> that the books of the said corporation shall be at all times open <sup>corporation</sup> to such person or persons as the legislature may, from time to time, delegate for inspection and examination.

16. *And be it enacted*, That this act is hereby declared to be <sup>Public act.</sup> a public act, and that the same shall be construed in all courts favourably and benignly for every beneficial purpose therein intended; and that no misnomer of the said corporation, in any deed, gift, grant, or demise, or other instrument of contract or conveyance, shall vitiate or defeat the same; *provided*, the <sup>Proviso.</sup> corporation shall be sufficiently described to ascertain the intention of the parties; *provided also*, the legislature may at any time hereafter amend, alter, or repeal this act.

17. *And be it enacted*, That this corporation shall continue <sup>Act, when</sup> in force twenty years, unless sooner repealed by the legisla- <sup>to take ef-</sup> ture; and that this act shall take effect immediately.

Approved February 25, 1847.

INCORPORATION OF THE SOUTH RIVER MILLING AND MANUFACTURING COMPANY

# AN ACT to incorporate the South River Milling and Manufac- turing Company.

1. BE IT ENACTED *by the Senate and General Assembly of* <sup>Names of</sup> *the State of New Jersey*, That Jacob Van Wickle, Abraham <sup>corporators</sup> W. Brown, Andrew J. Disbrow, Hercules Western, and James C. Stout, and their associates and successors, are hereby made and created a body politic and corporate in law, by the name <sup>Style and</sup> of "the South River Milling and Manufacturing Company," <sup>general</sup> powers.

for the purpose of milling and manufacturing, and for the transaction of such business as may be necessarily connected therewith; and may erect such mills and other works and buildings as may be required to carry on such branches of milling and manufacturing, as they may think most advantageous; and may purchase and hold such personal and real estate and property as may be necessary, useful, and convenient for the said corporation for carrying on their business, together with all such real estate as shall have been bona fide mortgaged or pledged to them by way of security, or conveyed to them in satisfaction of any debt or debts previously created in their business, or purchased at any sale upon any judgment which shall have been obtained for any debt or liabilities, and to dispose of the same; and are hereby authorized to erect and construct a dam across South river, in the county of Middlesex, above sloop navigation, at or near the bridge first above the railroad bridge crossing said river; *provided*, the water is not thereby caused to flow back on any mill erected on said stream above the said dam, and to attach and connect the dam to land situate in the township of South Amboy, belonging to Hercules Western or others, and to lands situate in the townships of Monroe and North Brunswick, belonging to Jacob Van Wickle, or others.

Books of  
subscription to be  
opened.

2. *And be it enacted*, That the capital stock of said company shall not exceed twenty-five thousand dollars, to be subscribed for in shares of fifty dollars each; and that the said Jacob Van Wickle, Abraham W. Brown, Andrew J. Disbrow, Hercules Western, and James C. Stout, or any three of them, may open books and take subscription for the capital stock of said company, first giving two weeks' notice in one or more newspapers published in the county of Middlesex, of the time and place and object of said meeting; and, as soon as two hundred and fifty shares of said stock shall be subscribed for the persons above named, or any three of them, may, in like manner, call a meeting of the stockholders for an election of five directors, who shall hold their office, respectively, until the first Monday in January next ensuing and until others be appointed.

Time and  
mode of annual  
election of  
directors.

3. *And be it enacted*, That the stock, property, and concerns of the said company shall be managed and conducted by five directors, being stockholders, one of whom shall be president; and after the first Monday of January next ensuing after the first election, shall hold their office for one year and until others shall be elected in their places; and the stockholders may vote either in person or by proxy, and shall be entitled to one vote for each share of the capital stock they may severally hold in said company; and in every election of directors, the

stockholders having the greatest number of votes shall be directors; and the persons above named, or any three of them, shall be inspectors and judges of the first election; and the said directors, when elected, shall choose out of their own number a president; and the said president and directors shall annually thereafter, on the first Monday of January, by public notice as aforesaid, call meetings of the stockholders for electing directors of the said company, and shall appoint three of the stockholders judges of the election.

4. *And be it enacted*, That as soon as twenty dollars on each share subscribed of the capital stock of said company shall have been paid in, and an affidavit thereof shall be made by a majority of the directors, and filed in the clerk's office of the county of Middlesex, it shall and may be lawful for the said company to commence their business; and the said president and directors, or a majority of them, shall have power to call in said stock from time to time, in such instalments as they shall see fit, giving at least thirty days' notice as aforesaid, not exceeding ten dollars on each share, for every one instalment; and if any stockholder or stockholders shall neglect or refuse, for the space of six months after the expiration of the thirty days' notice as aforesaid, to pay his or their respective instalment or instalments on his or their respective share or shares, so called as aforesaid, then the stock of such stockholder or stockholders so neglecting or refusing, and all previous payments thereon, may be forfeited to the said company, for the use and benefit of said company. When company may commence business.

5. *And be it enacted*, That the stock of the said company shall be deemed personal property, and shall be transferable on the books of the said company, or in such manner as shall be prescribed by the by-laws of said corporation. Stock transferable.

6. *And be it enacted*, That in case at any time it should happen that an election shall not be held upon the day designated for that purpose by this act, the corporation shall not be deemed to be dissolved for that cause; but it shall be lawful for the stockholders to hold such election on such other day or days as shall be prescribed by the by-laws of the said corporation, of which public notice shall be given, as provided in the second section of this act. Corporation not dissolved for failure to elect on day prescribed.

7. *And be it enacted*, That a majority of the directors for the time being shall constitute a board for transacting the business of the said corporation, and shall have power to make and enforce by-laws. Board of directors.

8. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, proper books, in which shall be re- Books of accounts to be kept.

gularly entered all the transactions and business of the said corporation; and no transfer of stock shall be valid or effectual until such transfer shall be entered or registered in the book or books to be kept for that purpose.

General  
powers.

9. *And be it enacted*, That the corporation hereby created shall possess the general powers, and be subject to the general restrictions and liabilities, set forth an act entitled, "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six.

Approved February 25, 1847.

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A supplement to an act entitled, "An act to incorporate the Gloucester Land Company," approved February sixteenth, eighteen hundred and forty-six.

Part of former act repealed.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the capital stock of the Gloucester Land Company shall be divided into one hundred shares, of five hundred dollars each; and that so much of the seventh section of the act to which this is a supplement, as requires the said capital stock to be divided into fifty shares, of one thousand dollars each, be, and the same is hereby repealed.

Approved February 25, 1847.

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AN ACT to authorize and empower the inhabitants of the township of Greenwich, in the county of Cumberland, to raise, by tax, money for the purpose of making certain improvements.

Tax authorized to be raised to build wharf.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Greenwich, in the county of Cumberland, are hereby authorized and empowered, at their annual town meeting or any special town meeting duly held for that purpose, to raise by tax, in the same manner as other moneys are raised for township purposes, any sum or sums of money, not exceeding in

the whole the sum of five hundred dollars, for the purpose of erecting a wharf on the land claimed by said township, situate in front of the town of Greenwich, at the foot of Main-street of said town, on Cohansey creek; and also such sum or sums of money, as from time to time may be necessary to keep the same in repair, for the use and benefit of the said township of Greenwich; and to make such regulations for the use thereof, as a majority of the persons qualified to vote at the several town meetings may from time to time, at their said town meetings, direct; *provided*, that the wharves and premises adjacent to the site of such proposed wharf, owned by John Sheppard and John E. Sheppard, be exempted from said tax or taxes for the purposes aforesaid assessed.

2. *And be it enacted*, That this act shall take effect immediately after it shall have been approved by a majority of votes at the annual town meeting or any special town meeting duly called by said township. Act, when  
to take ef-  
fect.

Approved February 25, 1847.

#### AN ACT to incorporate the Burlington Steam Power Company.

1. BE IT ENACTED *by the Senate and General Assembly of* Names of  
corporators  
*the State of New Jersey*, That Edmund Morris, Richard B. Jones, George Gaskill, Thomas Milnor, Ira B. Underhill, Amor W. Archer, Charles Vansciver, Joshua W. Collet, Jacob Lau-  
master, John Larzelere, Elwood Conner, and Samuel W. Earl, and their associates and successors, shall be, and they are hereby made a body corporate, by the name of "the Burlington Steam Power Company," for the purpose of erecting one or Style and  
general  
powers.  
more buildings, and of placing therein such and so many steam engines as may by them be deemed necessary to furnish a sufficiency of power; the same, with room, either within or without the said building or buildings, to be leased to such manufacturers and others as may desire to use and occupy them, or any portion of them, in such quantities and at such rates as may be determined on between the said company and the said lessees, as well as for the purpose of transacting such business as may be necessarily connected with the objects of the said corporation; and that the said company may hold such lands, tenements, steam and water power, and water privileges, in the city of Burlington, and also such personal estate as may

be necessary for conducting the business of the company in a proper manner; and that the said company may at any time use such portion of the steam or water power aforesaid for manufacturing purposes or for other mechanical operations, and may transact such business as may be necessarily connected therewith; and that the said Edmund Morris, Richard B. Jones, George Gaskill, Thomas Milnor, Ira B. Underhill, Amor W. Archer, Charles Vansciver, Joshua W. Collett, Jacob Laumaster, John Larzelere, Elwood Conner, and Samuel W. Earl, or a majority of them, are hereby authorized to receive subscriptions to the capital stock of the said company.

Amount of  
capital.

2. *And be it enacted*, That the capital stock of the said company shall not exceed twenty thousand dollars, to be subscribed for in shares of twenty dollars each; and as soon as three hundred shares have been subscribed for, the persons above named may, by public notice in a newspaper published in the city of Burlington, for a period of not less than thirty days, call a meeting of the stockholders of the said company for an election of five directors.

Election of  
directors.

3. *And be it enacted*, That the stock, property, and concerns of the said company shall be managed and conducted by five directors, being stockholders, one of whom shall be president, who shall hold their offices for one year and until others are elected in their places; and the stockholders may vote either in person or by proxy, and shall be entitled to one vote for each share of the capital stock they may severally hold in said company; and in every election of directors, the stockholders having the greatest number of votes shall be directors; and the persons above named, or any three of them, shall be inspectors and judges of the first election; and the said directors, when elected, shall choose out of their own number a president; and the said president and directors shall annually thereafter, by public notice as aforesaid, call meetings of the stockholders for electing directors of the said company, and shall appoint three of the stockholders, not being directors, as inspectors and judges of the election; and the said president and directors, or a majority of them, may make by-laws, and may appoint such officers, superintendents, agents, and workmen, with such compensation as they may think proper, and may remove the same at their pleasure.

When to  
commence  
business.

4. *And be it enacted*, That, as soon as four thousand dollars of the capital stock of said company shall have been paid, and an affidavit thereof shall be made by a majority of the associates named in this act, and filed in the clerk's office of the county of Burlington, it shall and may be lawful for the said company to commence their business; and the said president

and directors, or a majority of them, shall have power to call in said stock, from time to time, in such instalments as they shall see fit, giving at least thirty days' notice as aforesaid, not exceeding five dollars on each share for every one instalment; and if any stockholder or stockholders shall neglect or refuse, for the space of three months after the expiration of the thirty days' notice as aforesaid, to pay his or their respective instalment or instalments on his or their respective share or shares so called as aforesaid, then the stock of said stockholder or stockholders so neglecting or refusing, and all previous payments thereon, may be forfeited to the said company, for the use and benefit of said company.

5. *And be it enacted*, That the stock of the said company shall be deemed personal property, and shall be transferable on the books of said company, or in such manner as shall be prescribed by the by-laws of said corporation. Stock transferable.

6. *And be it enacted*, That a dividend of the profits of said company (except so much as may be set apart for a surplus fund) shall be made semi-annually, by the said president and directors, among the stockholders; and no transfer of stock shall be valid or effectual until such transfer shall be entered or registered in a book or books to be kept by the president and directors for that purpose. Transfers registered.

7. *And be it enacted*, That all elections for directors of said company shall be by ballot; and if the president and directors of said company for the time being shall at any time neglect or refuse to call annual meetings for the election of directors, as herein before prescribed, the stockholders, or a majority of them, may, within the time in such case prescribed, give notice and call meetings, and elect directors, in like manner as if said directors had given notice as prescribed by this act; and if, at any election of directors, two or more stockholders shall receive an equal number of votes, then the directors for the time being shall determine by ballot which of such stockholders shall be directors; and on the death or resignation of any of the directors, the remaining directors shall choose, from among the stockholders, some fit person or persons to fill the vacancy, who shall hold his or their office or offices until the next annual election. Notice to be given of election of directors.

8. *And be it enacted*, That in case it should happen that an election for directors should not be held or made on the day on which, pursuant to this act, it ought to have been held and made, the corporation shall not for that cause be deemed to be dissolved; but it shall be lawful to hold such election at such other time as may be prescribed by the by-laws of said corporation, after thirty days' notice. Company not dissolved for failure to elect on day prescribed.

Limitation. 9. *And be it enacted*, That the corporation hereby created shall continue twenty years, and shall possess the general powers, and be subject to the general restrictions and liabilities, set forth in "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six.

Approved February 25, 1847.

Supplement to an act entitled, "An act to erect a part of the township of Nottingham, in the county of Mercer, into a borough, to be called the Borough of South Trenton," passed February twenty-eighth, eighteen hundred and forty.

Preamble. WHEREAS it has been represented to this legislature, by the petition of the burgesses and inhabitants of the borough of South Trenton, in said state, that the present act of incorporation of said borough has, by experience, been found insufficient to answer the good purposes thereby intended—therefore,

Burgesses  
to act as  
justices.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That, for the better governing of the said borough, and the inhabitants thereof, the burgesses shall be entitled to use and exercise the like power, authority, and jurisdiction, in all criminal matters, as the justices appointed in and for the several counties of this state are or may be by law entitled to use and exercise.

Burgesses,  
&c. author-  
ized to pass  
ordinances.

2. *And be it enacted*, That the burgesses and inhabitants of the said borough shall have full power, from time to time, to pass ordinances for the more effectual suppression of vice and immorality, or preserving peace and good order, preventing or restraining riots, routs, disturbances, or disorderly assemblages, in any street, house, or place in said borough, and to pass such other by-laws and ordinances for the better regulation of said borough as they may deem expedient, not repugnant to the constitution of this state or of the United States, and to enforce the observance of all such laws or ordinances, by enacting penalties for the violation thereof, either by imprisonment not exceeding seven days in the county jail, or by a fine not exceeding fifty dollars, recoverable, with costs, in an action of debt, by any person, in the name of the collector of said borough; and the fine to be applied to and for the use of said



borough; *provided always*, that each and every ordinance so passed as aforesaid, shall be published for the space of twenty days in, at least, one newspaper published or circulated in Trenton or South Trenton, before said ordinance shall go into effect.

3. *And be it enacted*, That, in addition to the high constable now elected at the annual borough election, it may be lawful for the burgesses, or a majority of them, to appoint one or more constables, not exceeding five, for the better preservation of the peace in said borough; to have the same powers, receive the same fees and compensation for their services, as the township constables now have; to be under the same rules and regulations, with sufficient sureties. Appointment of constables.

4. *And be it enacted*, That the burgesses, or a majority of them, shall have power to appoint a night watch or watchmen, whenever they shall consider it expedient; the services of the said watchmen to be paid by the borough. Night watch.

5. *And be it enacted*, That the burgesses are hereby empowered to cause to be raised by tax, from year to year, such sum or sums of money as they shall deem expedient for borough purposes; but such sum shall not exceed one thousand dollars in any one year, including what shall have been ordered by the inhabitants at their annual borough meeting. Tax may be levied.

6. *And be it enacted*, That, in addition to the several officers now elected by the present act, there shall be elected, at the borough annual election, three commissioners of appeal, each and every year respectively, to hear and determine all appeals in cases of taxation, who shall meet at such time and place as the burgesses shall appoint, of which meeting ten days' notice shall be given by the clerk, by advertisement set up in five of the most public places in the borough. Commissioners of appeal.

7. *And be it enacted*, That in case of the nonpayment of taxes at the time appointed, the collector of the borough shall make out a list of the names of the delinquents, with the sums due from them, respectively, thereto annexed, and deliver the same to some justice of the peace of the county, between the first day of July and the twentieth day of September in every year, on such day between those dates as the burgesses shall direct. Returns to be made in case of non-payment of taxes.

8. *And be it enacted*, That any person who may think himself or herself aggrieved by any fine under any of the ordinances of said borough, may appeal to the court of common pleas of the county of Mercer from the decision of the burgesses; the party demanding such appeal shall enter into a bond, with at least one good and sufficient surety, being a free- Appeals from fine.

holder in said borough, and in double the sum for which such judgment was given, conditioned that the appellant shall appear and prosecute the said appeal in the said court of common pleas of the county of Mercer, shall stand to and abide the judgment of the said court, and pay such further costs as shall be taxed, if the judgment be affirmed.

Inhabitants  
may be wit-  
nesses and  
jurors.

9. *And be it enacted*, That upon the trial of any issue, or upon the judicial investigations of any fact, to which issue or investigations the burgesses and inhabitants of South Trenton are a party, or in which they are interested, no person shall be deemed an incompetent witness or juror by reason of his being an inhabitant or freeholder of said borough; and if any person shall be sued or impleaded, by reason of any thing done by virtue of this act, it shall be lawful for such person to plead the general issue, and to give this act and the special matter in evidence at the trial.

Borough to  
be divided  
into two  
road dis-  
tricts.

10. *And be it enacted*, That in raising money for borough purposes, either by the inhabitants, at their annual meetings, or by the burgesses, by virtue of this act, the amount to be raised for roads shall be particularly specified; and that said borough shall be divided into two road districts, the middle of the Lambert road to be the dividing line between them; and that the road money derived from each district, shall be expended in the district from which it is derived.

Act, when  
to take ef-  
fect.

11. *And be it enacted*, That this act shall take effect immediately.

Approved February 25, 1847.

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AN ACT to authorize Charles G. Allen to build, maintain, and keep in repair a dock or wharf in front of his lands, in the township of Shrewsbury, in the county of Monmouth.

Preamble. WHEREAS Charles G. Allen, of the township of Shrewsbury, in the county of Monmouth, and state of New Jersey, hath, in his petition, represented that he is the owner of certain lands, situate in the township of Shrewsbury, in the county of Monmouth, adjoining waters of the Navesink, or North river, and hath prayed that a law may be passed authorizing him to build, maintain, and keep in repair a dock or

wharf, extending a sufficient distance into said river for the accommodation of vessels navigating the same—therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for Charles G. Allen, his heirs and assigns, to build, maintain, and keep in repair a dock or wharf upon and in front of his own lands in the township of Shrewsbury, in the county of Monmouth, and from time to time to rebuild and repair the same, and to lay vessels at said dock or wharf, and receive dockage or wharfrage therefor, from all persons using the same; *provided*, that this act shall not affect the legal rights of any person whatever.

C. G. Allen  
authorized  
to build  
dock.

2. *And be it enacted*, That if any person or persons shall in any way injure the said dock or wharf, such person or persons shall be responsible, and shall make good all damage which the owners may sustain, recoverable by action of trespass in any court having jurisdiction of the same.

Penalty for  
injuring  
dock.

Approved February 26, 1847.

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A supplement to the act entitled, "An act concerning Roads."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when a public road, or any alteration in a public road, shall be considered necessary, and the same shall run through, or be intended to be laid out in three different and adjacent counties, application in writing shall be made to the supreme court by ten persons in each of the said counties, being freeholders and residents therein, having first advertised such intended application, as also, the day on which such application is intended to be made, for at least three weeks, at four of the most public places in each of the said counties nearest the place where such road is to be laid out, vacated, or altered; and the supreme court, on such application, shall appoint three of the surveyors of the highways in each of the said counties, having a regard to the appointment of the surveyors of the highways of those townships where the said road shall be so applied for to be laid out, vacated, or altered, subject to the restrictions imposed by the second section of the act to which this is a supplement, who shall meet at such time and place as the said court shall direct;

Proceed-  
ings in case  
of laying  
out or al-  
tering pub-  
lic road.

and the said applicants and surveyors shall thereupon proceed in the manner prescribed in said section.

Persons aggrieved may appeal.

2. *And be it enacted*, That when any person or persons shall think him, her, or themselves injured or aggrieved by any road which shall be hereafter laid out, vacated, or altered by the said surveyors, where the said road shall be laid out or situate in three different and adjacent counties, having entered a caveat with the clerk of the supreme court, as prescribed in the act to which this is a supplement, he, she, or they, or their legal representatives, may make application in writing to the supreme court next succeeding; and the said court shall thereupon, during the term to which the said application is made, appoint two of the chosen freeholders in each of the said counties, designating the time and place of the meeting of said freeholders, always having regard to the appointment of the freeholders of the township or townships where the road shall have been laid out, vacated, or altered, subject to the same provisions and restrictions as in the seventh section of the act to which this is a supplement; and the said applicants and freeholders shall thereupon proceed as is directed and prescribed in the ninth section of the said act.

Majority of surveyors, &c., to sign return.

3. *And be it enacted*, That the signature of a majority of such surveyors or freeholders, one of whom shall be from each of said counties, shall be necessary to render the return of any such road valid or effectual.

Approved February 26, 1847.

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AN ACT authorizing the administrators of Thomas Cocks, deceased, to fulfil a certain contract.

Preamble. WHEREAS it is represented that Thomas Cocks, deceased, in his lifetime, and John S. Cocks, his brother, both of the county of Middlesex, in the state of New Jersey, in April, eighteen hundred and forty-five, entered into an unwritten agreement mutually to exchange title deeds and possession of two several lots of land, situate in the township of South Brunswick, in the county aforesaid, the lot which belonged to the said John containing nearly fourteen acres, and adjoining lands of the said Thomas Cocks, deceased, David J. Perrine, and the road leading from the Plain tavern to Princeton; and the lot which belonged to the said Thomas,

containing eight acres, more or less, lying on the road leading from the Plain tavern to Stockton's mills, and adjoining lands of William and Apollo McCabe; and whereas, immediately after the making of said agreement, the said parties thereto exchanged possession of said lots of land, but before the title deeds for the same were executed the said Thomas Cocks died intestate, leaving a widow and three infant children; and whereas the said John is ready and willing to execute and deliver to the legal representatives of the said Thomas, deceased, a good and sufficient deed for the said fourteen acre lot, as soon as he shall receive a good and sufficient deed for the eight acre lot; and whereas it is represented that a fulfilment of said contract would be beneficial to the interests of the legal representatives of said Thomas Cocks, deceased, as the said fourteen acre lot is advantageously adjoining other lands of the estate of the said Thomas Cocks, deceased; and whereas Phebe Ann Cocks, the widow of the said deceased, and Aaron G. Cocks, to whom letters of administration of the said estate have been granted, have prayed for legislative aid in the premises—therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Phebe Ann Cocks, administratrix, and Aaron G. Cocks, administrator of Thomas Cocks, deceased, are hereby authorized to make, execute, and deliver to the said John S. Cocks, his heirs and assigns, a good and sufficient deed of conveyance of all the estate, right, title, and interest of the said Thomas Cocks of, in, and to the aforesaid eight acre lot of land, situate in the township of South Brunswick aforesaid; *provided*, the said John S. Cocks execute and deliver to the legal representatives of the said Thomas Cocks, deceased, a good and sufficient deed for the said fourteen acre lot of land as aforesaid; which said deeds shall be as valid and of the same effect in law as if they had been duly executed by the parties to the said agreement, at the time of the entering into the same.

Adminis-  
trators au-  
thorized to  
make deed.

2. *And be it enacted*, That in case the said widow of the said Thomas Cocks, deceased, shall release her right of dower in the aforesaid eight acre lot of land, she shall be entitled to dower in the said fourteen acre lot of land, as if the same had been conveyed to the said Thomas in his lifetime.

Widow's  
dower.

Approved February 26, 1847.

AN ACT for the relief of Moses Samson, of the county of Morris.

\$50 per annum to be paid to M. Samson.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the treasurer of this state be authorized and required to pay to Moses Samson, of the county of Morris, a soldier of the Revolution, or his order, the sum of fifty dollars per annum during his natural life, in semi-annual payments of twenty-five dollars each, the first payment to be made on the fourth day of March next.

Approved February 26, 1847.

AN ACT to incorporate the Martinville Mining Company.

Preamble. WHEREAS William K. Tucker has, in behalf of himself and his future associates, by his petition set forth, that he is in possession of considerable mining districts near Martinville, in the county of Somerset, containing mines of copper and other minerals and metals, and has full right, by virtue thereof, to work the said mines, and has requested the legislature to pass an act incorporating the said petitioner and his future associates, for the purpose of enabling them to work the said mines, and also to manufacture the ores thereof, in such manner as they may think proper—therefore,

Corporators.

Style of incorporation and general powers.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That William K. Tucker, and such others as may hereafter be associated with him for the purposes aforesaid, shall be, and hereby are ordained, constituted, and declared to be a body corporate and politic, in fact and in name, by the name of "the President and Directors of the Martinville Mining Company;" and, by that name, they and their successors and assigns shall and may have continual succession, and shall be persons in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places whatsoever, and in all manner of actions, suits, complaints, matters, and causes whatsoever; and that they and their successors may have a common seal, and make, change, and alter the same at their pleasure; and that they and their successors, by the same name and style, shall be capable of purchasing, holding, and conveying any lands, tenements, and hereditaments, in the county of Somerset, and such goods, chat-

tels, wares, and merchandise as will be necessary to the object of the incorporation.

2. *And be it enacted*, That the stock, property, concerns, Time and  
and affairs of the said corporation shall be managed and con- mode of an-  
ducted by five directors, who shall be annually elected on the nual elec-  
first Wednesday of July, at such time of the day, and at such tion of di-  
place in the state of New Jersey, as the by-laws of the said rectors.  
corporation shall direct; and public notice shall be given of  
the time and place of holding such election, not less than thirty  
days previous thereto, in one of the newspapers printed at  
Somerville; and the election shall then and there be made by  
such of the stockholders as shall attend for that purpose, in  
person or by proxy; and all elections shall be by ballot, each  
share having one vote; and the persons who shall have the  
greatest number of votes shall be the directors; and the said  
directors, so soon as may be after their election, shall proceed,  
in like manner, to elect by ballot one of their number to be  
their president; and if any vacancy or vacancies shall at any  
time happen among the directors elected by the stockholders,  
by death, removal, resignation, or otherwise, such vacancy or  
vacancies shall be filled for the remainder of the year in which  
they may happen by such person or persons as the remainder  
of the directors for the time being, or a majority of them, shall  
appoint.

3. *And be it enacted*, That in case it should at any time Corpora-  
happen that an election of directors should not be made on the tion not dis-  
day that pursuant to this act it ought to be made, the said cor- solved for  
poration shall not for that cause be deemed to be dissolved; failure to  
but it shall and may be lawful to hold such election on such elect on day  
other day, in the manner aforesaid, as shall be prescribed by prescribed.  
the by-laws and ordinances of the said corporation.

4. *And be it enacted*, That the capital stock of the said Amount of  
corporation shall be the sum of fifty thousand dollars, with capital  
liberty to increase it to one hundred and fifty thousand dollars, stock.  
and that a share in the said stock shall be fifty dollars; and  
it shall be lawful for the president and directors of the said  
corporation to call for and demand of the stockholders, re-  
spectively, all such sums of money as are by them subscribed,  
at such time and in such proportion as they shall deem fit, not  
exceeding ten dollars on each share at any one time, under the  
pain of the forfeiture of their shares, and all previous payments  
made thereon, to the said corporation, always giving at least  
thirty days' previous notice of such call and demand in the  
newspaper before mentioned.

5. *And be it enacted*, That a majority of the directors for Powers and  
the time being, provided the said majority are owners of a ma- duties of di-  
rectors.

majority of the number of shares owned by the whole of the said board of directors, shall form a board or quorum for the transaction of the business of the said corporation, and shall have power to make and prescribe such by-laws, rules, and regulations, not repugnant to the constitution and laws of the United States and of this state, as to them shall appear needful and proper touching the concerns of the said corporation; and shall also have power to appoint and employ so many officers, clerks, and workmen for carrying on said business, and with such salaries and allowances as to them shall seem meet; and shall, furthermore, have power to hold such special meetings of their board at Boston; in the state of Massachusetts, as a majority of their number may elect.

Restrictions.

6. *And be it enacted*, That nothing in this act contained shall authorize said corporation to use its funds for banking operations, or the loan of moneys, or for any other purposes than are herein before expressed.

Stocktransferable.

7. *And be it enacted*, That the stock of the said company shall be deemed and considered personal estate, and be transferred in such manner as shall be prescribed by the by-laws of the said company; and that for all debts which shall be due and owing by the said company, the persons then composing such company shall be individually responsible; to the extent of their respective shares of stock in said company, and no further; but this shall not be construed to exempt the said corporation, or any estate, real or personal, which they may hold as a body corporate from being liable.

Transfers to be registered.

8. *And be it enacted*, That no transfer of stock of said company shall be valid or effectual until such transfer shall be endorsed or registered in the book or books, to be kept by the president and directors for that purpose, which book shall at all times be open to the inspection of the stockholders.

Former contracts obligatory on company.

9. *And be it enacted*, That the contracts entered into by the said William K. Tucker touching and concerning leases of any part of the said tracts of land, shall be, and the same are hereby made obligatory on the president and directors hereafter elected, and their successors, to fulfil the same, as if made by themselves.

Limitation.

10. *And be it enacted*, That this act shall be and continue in force for and during the term of thirty years from the passing thereof, and no longer; and that the legislature may alter, modify, or repeal this act, whenever in their opinion the public good may require it.

Approved February 26, 1847.



AN ACT to change the names of Richard H. Smith, Mary D. Smith, and Francis M. Smith, of the county of Camden.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Richard H. Smith, <sup>Name of Richard Smith changed.</sup> of the city and county of Camden, be, and the same is hereby changed to Richard Smith Trowbridge; and by that name the said Richard H. Smith shall hereafter be known and distinguished, and be authorized to acquire, hold, and transmit property, and do all other lawful acts and things.

2. *And be it enacted*, That the name of Mary D. Smith, the <sup>Name of Mary D. Smith and Francis M. Smith changed.</sup> wife of the said Richard Smith Trowbridge, late Richard H. Smith, be changed to Mary D. Trowbridge, and the name of Francis M. Smith, the son of the said Richard and Mary, be changed to Francis M. Trowbridge.

3. *And be it enacted*, That this act shall be so construed as <sup>Legal rights of parties not altered.</sup> in no wise to enlarge, restrain, or alter the legal rights and liabilities of the parties hereby authorized to change their names as aforesaid.

Approved February 26, 1847.

AN ACT to authorize Andrew Brown to build, maintain, and keep in repair a dock or wharf in front of his lands, in the township of Middletown, in the county of Monmouth.

WHEREAS Andrew Brown, of the township of Middletown, in <sup>Preamble.</sup> the county of Monmouth, and state of New Jersey, hath, in his petition, represented that he is the owner of certain lands, situate in the township of Middletown, in the county of Monmouth, adjoining waters of the Navesink, or North river, and hath prayed that a law may be passed authorizing him to build, maintain, and keep in repair a dock or wharf, extending a sufficient distance into said river for the accommodation of vessels navigating the same—therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for Andrew Brown, his heirs and assigns, to build, maintain, and <sup>A. Brown authorized to build dock.</sup> keep in repair a dock or wharf upon and in front of his own lands, in the township of Middletown, in the county of Mon-

mouth, and from time to time to rebuild and repair the same, and to lay vessels at said dock or wharf, and receive dockage or wharfage therefor, from all persons using the same; *provided*, that this act shall not affect the legal rights of any person whatever.

Penalty for  
injuring  
dock.

2. *And be it enacted*, That if any person or persons shall in any way injure the said dock or wharf, such person or persons shall be responsible, and shall make good all damage which the owners may sustain, recoverable by action of trespass, in any court having jurisdiction of the same.

Approved February 26, 1847.

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AN ACT to incorporate the Alleghany Mining Company.

Names of  
corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Doct. William P. Clark, Charles Bartles, James Hunt, Alexander V. Bonnell, and Peter I. Clark, and such others as are or may hereafter be associated with them, shall be, and hereby are ordained, constituted, and declared to be a body corporate and politic, in fact and in name, by the name of "the Alleghany Mining Company," to be located in the county of Warren, in the state of New Jersey.

Time and  
mode of an-  
nual elec-  
tion of di-  
rectors.

2. *And be it enacted*, That the stock, property, concerns, and affairs of the said corporation shall be managed and conducted by seven directors, who shall be annually elected on the second Tuesday of January, at such time of the day, and at such place in the county of Warren, state of New Jersey, as the by-laws of the said corporation shall direct; and public notice shall be given of the time and place of holding such election, not less than thirty days previous thereto, in one of the newspapers printed at Belvidere and in one of the newspapers printed in the city of Trenton; and the election shall then and there be made, by such of the stockholders as shall attend for that purpose, in person or by proxy; and all elections shall be by ballot, each share having one vote; and the persons who shall have the greatest number of votes shall be the directors; and the said directors, so soon as may be after their election, shall proceed, in like manner, to elect by ballot one of their number to be their president; and if any vacancy or vacancies shall at any time happen among the directors elected by the stockholders, by death, removal, resignation, or otherwise, such

vacancy or vacancies shall be filled for the remainder of the year in which they may happen by such person or persons as the remainder of the directors for the time being, or a majority of them, shall appoint; *provided*, that the first election shall be held within ninety days after the passage of this act, twenty days' notice, in the papers aforesaid, to be given of said election by the persons named in the first section of this act; and the directors so elected shall serve until the second Tuesday of January, A. D. eighteen hundred and forty-eight.

3. *And be it enacted*, That in case it should at any time happen that an election of directors should not be made on the day that pursuant to this act it ought to be made, the said corporation shall not for that cause be deemed to be dissolved; but it shall and may be lawful to hold such election on such other day, in the manner aforesaid, as shall be prescribed by the by-laws and ordinances of the said corporation. Corporation not dissolved for failure to elect on day prescribed.

4. *And be it enacted*, That the capital stock of the said corporation shall consist of the tracts of lands, mines, mining privileges, minerals and ores, engines, smelting furnaces, and all the improvements thereon, situated and being in the said county of Warren, belonging to the above named corporators, or which they or the said company may hereafter acquire, not exceeding in value the sum of two hundred thousand dollars, which shall be divided into ten thousand shares, of twenty dollars each; and it shall be lawful for the directors of said corporation to assess, from time to time, upon each share of the stock of said corporation a sum not exceeding the gross amount of five dollars, in sums not exceeding one dollar at any one time, and at intervals of not less than thirty days; and it shall be lawful for the directors to assess a still further sum of five dollars on each share of the capital stock; *provided*, that two-thirds in interest of the stockholders of said corporation shall advise and consent thereto, at a meeting of the stockholders called for this purpose, and notice given of the same, as provided for in the second section relating to election of directors; any stockholder refusing to pay an assessment regularly laid, and of which notice shall have been given, as heretofore provided for, shall forfeit to said corporation each and every share of stock upon which such assessments remain unpaid for the period of thirty days after notice shall have been given, in such form as the directors may ordain in the by-laws, to the stockholder that such assessment was due and unpaid. Amount of capital stock.

5. *And be it enacted*, That a majority of the directors for the time being shall form a board or quorum for the transacting of the business of the said corporation. Majority of directors to form board.

6. *And be it enacted*, That the stock of the said corpora-

Stocktrans-ferable. tion shall be deemed personal estate, and be transferable in such manner as shall be prescribed by the by-laws of the said corporation.

Tranfers to be register-  
ed. 7. *And be it enacted*, That no transfer of stock of said corporation shall be valid or effectual until such transfer shall be entered or registered in the book or books to be kept by the president and directors for that purpose; which book shall at all times be open to the inspection of the stockholders.

Limitation. 8. *And be it enacted*, That this act shall continue in force for the term of twenty years, and the said corporation shall possess the general powers, and be subject to the restrictions and liabilities, contained in the act entitled, "An act concerning corporations," approved the fourteenth day of February, one thousand eight hundred and forty-six, so far as the same are applicable.

Individual rights not to be affect-  
ed. 9. *And be it enacted*, That nothing herein contained shall be so construed, or shall so operate, as to deprive any person of any right or interest he, she, or they may have in the mining lands which may be purchased, or have or may be contracted for or contemplated to be conveyed to this company, except by a legal grant of the same.

Approved February 26, 1847.

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### AN ACT to incorporate the Somerville and Easton Railroad Company.

Names of corporators 1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That Garret D. Wall, Thomas A. Hartwell, William Thompson, John O. Sterns, John Kean, George H. Pegram, and William P. Robeson, and such other persons as may hereafter be associated with them, shall be and are hereby ordained, constituted, and declared to be a body corporate and politic, in fact and in name, by the name of "the Somerville and Easton Railroad Company," and shall be capable of purchasing, holding, and conveying any lands, tenements, goods and chattels, whatsoever, necessary or expedient for the objects of this incorporation.

Style. "the Somerville and Easton Railroad Company,"

Amount of capital stock. 2. *And be it enacted*, That the amount of the capital stock of said company shall be twelve hundred thousand dollars, with liberty to increase the same to two millions of dollars, and shall

be divided into shares of fifty dollars each; which shall be deemed personal property, and transferable in such manner as the said corporation shall by their by-laws direct.

3. *And be it enacted*, That the above named persons may open books to receive subscriptions to the capital stock of said corporation, at such time or times and place or places as they, or a majority of them, may think proper, and, as soon as the same shall be subscribed, to give notice for a meeting of the stockholders, to choose nine directors; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by lawful proxy, each share of the capital stock entitling the holder thereof to one vote; and the said above named persons, or a majority of them, shall be inspectors of the first election of directors of the said corporation, and shall certify, under their hands, the names of those persons duly elected, and deliver over the subscription books to the said directors; and the time and place of holding the first meeting of directors shall be fixed by the said persons named in the first section of this act, or a majority of them; and the directors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be after every election, choose out of their own number a president; and in case of the death, resignation, or removal of the president or any director, such vacancy or vacancies may be filled for the remainder of the year wherein they may happen, by the said board of directors, or a majority of them; and in case of the absence of the president, the said board of directors, or a majority of them, may appoint a president pro tempore, who shall have such power and functions as the by-laws of the said corporation shall provide.

Books of subscriptions to be opened.

Election of directors.

4. *And be it enacted*, That in case it should happen that an election of directors should not be made during the day when pursuant to this act it ought to be made, the said corporation shall not for that cause be deemed to be dissolved; but such election may be held at any other time; and the directors for the time being shall continue to hold their office until new ones shall have been chosen in their places.

Corporation not dissolved for failure to elect on day prescribed.

5. *And be it enacted*, That five directors of said corporation shall be competent to transact all business of the said corporation; and they shall have power to call in the capital stock of said company, by such instalments and at such times as they may direct; and in case of the nonpayments of said instalments, or any one of them, to forfeit the share or shares upon which such default shall arise; and to make and prescribe such by-laws, rules, and regulations, as to them shall appear needful and proper, touching the management and regulation of the

Powers and duties of directors.

stock, property, estate, and effects of the said corporation; and also shall have power to appoint a secretary, and so many clerks and servants as to them shall seem meet, and to establish and fix such salaries to them, and also to the president, as to the said board shall appear proper.

Company  
authorized  
to construct  
railroad.

6. *And be it enacted*, That the president and directors of the said company be, and they are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out, and construct a railroad, or lateral roads, from one or more suitable place or places in the village of Somerville, northerly in the most direct and feasible route to the Musconetcong valley, passing to the north, or within two miles of the village of Clinton, in the county of Hunterdon; thence passing down the valley of the Musconetcong, or any valley northward, to the valley of the river Delaware; thence up the Delaware to one or more suitable place or places within two miles of the Easton Delaware bridge, opposite to the village or borough of Easton, in the state of Pennsylvania, with a branch from any convenient point on the route of said road to the village of Belvidere, in the county of Warren, not exceeding one hundred feet in width, with as many sets of tracks and rails as they may deem necessary; and it shall and may be lawful for the said president and directors, their agents, engineers, superintendents, or others in their employ, to enter at all times upon all lands and waters, for the purpose of exploring, surveying, levelling, or laying out the route or routes of such railroad or lateral and branch roads, and of locating the same, and to do and erect all necessary works, buildings, and appendages thereof, doing no unnecessary injury to private or other property; and when the route or routes of such road or lateral and branch roads shall have been determined upon, and a survey of such route or routes deposited in the office of the secretary of state, then it shall be lawful for the said company, by its officers, agents, engineers, superintendents, contractors, workmen, and other persons in their employ, to enter upon, take possession of, hold, have, use, occupy, and excavate any such lands, and to erect embankments, bridges, ferries, and all other works necessary to lay rails, and to do all other things which shall be suitable or necessary for the completion or repair of the said road or roads, subject to such compensation as is hereinafter provided; *provided always*, that the payment, or tender of the payment, of all damages for the occupancy of lands through which the said railroad or railroads may be laid out, be made before the said company, or any person under their direction or employ, shall enter upon or break ground in the premises, except for the purpose of surveying and laying out said road or roads, unless the consent of the owner or

owners of such lands be first had and obtained; *provided nevertheless*, that the said road or lateral roads shall in no way impair the chartered rights, or interfere with the Camden and Amboy Railroad and Transportation Company and Delaware and Raritan Canal Company, in the transportation of passengers or merchandise between Philadelphia and New York, whereby to diminish the revenue of this state, under the penalty of a forfeiture of its chartered rights and franchises.

7. *And be it enacted*, That when the said company, or its agents, cannot agree with the owner or owners of such required lands or materials, for the use or purchase thereof, or when, by reason of the legal incapacity or absence of such owner or owners, no such agreement can be made, a particular description of the land or materials so required for the use of the said company, in the construction of the said road, shall be given in writing, under the oath or affirmation of some engineer or proper agent of the company, and also the name or names of the occupant or occupants, if any there be, and of the owner or owners, if known, and their residence, if the same can be ascertained, to one of the justices of the supreme court of this state, who shall cause the said company to give notice thereof to the persons interested, if known and in this state, or if unknown or out of this state, to make publication thereof, as he shall direct, for any term not less than six days, and to assign a particular time and place for the appointment of the commissioners hereinafter named; at which time, upon satisfactory evidence to him of the service or publication of such notice aforesaid, he shall appoint, under his hand and seal, three disinterested, impartial, and judicious freeholders, not resident in the county in which the lands or materials in controversy lie, or the owners reside, commissioners to examine and appraise the said land or materials, and to assess the damages, upon such notice, to be given to the persons interested, as shall be directed by the justice making such appointment, to be expressed therein, not less than six days; and it shall be the duty of the said commissioners (having first taken and subscribed an oath or affirmation, before some person duly authorized to administer an oath, faithfully and impartially to examine the matter in question, and to make a true report according to the best of their skill and understanding) to meet at the time and place appointed, and proceed to view and examine the said land or materials, and to make a just and equitable estimate or appraisal of the value of the same, and assessment of damages, as shall be paid by the said company for such lands or materials and damages aforesaid; which report shall be made in writing, under the hands and seals of the said commissioners, or any two of them, and filed within ten days thereafter,

Proceed-  
in case own-  
ers of land  
and compa-  
ny cannot  
agree.

together with the aforesaid description of the land or materials, and the appointment and oaths or affirmations aforesaid, in the clerk's office of the county in which the land or materials are situate, to remain of record therein; which report, or a copy thereof, certified by the clerk of said county, shall at all times be considered as plenary evidence of the right of the said company to have, hold, use, occupy, possess, and enjoy the said land or materials, or of the said owner or owners to recover the amount of said valuation, with interest and costs, in an action of debt, in any court of competent jurisdiction, in a suit to be instituted against the company if they shall neglect or refuse to pay the same for twenty days after demand made of their treasurer, and shall from time to time constitute a lien upon the property of the company in the nature of a mortgage; and the said justice of the supreme court shall, on application of either party, and on reasonable notice to the others, tax and allow such costs, fees, and expenses to the justice of the supreme court, commissioners, clerks, and other persons performing any of the duties prescribed in this section of this act, as they or he shall think equitable and right, and to order and direct by whom the same shall be paid, under the circumstances of the case.

Persons ag-  
grieved  
may appeal.

8. *And be it enacted*, That in case the said company, or the owner or owners of the said land or materials, shall be dissatisfied with the report of the commissioners named in the preceding section, and shall apply to the justices of the supreme court, at the next term after the filing of the said report, the court shall have the power, upon good cause shown, to set the same aside, and thereupon to direct a proper issue for the trial of the said controversy to be formed between the said parties, and to order a jury to be struck, and a view of the premises or materials to be had, and the said issue to be tried at the next circuit court to be holden in the said county, upon the like notice and in the same manner as other issues in the said court are tried; and it shall be the duty of the said jury to assess the value of the said land or materials and damages sustained; and if they shall find a greater sum than the said commissioners shall have awarded in favour of the said owner or owners, then judgment thereon, with costs, shall be entered against the said company, and execution awarded therefor; but if the said jury shall be applied for by the said owner or owners, and shall find the same or a less sum than the company shall have offered, or the said commissioners awarded, then the said costs to be paid by said applicant or applicants, and either deducted out of the said sum found by the said jury, or execution awarded therefor, as the court shall direct; *provided*, that such application shall not prevent the company from taking the said land or materials upon the filing of the aforesaid report.



9. *And be it enacted*, That it shall be the duty of the said Company to construct and keep in repair good and sufficient bridges to construct bridges. over or under the said railroad or roads, where any public or other road shall cross the same, so that the passage of carriages, horses, and cattle on the said road shall not be impeded thereby; and also, where the said road shall intersect any farm or lands of any individual, to provide and keep in repair suitable wagon ways over or under said road, so that he may pass the same.

10. *And be it enacted*, That the president and directors of the said company shall have power to have constructed, or to purchase with the funds of the company, and to place on any railroad constructed by them, all machines, engines, wagons, carriages, or vehicles for the transportation of persons or any species of property thereon, as they may think reasonable, expedient, or right; *provided*, they shall not charge more than at the rate of six cents per mile per ton for the transportation of property on the said road or roads, or four cents per mile for carrying each passenger on said railways in the carriages of the company, or three cents per mile for each ton of property transported, or two cents per mile for each passenger carried on said railways in the carriages of others, and three cents per mile for each empty carriage; and that the railroad or roads, and their appendages, and the land over which the same shall pass, and all the works and improvements, steam engines, carriages, and all other property whatsoever belonging to the said company, at any time or times, are hereby vested in the said company incorporated by this act, and their successors and assigns, during the continuance of this act. Rates of toll on railroad.

11. *And be it enacted*, That the president and directors shall, within one year after the said railroad shall have been completed, declare and make such dividend as they may deem prudent and proper of the net profits thereof, and shall, in like manner, semi-annually thereafter, declare such dividends, and pay the same to the stockholders of the said company, in proportion to the amount of shares held by them, respectively, as they may deem prudent and proper. Semi-annual dividends to be made.

12. *And be it enacted*, That if any person shall wilfully impair, injure, destroy, or obstruct the use of any railroad enjoyed under the provisions of this act, or of any of their necessary works, wharves, bridges, carriages, or machines, such person or persons so offending shall forfeit and pay to the said company the sum of fifty dollars, to be by them recovered in any court having competent jurisdiction, in an action of debt; and further, shall be liable for all damages. Penalty for injuring works.

13. *And be it enacted*, That the said company may have

What real  
and person-  
al property  
company  
may hold.

and hold real estate, at the commencement and termination of said road or roads at Somerville and the Delaware river, and at intermediate depots upon the line of the said road, not exceeding five acres at each place; and may erect and build thereon such houses, warehouses, machine shops, and other buildings and improvements, as they may deem expedient for the safety of property, and the construction of cars, carriages, steam engines, and for other necessary uses; and shall also have the privilege and authority to erect, build, and maintain, at the Delaware river, or within thirteen miles of the borough of Easton, such wharves, piers, bridges, and other facilities as they may think expedient and necessary for the full enjoyment of all the benefits conferred by this act; which said lands shall be obtained in the manner provided for in the seventh section of this act.

Statement  
of amount  
of cost, &c.  
to be filed.

14. *And be it enacted*, That as soon as the railroad, with its appendages, shall be finished so as to be used, the president and treasurer of the said company shall file, under oath or affirmation, a statement of the amount of the cost of the said road, including all expenses and the amount of all purchases made by virtue of this act, in the office of the secretary of this state; and annually thereafter the president and treasurer of the said company shall, under oath or affirmation, make a statement to the legislature of this state of the proceeds of said road, until the net income of said road shall amount to six per centum upon the amount of its costs; and as soon as the net proceeds of said railroad shall amount to six per centum upon its cost, the said corporation shall pay to the treasurer of this state a tax of one half of one per centum on the cost of said road, to be paid annually thereafter on the first Monday of January of each year; *provided*, that no other tax or impost shall be levied or assessed upon the said company.

Corpora-  
tion may  
borrow mo-  
ney.

15. *And be it enacted*, That the said corporation shall have power to borrow such sum or sums of money, from time to time, as shall be necessary to build, construct, or repair said road, and furnish the said corporation with all the necessary engines and machinery for the uses and objects of the said company, and to secure the repayment thereof by bond and mortgage, or otherwise, on the said road, lands, privileges, franchises, and appurtenances of or belonging to said corporation, at a rate of interest not exceeding seven per cent. per annum.

State to  
have privi-  
lege of pur-  
chasing  
railroad.

16. *And be it enacted*, That any time after the expiration of fifty years from the completion of the said road, the legislature of this state may cause an appraisement of the said road, and the appendages thereof, to be made by six persons,

three of whom shall be appointed by the chief justice of this state for the time being, the remaining three by the company, who, or a majority of them, shall report the value thereof to the legislature, within one year from the time of their appointment; or, if they cannot agree, they shall choose a seventh, who, with the aforesaid six, shall report as aforesaid; or in case the said company shall neglect or refuse to appoint the said three persons on their part, for two months after their said appointment by the said chief justice, then the three persons so appointed by him shall proceed to make such appraisement, which shall be binding on the said company; or in case the said six commissioners shall be appointed as aforesaid, and they cannot agree upon the seventh man, then, upon two weeks' notice to the said company, the said chief justice shall appoint such seventh man, as aforesaid, to make such appraisement as aforesaid, and thereupon the state shall have the privilege, for three years, of taking the said road, upon the payment to the company of the amount of the said report within one year after electing to take said road; which report shall be filed in the office of the secretary of this state, and the whole property and interest of said road, and the appendages thereof, shall be vested in the state of New Jersey, upon payment of the amount so reported to the said company; and that it shall be the duty of the president of the company to lay before the legislature, under oath or affirmation, when they shall so request, a full and fair statement of the costs of the said road, and of all the receipts and disbursements of the company; *provided always*, that the aforesaid valuation shall be made without reference to the receipts or disbursements of the company or advance of the stock; and the said valuation shall in no case exceed the first cost of valuation of said road, with the lands and appendages thereof. Proviso.

17. *And be it enacted*, That if the said railroad shall not be completed and in use at the expiration of ten years from the fourth day of June next ensuing, that then and in that case this act shall be void. Time of completion.

18. *And be it enacted*, That the legislature shall have the right to subscribe for the stock of the said company, to the amount of twenty-five thousand dollars, at any time before or within twelve months after the said road or roads are completed. Legislature may subscribe for stock.

19. *And be it enacted*, That this act shall be deemed and taken as a public act, and shall at all times be recognized as such in all courts and places whatsoever, and shall take effect immediately after the passage thereof. Public act.

Approved February 26, 1847.

## AN ACT to incorporate the Hudson Manufacturing Company.

Names of  
corporators

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That Charles Goodyear, Charles J. Gilbert, Jonathan Trotter, James L. Curtis, Henry Wilkes, James E. Smith, and William F. Ely, their present and future associates, their successors and assigns, be, and they are hereby created a body corporate and politic, in fact and in name, by the name of "the Hudson Manufacturing Company," for the purpose of manufacturing India rubber, in all its varieties that they may be permitted to do; also, as connected therewith, to manufacture cotton, woollen, or other fibrous material; and also all machinery incident thereto, with power to purchase and hold the real estate formerly belonging to the East Newark Land Company, in the county of Hudson, if they may deem it necessary, meet, and expedient so to do to carry out the purposes of this corporation, but no other real estate whatever, and to mortgage or sell the same, or any part or parts thereof, to aid in the establishment of any manufactory on the said premises connected with India rubber; with all such powers and privileges, and subject to such restrictions, limitations, and conditions as are specified and contained in the act entitled, "An act concerning corporations," approved February fourteenth, eighteen hundred and forty-six, except when otherwise granted in and by this act of incorporation; and this act shall continue in force for the term of twenty years.

Limitation.

Amount of  
capital.

2. *And be it enacted*, That the estate and property of the said company shall be divided into five thousand shares, of the par value of one hundred dollars per share; that the said shares shall be deemed and considered personal estate: it shall be lawful for the said company to grant certificates of full stock, in whole or in part payment for the consideration of the land that may be purchased, and to grant certificates of shares, and, by the by-laws, to compel the payment of instalments, not exceeding five dollars at any one time, required on any shares not deemed or declared full stock, and to forfeit the same, and all previous payments made thereon, giving at least sixty days' previous notice of such call and demand; and subject always to the provisions for payment in the fifth section of the act concerning corporations, herein before referred to.

First directors,

3. *And be it enacted*, That Charles J. Gilbert, Jonathan Trotter, James L. Curtis, Henry Wilkes, and James E. Smith shall be the first directors to organize and manage the affairs of the said company, and shall continue in office until the first Thursday in May next, or until seven other persons shall, at

some convenient time and place, before or on the day last mentioned, be elected in their stead.

4. *And be it enacted*, That as soon as fifty thousand dollars, in specie or bank notes of specie paying banks, shall be paid into the hands of the treasurer, to be appointed by the directors of this company, and a certificate thereof, duly sworn to before any person authorized to take affidavits in this state, shall be filed with the clerk of the county of Hudson, and a true copy thereof, certified by the said clerk, deposited in the office of the secretary of state, it shall be lawful for the said company to commence business.

5. *And be it enacted*, That, at the first election for directors, there shall be seven persons, being stockholders, chosen to conduct and manage the affairs of this company; that the annual election for directors shall take place, after the first election, on the first Thursday of June, in every year, at some convenient place at Jersey City, or on the premises at East Newark, between the hours of twelve o'clock at noon, and two o'clock in the afternoon of that day; all elections shall be by ballot, and each share entitled to one vote; that two weeks' previous notice of such election shall be given in some newspaper to be published in the cities of New York and Newark, and in the county of Hudson; and if, from any cause, an election for directors shall not take place at the appointed time, it shall not therefore work a forfeiture of this charter, but a new election shall be ordered.

6. *And be it enacted*, That the office of secretary of this company shall be kept on the premises at East Newark, in the township of Harrison, and county of Hudson.

7. *And be it enacted*, That in the month of January, in each and every year, the directors of said company shall submit to the stockholders, under oath or affirmation, a written statement containing the amount of capital stock paid in, the amount of all existing debts against the company, and the amount of all its assets; which statement shall be recorded in a book, and be filed in the office of the clerk of the county of Hudson, for the inspection of the stockholders of the company; and no dividend shall be declared or paid to the stockholders, when such payment would render the company insolvent.

Approved February 26, 1847.

A further supplement to the act entitled, "An act incorporating Jersey City," passed the twenty-second of February, A. D. eighteen hundred and thirty-eight.

Part of former act repealed.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the second proviso in the second section of the act entitled, "A supplement to the act entitled an act incorporating Jersey City," passed the eighth day of March, A. D. eighteen hundred and thirty-nine, be, and the same is hereby repealed.

Approved February 27, 1847.

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AN ACT to authorize Calvin Tomkins to build and keep in repair docks, wharves, and piers upon and in front of his own lands, in the township of Shrewsbury, in the county of Monmouth.

Preamble. WHEREAS Calvin Tomkins, of the township of Shrewsbury, county of Monmouth, and state of New Jersey, hath, in his petition, represented that he is the owner in fee of a certain tract of land, situate in the township of Shrewsbury, county of Monmouth, adjoining waters of the North, or Navesink river, and hath prayed that a law may be passed authorizing him to build docks, wharves, and piers, so as to form a basin upon and in front of his own lands, extending a sufficient distance into the said river for the accommodation of vessels navigating the same, provided that he does not in any way interfere with the navigation of said river—therefore,

C. Tomkins authorized to build dock.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for Calvin Tomkins, his heirs and assigns, to erect and build all such docks, wharves, and piers, upon and in front of his own lands, in the township of Shrewsbury, county of Monmouth, and state of New Jersey, and from time to time rebuild and repair the same, and to lay vessels at said docks, wharves, and piers, and receive wharfage therefor, from all persons using the same; *provided*, that this act does not affect the legal rights of any person whatever.

2. *And be it enacted*, That if any person or persons shall

destroy or in any way injure the said docks, wharves, or piers, such person or persons shall be responsible, and shall make good all damage which the owner may sustain, recoverable by action of trespass, in any court having jurisdiction of the same. Penalty for  
injuring  
dock.

Approved February 27, 1847.

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AN ACT to change the time for the collection of taxes in the township of Belleville, in the county of Essex.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the duty required of the assessors of the several townships, by the third section of the act entitled, "An act concerning taxes," shall be performed by the assessor of the township of Belleville, within fifteen days after the second Monday in July, hereafter; and the commissioners of appeal in cases of taxation in said township shall meet annually, on the second Tuesday of September, instead of the second Tuesday of November, as heretofore. Time for  
assessment  
of taxes.

2. *And be it enacted*, That the duty which the collector of said township is now required to perform by the tenth section of the act aforesaid, shall be performed on the first day of August, instead of the first day of October, in each year, hereafter; and the time of payment of moneys to the collector of the county of Essex, shall be the twenty-second day of October, instead of the twenty-second day of December, in each year; and the duty required of the collector of said township, by the twelfth section of said act, shall be performed on the twentieth day of October, instead of the twentieth day of December, in each year. Time for  
collection  
of taxes.

Approved February 27, 1847.

AN ACT for the relief of Mary Garon, of the county of Burlington.

\$30 per annum to be paid to M. Garon.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is hereby authorized and directed to pay to Mary Garon, widow of Uriah Garon, a soldier of the Revolutionary war, or her order, the sum of thirty dollars per annum, during her natural life, in semi-annual payments of fifteen dollars each, the first payment to be made on the first day of March next; and the receipt of the said Mary Garon, or her order, shall be a sufficient voucher to the treasurer, in the settlement of his accounts.

Approved February 27, 1847.

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AN ACT to repeal the act entitled, "An act to incorporate the Mechanics Bank of Paterson," passed February the twenty-eighth, eighteen hundred and thirty-two.

Preamble.

WHEREAS, it is represented that the said bank was closed in the year eighteen hundred and thirty-four, by order of the court of chancery, and all the property and estate thereof placed by said court in the hands of receivers, as an insolvent institution; and the capital stock paid in has been exhausted in paying the debts of said bank, leaving outstanding debts unpaid; that an effort is now making to revive said bank by calling in payments upon the capital stock remaining, and putting in circulation new issues of said bank, which will result in a loss to the public, and discredit the present safe currency of the state—therefore,

Charter repealed.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled, "An act to incorporate the Mechanics Bank of Paterson," be, and the same are hereby repealed; *provided always*, that nothing herein contained shall prevent a recovery by or from the said corporation, in legal form, of any money due and owing to and from the same, or to preclude the directors or stockholders from finally settling the affairs of said corporation.

Approved February 27, 1847.



AN ACT for the relief of Hester Reeves, of the county of Camden.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state be, and hereby is authorized and required to pay to Hester Reeves, the widow of John Reeves, or her order, the sum of fifty dollars per annum during her natural life, in semi-annual payments of twenty-five dollars each, the first payment to be made the first day of March next; and the receipt of the said Hester Reeves, or her order, shall be a sufficient voucher to the treasurer, in the settlement of his accounts.

Approved February 27, 1847.

AN ACT for the relief of Zelica Dare, widow of Eli Dare, deceased, of the county of Cumberland.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the trustee hereinafter appointed be, and is hereby authorized and empowered to cut and sell as much of the wood, timber, and swamp, belonging to the estate of Eli Dare, deceased, as he may deem necessary for the improvement of the farm, and for the future comfortable maintenance and support of Zelica Dare, widow of said Eli Dare, deceased, during her widowhood.

2. *And be it enacted*, That James M. Newell be, and he is hereby constituted and appointed a trustee for and in behalf of the said Zelica Dare, and that before he enters upon the execution of said trust, he shall enter into bond to the said Zelica Dare, with good and sufficient security, in the sum of four hundred dollars, for the faithful performance of said trust; which said bond shall be approved by the surrogate of the county of Cumberland, and be filed in his office for the benefit of the said Zelica Dare.

Approved March 1, 1847.

Supplement to an act entitled, "An act concerning landlords and tenants."

Tenants or  
lessees, how  
removed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any tenant or lessee at will, or at sufferance, or for part of a year, or for one or more years, of any houses, lands, or tenements, and the assignees, under-tenants, or legal representatives of such tenant or lessee, may be removed from such premises, by any justice of the peace of the county where such premises are situated, in the manner hereinafter prescribed, in the following cases:

1st. Where such persons shall hold over and continue in possession of the demised premises, or any part thereof, after the expiration of his or her term, and after demand made, and notice in writing given for delivering the possession thereof, by the landlord or his agent, for that purpose.

2d. Where such person shall hold over after any default in the payment of the rent, pursuant to the agreement under which such premises are held, and satisfaction for such rent cannot be obtained by distress of any goods, and a demand of such rent shall have been made, by three days' notice, in writing, requiring the payment of such rent, or the possession of the premises, shall have been served by the person entitled to such rent, upon the person owing the same.

Landlord  
may make  
oath in writ-  
ting.

2. *And be it enacted*, That any landlord or lessor, his legal representatives, agents, or assigns, may make oath, in writing, of the facts which, according to the preceding section, authorize the removal of a tenant, describing therein the premises claimed, and may present the same to any justice of the peace of the county where the premises are situated.

Justice to  
issue sum-  
mons.

3. *And be it enacted*, That on receiving and filing such affidavit, such justice shall issue a summons, describing the premises of which possession is claimed, and requiring any person in possession of said premises, or claiming the possession thereof, forthwith to remove from the same, or to show cause before the said justice, at a certain place and time therein to be specified, not less than five, nor more than fifteen days from the date of such summons, why possession of such premises should not be delivered to such claimant.

Proof to be  
made before  
issuing  
summons.

4. *And be it enacted*, That previous to issuing such summons in a case of tenancy at will, or at sufferance, or from year to year, the justice shall be satisfied by due proof that such tenancy has been terminated by giving notice in the manner prescribed by law.

5. *And be it enacted*, That the summons shall be served in the manner prescribed by the act constituting courts for the trial of small causes; the suit may be adjourned, and either party may demand and have a trial by jury of six men, according to the provisions of said act. Summons,  
how issued.

6. *And be it enacted*, That if, at the time appointed in the said summons, or at the time to which said suit may be adjourned, no sufficient cause be shown to the contrary, and it shall appear to the said justice or jury that the summons has been duly served, the said justice shall issue his warrant to any constable of the county, or marshal of the city or town in which the premises are situated, commanding him to remove all persons from the said premises, and to put the said claimant into the full possession thereof, and to levy and make the costs out of the goods and chattels of such person or persons in possession. Justice to  
issue war-  
rant.

7. *And be it enacted*, That the proceedings had by virtue of this act shall not be appealed from or removed by certiorari; but the landlord shall remain liable in an action of trespass for any unlawful proceedings under this act. Proceed-  
ings not to  
be appeal-  
ed from.

8. *And be it enacted*, That the same fees shall be allowed to the justice, constable, witnesses, and jurors, as are provided for like services by the act constituting courts for the trial of small causes; and the constable, for executing the process of possession, shall receive the sum of one dollar. Fees of of-  
ficers.

9. *And be it enacted*, That this act shall go into effect immediately on the passage thereof. Act, when  
to take ef-  
fect.

Approved March 4, 1847.

#### AN ACT respecting the estates of nonresident wards.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That in all cases where any guardian and his ward may both be nonresidents of this state, and such ward may be entitled to property of any description in this state, such guardian, on producing satisfactory proof to the ordinary or orphans' court of the proper county, by certificates according to the acts of congress in such cases, that he has given bond and security in the state in which he and his ward reside, in double the amount of the value of the prop- Guardian  
may remove  
property of  
nonresident  
wards.

erty, as guardian, and it is found that a removal of the property will not conflict with the terms or limitations attending the right by which the ward owns the same, then any such guardian may demand or sue for and remove any such property to the place of residence of himself and ward.

Resident  
guardian,  
&c., dis-  
charged.

2. *And be it enacted*, That when such nonresident guardian shall produce an exemplification from under the seal of the office (if there be a seal) of the proper court in the state of his residence, containing all the entries on record in relation to his appointment and giving bond, and authenticated as required by the act of congress as aforesaid, the ordinary or orphans' court of the proper county in this state may cause suitable orders to be made discharging any resident guardian, executor, or administrator, and authorizing the delivering and passing over of such property, and also requiring receipts to be passed and recorded, if deemed advisable; *provided*, the benefits of this act shall not be extended to the citizens of any state in which a similar act does not exist, or may not hereafter be passed; *and provided also*, that in all cases thirty days' notice shall be given to the resident guardian, executor, or administrator of the intended application for the order of removal; and the court may reject the application, and refuse such order, whenever it is satisfied that it is for the interest of the ward that such removal shall not take place.

Act, when  
to take ef-  
fect.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 2, 1847.

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AN ACT to authorize the chosen freeholders of the counties of Essex, Passaic, and Burlington to convert part of the jails in said counties into work-houses.

Preamble. WHEREAS it is desirable that the act of the legislature, passed the twentieth day of February, seventeen hundred and ninety-nine, entitled, "An act for the establishment of work-houses in the several counties in this state," should be carried into effect in the counties of Essex, Passaic, and Burlington—therefore,

Freehold'rs  
authorized  
to turn part  
of jail into  
work-house

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the boards of chosen freeholders of

the counties of Essex, Passaic, and Burlington be, and they hereby are authorized to convert such parts of the buildings known as the jails of their said counties, as to them may seem proper, into work-houses, taking care to reserve space and room enough in said buildings for the uses and purposes of the public jails, in order that the "Act for the establishment of work-houses in the several counties in this state," may be carried out as fully, to all intents and purposes, in said counties of Essex, Passaic, and Burlington, as, though said work-houses had been built or purchased according to the first section of the aforesaid act.

Approved March 2, 1847.

AN ACT TO AUTHORIZE THE FREEHOLDERS OF CUMBERLAND COUNTY TO MAKE A DRAW IN THE BRIDGE OVER CEDAR CREEK, IN SAID COUNTY.

AN ACT to authorize the freeholders of Cumberland county to make a draw in the bridge over Cedar creek, in said county.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the board of chosen freeholders of the county of Cumberland are hereby authorized, if they see proper, to make a draw in the bridge over Cedar creek, in Fairfield township, where the bridge now is. Freeholders authorized to make draw in bridge.

Approved March 2, 1847.

AN ACT TO SUPPLEMENT AN ACT ENTITLED, "AN ACT CONCERNING TRESPASSES BY SWINE," PASSED MARCH FIFTEENTH, SEVENTEEN HUNDRED AND NINETY-EIGHT.

A supplement to an act entitled, "An act concerning trespasses by swine," passed March fifteenth, seventeen hundred and ninety-eight.

WHEREAS serious inconvenience is felt by the inhabitants of the township of Salem, in the county of Salem, in consequence of the owners of swine permitting them to run at large—and whereas no adequate remedy is provided by law, Preamble.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any person who is a resident of said township of Salem to drive or convey to the pound in said township any swine found running at large may be im- Swine running at large may be im- pounded.

large, and impound the same; and the keeper or keepers of the public pound in the said township are hereby authorized and required to receive all such swine; and the party shall have twenty-five cents per head for impounding each swine; and the keeper shall have the same fees for letting in and out of the pound; and for pounding, feeding, and attending, four cents per head for every twenty-four hours they shall continue in the pound; and if the owner or owners of the said swine so impounded shall not pay the charges of impounding within four days after such swine shall be impounded, and take the said swine away, it shall then be the duty of the said poundkeeper to set up advertisements in at least three of the most public places in the township, particularly describing such swine, and giving at least fifteen days' notice of an intended day and place of sale; and that if the owner or owners of such swine do not appear and redeem the said swine before the time so notified, the said poundkeeper shall sell the same accordingly, and, out of the moneys arising from such sale, shall pay the charges of conveying to the pound, and retain in his hands his fees for pounding, keeping, and feeding said swine, and twenty-five cents for the sale of each swine and collecting the money, and return the surplus to the owner of the swine; and if no owner shall appear and claim such overplus within six months after such sale, the same shall be paid to the overseer of the poor of the township, for the use of the poor of said township.

Approved March 2, 1847.

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A supplement to an act entitled, "An act relative to the laws of this state, the proceedings of the legislature, and the distribution thereof, and of the laws of the United States," approved April sixteenth, eighteen hundred and forty-six.

Printed statute laws of other states received as evidence.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the printed statute books and pamphlet session laws of any of the United States, printed and published by the direction or authority of such state, shall be received as evidence of the public laws of such state, in any court of this state; and that such court may determine whether any book or pamphlet, offered as such, was so printed or published, either from inspection or the knowledge of the judge or judges thereof, or from testimony, at his or their discretion;

and no error shall be assigned for the rejection of any book or pamphlet, offered as such, unless it be proved to said court that such book or pamphlet is received as a statute book or pamphlet containing the session laws of said state, in the courts of common pleas or higher courts of such state, whose statute book or pamphlet, containing the session laws, it purports to be; nor shall any error assigned for the admission of such book or pamphlet be sustained, unless it be shown, in support thereof, that the statute offered in evidence therefrom, or some material part thereof, was not in force in such state at the time of the transaction or matter to which it was offered as pertinent or material.

2. *And be it enacted*, That this act shall take effect immediately. Act, when  
to take ef-  
fect.

Approved March 2, 1847.

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AN ACT to authorize the inhabitants of the township of Jefferson, in the county of Morris, and the inhabitants of the township of Mansfield, in the county of Warren, to vote by ballot at their town meetings.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Jefferson, in the county of Morris, and the inhabitants of the township of Mansfield, in the county of Warren, are hereby authorized and required to elect by ballot, and not otherwise, at their annual town meetings, the following officers, until otherwise required by law, whose qualifications shall be the same as are or may be fixed by law, that is: a township clerk, a judge of election, an assessor, a collector, two chosen freeholders, two surveyors of the highways, three commissioners of appeal, one or two overseers of the poor, as many overseers of the highways as there are road districts, a town committee consisting of five persons, a town superintendent of common schools, as many justices of the peace as the said townships, respectively, may be constitutionally entitled to elect, and one or two constables; and shall also, upon the same ballot, vote for the amount of money to be raised for support of the poor, for school purposes, for the repair of roads, the amount of dog tax, and for the places of holding the next an- Townships  
authorized  
to vote by  
ballot.

nual town meetings, and the election of state and county officers for said townships, respectively.

Officers of election.

2. *And be it enacted*, That the judge of election elected at the last or any future town meetings, shall preside at and conduct the elections at the next ensuing annual town meetings, and the clerks of the said townships, respectively, shall be the clerks thereof; and the officers of said elections shall be eligible to any office at said elections, except that of justices of the peace.

Elections, how conducted.

3. *And be it enacted*, That the elections shall open at ten o'clock in the morning, and close at four o'clock in the afternoon of the same day, and be conducted in the same manner, and be subject to the same rules, as elections for state and county officers are or shall be; and the same duties shall devolve upon the judges of election and the clerks, as are to be performed by the board of election and the clerks in other elections; they shall take the same oath or affirmation, as far as applicable, be invested with the same powers, and be liable to the same penalties, the same qualifications for voters shall be required, and the result ascertained in the same manner, and stated according to law.

Vacancies, how supplied.

4. *And be it enacted*, That a plurality of votes shall be sufficient to elect any officer, or to fix the place of holding the town meetings or the state and county elections, but a majority of the whole number shall be required to determine an amount of money to be raised or specified; and in case there shall be a neglect or failure to elect any officer by the said town meetings, or to fix the places of holding the next town meetings or state and county elections, or in case of the refusal of any person elected to accept the appointment, or a vacancy from any other cause, or in case two or more persons have an equal number of votes for the same office, or in case a majority shall not vote for the same sum or amount, or for any amount, the town committees of said townships respectively shall, at their next meetings thereafter, fill such vacancy, determine upon such place, elect between those having an equal number of votes, and determine the amount or sum to be raised or specified, unless they shall deem a special town meeting for those purposes advisable.

Township clerk to be clerk of town committee.

5. *And be it enacted*, That the clerks of the said townships, respectively, shall be clerks of the respective town committees, and shall keep a book of minutes of the proceedings of said committees, which shall at all times be open to the inspection of the voters of the townships; and when the town committees shall fill a vacancy, or elect in case of a tie between candidates, they shall immediately notify the person or persons



so appointed or chosen, and transmit a statement thereof to the clerk of said county.

6. *And be it enacted*, That the reports of the town committees, the overseers of the poor, and the town superintendents of common schools, shall be filed and preserved by the town committees; in posting up the list of officers elected, as required by law, the clerks shall add thereto the results of the elections in other particulars; the first elections under this act shall be held at the places appointed at the last town meetings, and all special town meetings at the place of holding the last preceding annual town meetings; the same ballot box shall be used at the town meetings, and provided by the clerks, which is used at the state and county elections; the judges of election and clerks shall receive the same compensation for attending any town meeting as for attending a state or county election and the town committees shall allow the clerks such compensation for the additional duties required by this act as they may deem reasonable.

Reports to  
be filed.

7. *And be it enacted*, That this act shall take effect immediately.

Act, when  
to take effect.

Approved March 2, 1847.

AN ACT for the relief of Elizabeth Stark, of the county of Morris.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the treasurer of this state is authorized and required to pay to Elizabeth Stark, widow of John Stark, a Revolutionary soldier, or her order, the sum of thirty dollars per annum during her natural life, in semi-annual payments of fifteen dollars each, the first payment to be made on the fourth day of March next; and the receipt of the said Elizabeth Stark, or her order, shall be a sufficient voucher to the treasurer, in the settlement of his accounts.

\$30 per annum to be paid to E. Stark.

Approved March 2, 1847.

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## A supplement to "An act to regulate fees."

Fees for  
searches.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That four cents for each book, and no more, be allowed for searching the records of deeds, mortgages, wills, or other records, for each name, in case there shall be more than one book of such records in any one year.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 2, 1847.

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AN ACT to incorporate the Haddonfield and Camden Turnpike Company.

Commis-  
sioners to  
open books  
of subscrip-  
tion.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the subscription books of the capital stock of the Haddonfield and Camden Turnpike Company shall be opened by Joseph Porter, Samuel Nicholson, John Gill, Joseph W. Cooper, and Joshua P. Browning, or any three of them, who are hereby appointed commissioners to receive subscriptions to the said stock, at such times and places as they, or a majority of them, may direct; giving notice thereof, at least twenty days prior to the opening of said books, by publishing the same in at least two of the newspapers published in this state.

Amount of  
capital  
stock.

2. *And be it enacted*, That the capital stock of the said company shall be twenty thousand dollars, with liberty for the said company to increase the same to fifty thousand dollars, and shall be divided into shares of twenty-five dollars each; and that when four hundred shares shall be subscribed for, the persons holding the same shall be, and they are hereby incorporated into a company, by the name of "the Haddonfield and Camden Turnpike Company;" and by that name shall have, enjoy, and exercise all the rights, powers, and privileges appertaining to corporate bodies, and necessary to carry the objects of this act into effect.

Style.

Subscrip-  
tions, how  
paid.

3. *And be it enacted*, That, at the time of subscribing for said stock, two dollars shall be paid upon each share subscribed for, to the commissioners, or any of them, which money shall be paid over to the treasurer of the company, as soon as

one shall be appointed; and that the residue of the subscriptions shall be paid in instalments, and at such times and places, and to such persons, as the president and directors of the company shall, from time to time, direct and give public notice thereof in manner aforesaid; and upon failure of the payment thereof, as so directed, the said president and directors shall have power to forfeit the shares of each and every person so failing to pay the said instalments, or any of them, to and for the use of the said company; *provided*, that if the number of shares subscribed for shall exceed the number of shares authorized by this act, that the said commissioners shall apportion the said stock among such subscribers, in proportion to the amount or number of shares by them subscribed for as aforesaid; *provided also*, that no subscription for less than six shares of said stock shall be reduced by such apportionments.

4. *And be it enacted*, That if the number of shares herein before made necessary for the incorporation of the said company, be not subscribed for within two years from the time of opening the said subscription books, this act, and all the subscriptions under it, shall be null and void; and the said commissioners, after deducting thereout the expenses incurred, shall return the residue of the money paid in to the respective subscribers, or their representatives, in proportion to the sums paid in by them. Limitation  
of time for  
subscrib-  
ing.

5. *And be it enacted*, That when four hundred shares of said stock shall be subscribed for, the said commissioners shall call a meeting of the stockholders, giving at least twenty days' notice of the time and place of said meeting, as herein before directed with regard to the opening of said books; at which meeting the subscription books shall be laid before the stockholders, who shall thereupon proceed to elect, by ballot, nine directors, a majority of whom shall be citizens of this state, to manage the affairs of the said company for one year, of which election the said commissioners, or a majority of them, shall be judges; and that at the expiration of that term, and annually thereafter, upon like notice to be given by the directors for the time being, the said stockholders shall elect, by ballot, the same number of directors, a majority of whom shall be citizens of this state as aforesaid; and at every such election, and in all other cases in which the stockholders shall be entitled to vote, a vote may be given for each share, by the holder or holders thereof, either in person or by proxy; *provided nevertheless*, that no stockholder shall have more than ten votes, although he or she may have a greater number of shares. Election of  
directors.

6. *And be it enacted*, That, within twenty days after the

**Election of president.** annual election as aforesaid, the said directors shall elect from their number a president of their said company, who shall be a citizen of this state, and a resident in the county of Camden, who shall hold his office for one year and until another shall be elected, and receive such compensation for his services as a majority of the said directors shall direct, and shall be the presiding officer at all meetings of said directors, and shall have the casting vote when they shall be equally divided; he shall have charge of the seal of the company, and shall appoint the judge or judges of all elections of the stockholders, or, in case of his death, absence, or inability so to do, the said directors shall appoint some other suitable person, who, for the time being, shall possess the same power and authority, and perform all the duties herein prescribed.

**Powers and duties of directors.** 7. *And be it enacted*, That the said directors, or a majority of them, may supply any vacancy occurring in the interval between the annual elections, by death, resignation, removal, or refusal to act, of any president or director; and may appoint a treasurer, who shall be a citizen of this state, and resident in the county of Camden, and all other officers, agents, superintendents, and servants that may be required to transact the business of the company, with such compensation as they may determine upon, and may exact from them such security for the due performance of their respective trusts, as they may think expedient; they shall regulate the tolls, and have the superintendence and direction of all the receipts and disbursements, and all other affairs of the company, and may make and enforce such ordinances and by-laws as they may think expedient for regulating the transfers of the stock, and for the general government of the company and management of its affairs; *provided*, the same are not repugnant to the constitution or laws of this state or of the United States.

**Annual statement to be made.** 8. *And be it enacted*, That, at the annual meeting of the stockholders, it shall be the duty of the president and directors of the preceding year, to exhibit to the stockholders a full and complete statement of the affairs of the company, during the said term.

**Special meetings.** 9. *And be it enacted*, That special meetings of the stockholders may be called by the order of the said president and directors, or by the stockholders owning one-fourth of the whole stock of the company, by giving notice of the time and place of holding the same, as herein before directed with regard to the annual meetings, which said notice shall specify the particular object of the meeting; but that no business of the company shall be transacted at such special meetings; unless a majority in value of the stockholders attend and con-

cur therein, who may require the books, accounts, and all other papers and proceedings of the company to be exhibited to them by the president and directors.

10. *And be it enacted*, That if, from any cause, any election herein before named, shall not be had at the time specified by this act, the same may be made at any other time, on notice as aforesaid; and that until such election be had, the officers of the preceding year shall continue to hold their respective offices until others be elected in their stead, and that this charter shall not be defeated or avoided by reason of the irregularity or want of such election.

11. *And be it enacted*, That it shall and may be lawful for the said company, to construct and make a turnpike road, four rods wide, from the village of Haddonfield, in the county of Camden, to some place within the corporate limits of the city of Camden, in said county, which turnpike road shall be constructed and made on and along the main public highway, leading from said village to said city; and it shall be lawful for the said company, by their officers, agents, or other persons in their employ to enter from time to time, and at all times, upon all lands, for the purpose of searching for stone, gravel, sand, clay, or other materials for the construction or use of said road, doing thereto no unnecessary damage; *provided*, that before the said company shall construct the said turnpike road aforesaid, along the said highway aforesaid, they shall pay to the respective owners of the lands over which the said highway now passes, all damages which the said owners will sustain by reason of the construction of said turnpike road; and in case the said company and any of such owners cannot agree upon the amount of said damages, then the said damages shall be ascertained and determined, as nearly as may be, in the manner hereinafter provided for for ascertaining and determining the damage which any land owner or owners shall sustain by the taking of stone, gravel, or other material from his or her lands for the constructing or maintaining of said turnpike road.

12. *And be it enacted*, That the said turnpike road shall be constructed at least thirty-two feet in breadth, along the middle, as nearly as may be, of the said highway, and shall be sufficiently arched and drained to make and keep the same dry; and at least sixteen feet six inches thereof shall be sufficiently bedded and faced with stone or gravel to make a solid, firm, and even road, at all seasons of the year; and it shall be so graded, that in its progress no part of said road shall rise above an angle of four degrees with the plane of the horizon; and the said company shall make and maintain good and suffi-

cient bridges, where necessary, along the line of said road, not less than twenty-two feet in breadth; and whenever the said road, in passing over low ground, shall be raised so much at the margin, or side, as to render carriages passing thereon liable to overset, the said company shall cause good and sufficient railings to be erected and maintained on the sides, so as to prevent horses and carriages from running off.

Proceed-  
in case own-  
ers of land  
and compa-  
ny cannot  
agree.

13. *And be it enacted*, That it shall be lawful for the said company, their officers, superintendents, engineers, workmen, labourers, and other person or persons by them employed, with carts, wagons, and other carriages, and with their beasts of burthen and draft, and all necessary materials, tools, and implements, to enter upon all lands contiguous or near to the route of said road, doing as little damage thereto as possible, repairing any breach they may make in the enclosures thereof; and to make all such ditches and underdrains across and through such lands as may be necessary for properly draining said lands; and to take and carry away any stone, gravel, clay, sand, earth, or other materials, there being, most conveniently situated, and being most suitable for making or repairing said road, the said owners or occupants of such lands being entitled to a fair compensation or remuneration for their materials taken and damage done, if claimed within twelve months from the time of such damage sustained or materials taken away; and in case of a disagreement as to the amount of such damage sustained, or the value of such materials taken away, then it shall be lawful for either party to apply to one of the justices of the supreme court, or to one of the judges of the court of common pleas of the county of Camden, not being a stockholder or in any way interested, whose duty it shall be, upon such application, to appoint three judicious and disinterested freeholders of the state as appraisers; and thereupon the said appraisers, having given at least fifteen days' notice, in the manner aforesaid, of the time and place of their meeting, to each party, to meet at such time and place; and having taken an oath or affirmation fairly and impartially to inquire into and report the value of the said materials, and the amount of the said damages, which may be submitted to their judgment, shall proceed to view and examine the premises, and make a valuation and appraisement under their hands and seals, or the hands and seals of any two of them, and deliver the same to the clerk of said county of Camden, to be by him filed in his office, and remain of record therein; which said valuation and appraisement shall be conclusive evidence of the value of the said materials, and the amount of damages sustained by such owner or owners of such lands, in any suit to be brought therefor; and every such owner or

owners of the said land, having first made demand of the said company for the amount so valued or appraised, may sue for and recover the same, by action of debt, with costs of suit.

14. *And be it enacted*, That as soon as the said company shall have constructed the said road in a workmanlike manner, according to the several directions in the twelfth section, and the true intent and meaning of this act, it shall and may be lawful for the said company to erect gates or turnpikes across the said road, not exceeding three in number, and to demand and receive toll for travelling each mile of the said road not exceeding the following rates, to wit:

For every carriage, sleigh, or sled, drawn by one beast,	one cent.
For every additional beast,	one cent.
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 and may be lawful for the tollgatherers to stop persons riding, leading, or driving any horses, cattle, mules, calves, sheep, or hogs, or carriages of burthen or pleasure, from passing through the said gates or turnpikes, until they shall have paid the toll, as above specified; *provided*, that nothing in this act shall be construed so as to entitle the said company to demand or 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 passing to or from his common business on his farm, or any militiaman passing to or from any training on a muster day appointed by law, or any other military officer or soldier passing or repassing, when called to do duty by the laws of this state or of the United States.

15. *And be it enacted*, That before the said company shall receive toll for travelling said road, they shall cause mile stones or posts to be erected and maintained, one for each and every mile on said road, and on each stone or post shall be fairly and legibly marked the distance the said stone or post is from Camden and Haddonfield; and shall cause to be fixed and always kept up at the gates or turnpikes aforesaid, 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."

16. *And be it enacted*, That if any person shall wilfully break, throw down, or deface any of the mile stones or posts, so erected on the said road for the information of the people

Rates of toll.

Mile stones to be erected.

Penalty for injuring works.

travelling the same, or 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 gates or turnpikes, such person shall forfeit and pay the sum of twenty dollars, besides being subject to an action of damages for the same, to be recovered by the said company, by action of debt or other proper action, in any court of competent jurisdiction, with costs of suit; and if any person, with his or her carriage, team, or horse, turn out of the said road to pass a gate or gates, on private grounds adjacent thereto, and again enter on the 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 company, for the use thereof, in an action of debt, with costs of suit.

Penalty for  
taking illegal  
toll &c.

17. *And be it enacted*, That if any tollgatherer shall unnecessarily delay or hinder any traveller passing at any of the gates or turnpikes, or shall receive more toll than is by this act established, he shall, for every such offence, forfeit and pay the sum of twenty dollars, with costs of suit, to be prosecuted by and recovered for the sole use of the person so unreasonably hindered or defrauded.

Penalty for  
obstructing  
passage,  
&c.

18. *And be it enacted*, That all the drivers of carriages, sleighs, or sleds, of every kind and description, whether of burthen or pleasure, 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 directions, leaving the other side of the road free and clear for other carriages or persons on horseback to pass; and if any person shall offend against this provision, such person shall forfeit and pay the sum of ten dollars to any person who shall be obstructed in his or her passage, and will sue for the same, and shall also be subject to an action for damages for every such offence, to be recovered, with costs of suit.

Company  
to keep  
bridges and  
road in re-  
pair.

19. *And be it enacted*, That if the said company shall not keep the said road and bridges in repair, and complaint thereof shall be made to any justice of the peace of the county of Camden, 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 keeper of the nearest gate or turnpike, 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 or turnpike to keep open the same until otherwise ordered; and if the said keeper shall, notwithstanding the order of the said justice to open the said gate or turnpike, exact toll of travellers, he shall, for each offence, forfeit and pay twenty dollars, to be sued for by any person who will prosecute for the same, in an action of debt, with costs of suit; and the justice shall be allowed for his services fifty cents, and the persons appointed one dollar, each, to be paid by the company; and it shall be the duty of the persons so appointed, or a majority of them, on application from said company, again to view the said road, and report, as aforesaid, their opinion to the said justice, who shall, if authorized by the report of the said persons, or any two of them, by license under his hand and seal, directed to the tollgatherer, permit the gates or turnpikes to be shut, and the toll to be collected as before; and the said 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 company, the same fees shall be allowed, as before prescribed, and paid by the person making the complaint; and 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.

20. *And be it enacted*, That this act shall not take effect until the public highway upon which the said turnpike is authorized to be located and made is vacated as a public highway, according to law; and the said corporation shall possess the several powers, and be subject to the restrictions and liabilities, contained in the act entitled, "An act concerning corporations," approved the fourteenth day of February, one thousand eight hundred and forty-six, so far as the same are applicable.

Act, when  
to take ef-  
fect.

Approved March 2, 1847.

A supplement to an act entitled, "An act concerning inns and taverns," approved April seventeenth, eighteen hundred and forty-six.

Townships  
to vote in  
license  
question.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the freeholders and inhabitants who are or shall be qualified by law to vote at town meetings, shall have full power, and they are hereby required to assemble and hold elections in the respective townships of this state, on the first Tuesday of December next, and determine by ballot, whether any license or licenses shall be granted within said township, authorizing any person or persons to utter and sell vinous, spirituous, or other intoxicating liquors.

Officers of  
elections.

2. *And be it enacted*, That the officers in each township, city, borough, or ward, who are authorized by law to hold the annual state election, shall, on the day specified in the foregoing section, and at the place of holding the last annual state election, proceed, in the manner provided by law for holding such elections, to receive the ballots of the electors qualified as aforesaid, in which shall be written or printed the word "license," or the words "no license," and deposit the same in the box provided for that purpose.

Elections,  
how con-  
ducted.

3. *And be it enacted*, That the provisions of the twenty-fifth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth sections of the act entitled, "An act to regulate elections," shall apply to all elections held for the above purpose, except that the clerk, in heading the poll list, shall omit the words, "for members of," &c., and insert, in lieu thereof, the words, "to determine the question whether licenses shall be granted in said township for the sale of intoxicating liquors."

Manner of  
voting, &c.

4. *And be it enacted*, That the manner of voting, and the mode of ascertaining the qualifications of voters, shall be the same as prescribed in said last mentioned act; and the same penalties therein prescribed for misconduct of the officers conducting said election, and for fraudulent voting, false swearing, bribery, or advising others to vote illegally, shall be in force in respect to elections provided for by this act.

Canvassing  
votes.

5. *And be it enacted*, That the votes given at such election, shall be canvassed and estimated in the same manner prescribed in and by the fifty-fourth and fifty-fifth sections of the "Act to regulate elections," so far as the provisions thereof are applicable to the case; and the result shall be certified by the board of election, under their hands and seals, and trans-

mitted, within five days thereafter, to the clerk of the court, or other body authorized by law to grant licenses within the bounds of said township, to be by him filed as of record.

6. *And be it enacted*, That the officers holding such election, shall be entitled to the same fees as are allowed by law for like services in holding the annual state elections. Fees of officers.

7. *And be it enacted*, That if it shall appear that, at any such election so held as aforesaid, a majority of all the votes given in any one township shall be in favour of no license being granted, it shall not thereafter be lawful to license the sale of vinous, spirituous, or intoxicating liquors in such township, under any pretence whatever, until such determination shall have been reversed by vote, as hereinafter provided. No license granted, if township so decide.

8. *And be it enacted*, That whenever a decision shall have been made by the electors of any township, either for or against such licenses, and one-fourth as many of the legal voters of such township as voted at such election shall apply, in writing, to any justice of the peace of such township, to have the same question submitted again to the electors, it shall be the duty of such justice to order another election, to be held on the first Tuesday of December next thereafter; *provided*, that such applicants shall give notice that such application has been made, and such election will be held, by advertisement, signed by said justice, and posted up in five of the most public places in such township, to be designated by said justice in said notice, at least four weeks previous to the time of holding the same, and by publishing the same, for the like space of time, in at least one newspaper published in such township, if any there be, or in any newspaper published in this state, and known to have the largest circulation in such township; and such election, when so ordered and advertised, shall be conducted in all things and under the same regulations and penalties, and the results ascertained and certified, as herein before prescribed. New election may be ordered on next year.

Approved March 3, 1847.

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AN ACT to extend the term of office of the surveyors of the highways in the county of Gloucester.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the powers and authority of the surveyors of the highways of the county of Gloucester, which are Term of office of surveyor of highways extended.

derived under the act entitled, "An act concerning roads," and the several supplements thereto, be, and the same are hereby extended and continued from the second Tuesday of March to the second Tuesday of May, yearly and every year, the election of new surveyors to the contrary notwithstanding; and the said surveyors who shall or may be appointed in road cases, as is by this act contemplated, shall have the same right and powers, and be as fully authorized to act in the laying out, vacation, alteration, or view of any public or private road in said county of Gloucester, during the period so named in this act, as fully, to all intents and purposes, as they, or any or either of them, were authorized to act prior to the said second Tuesday of March, in any year; and the right and legal authorities of surveyors so to act, shall be recognized and admitted in all courts of law and equity of this state, any thing contained in the present laws of said state to the contrary thereof, in any wise notwithstanding.

Approved March 3, 1847.

AN ACT to incorporate the Great Falls Manufacturing Company of Passaic county.

Names of  
corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Aaron S. Pennington, Roswell L. Colt, junior, Philemon Dickerson, Cornelius G. Garrison, and Charles Danforth, and their associates and successors, are hereby made and created a body politic and corporate in law, by the name of "the Great Falls Manufacturing Company," for the purpose of carrying on, in their various branches, the manufacture of cotton, flax, hemp, wool, silk, and other fabrics, in the county of Passaic, and for the transaction of such business as may be necessarily connected therewith; and for this purpose may own, hire, or build all such mills or other works as may be required to carry on such branches of manufacture, and also the lands and water necessary therefor, with a capital of one hundred thousand dollars paid in, or satisfactorily secured to be paid, and with the right to increase the same, from time to time, to an amount not exceeding in all five hundred thousand dollars; and that each share of stock shall be one hundred dollars.

Style of in-  
corpora-  
tion.

2. *And be it enacted*, That the said corporation may hire,

purchase, hold, and enjoy such leasehold property, personal or <sup>General</sup> real estate, as may be required for the purposes of said corporation, and may dispose of the same; may sue and be sued in all courts of law and equity, and plead this act as the evidence of such authority; may have and use a common seal, and make such by-laws for their regulation and government as they see proper; *provided*, the same are not inconsistent with the constitution and laws of this state or the United States.

3. *And be it enacted*, That the capital stock shall be deemed <sup>Stocktrans-</sup> personal estate, and be transferable upon the books of the said corporation; and no part of the said capital stock shall at any time, or upon any pretence whatever, be divided among the stockholders for dividends; and no dividend shall be made or paid, except from the actual profits; and each stockholder shall, in the election of directors, have one vote for each share of stock he holds in said company.

4. *And be it enacted*, That no part of the capital stock shall <sup>Capital</sup> be withdrawn or refunded to the stockholders, until all debts <sup>stock not to</sup> and liabilities of the company are fully paid; and in case of <sup>be with-</sup> any violation of the provisions of this section, the president, directors, and stockholders of said corporation shall be personally liable in their own estate, jointly and severally, for all debts previously contracted and due from said company.

5. *And be it enacted*, That Aaron S. Pennington, Roswell L. <sup>Election of</sup> Colt, junior, Philemon Dickerson, Cornelius G. Garrison, and <sup>directors.</sup> Charles Danforth shall be, in the first instance, directors for conducting and managing the whole affairs of the company for the ensuing year, and until others shall be duly elected in their place; a meeting of the stockholders of the company, for the election of five directors and other purposes, may be held in Paterson, on the first Monday in October, in each year during the continuance of this charter, also for the purpose of considering on the course thereafter to be pursued; and the said directors then chosen shall hold their office until others are legally elected in their place; and said directors shall elect one of their number as president of the company; and in case of death or resignation of any director, the remaining directors shall have the right to fill such vacancy, by the election of a stockholder to serve for the remainder of the term so vacated; and at all meetings of the stockholders, each stockholder shall be entitled to one vote for each and every share he, she, or they may hold, as well for the election of directors as for or on account of any subject that may come up for their decision; and if an annual meeting of the stockholders shall not be held on the said first Monday of October, in each and every year, any two or more stockholders, owning together one hundred

shares of stock in the said company, may, on giving three weeks' notice in a newspaper published in Paterson, call a meeting of the stockholders of said corporation, stating the reasons of such call, for the purpose of electing five directors to manage the affairs of said company, and giving their directions as to the future management thereof; *provided*, a majority of the whole stock of said company be represented at such meeting.

Annual statement to be made.

6. *And be it enacted*, That the said president and directors shall exhibit to the stockholders annually, or whenever they meet, a list of all the stockholders, the amount of capital paid in, the profits or losses of the concern.

Act may be altered or amended.

7. *And be it enacted*, That it shall and may be lawful for the legislature of this state to alter, amend, or modify this act, whenever, in their opinion, the public good requires it, giving said stockholders and their directors full time and power to wind up and close said corporation; the avails and remainder thereof shall, after the payment of all debts and claims, against it, be divided to and among said stockholders, according to their respective interests therein.

Limitation.

8. *And be it enacted*, That the corporation hereby created shall continue twenty years, and shall possess the general powers, and shall be subject to the general restrictions and liabilities, set forth in "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six.

Approved March 4, 1847.

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### AN ACT to incorporate the Atlantic Steamboat Company of New Jersey.

Names of corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John L. McKnight, Stephen Colwell, Walter Dwight Bell, Edward W. Coffin, Joseph Thompson, Jeremiah Stull, James Brookfield, Richard L. Somers, Daniel E. Estell, Abraham L. Iszard, and Francis J. Brognard, and their associates and successors; be, and they are hereby incorporated and made a body politic and corporate, in fact and in law, by the name of the Atlantic Steamboat Company of New Jersey," and shall possess the general pow-

Style and general powers.

ers, and be subject to the general restrictions and liabilities, set forth in the act entitled, "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six.

2. *And be it enacted*, That the capital stock of the said corporation shall be sixty thousand dollars, with liberty to increase the same to one hundred thousand dollars, in shares of twenty-five dollars each; and that, as soon as five thousand dollars of the said capital stock shall have been subscribed and paid in, in lawful money or current bank notes, and an affidavit thereof made by a majority of the directors, to be chosen in pursuance of this act, and filed in the office of the clerk of the county of Atlantic, it shall and may be lawful for the said corporation to commence their business, and with that capital to conduct and carry it on, until they shall find it expedient to extend the same; and that the said capital stock shall be employed in running one or more steamboats from May's Landing, or any other place in the county of Atlantic, to the cities of New York and Philadelphia or elsewhere; and shall be vested in the purchase or building of one or more steamboats, with steam engines, boilers, and machinery, and all their rigging, furniture, and apparatus, and in the repairs thereto, and in the purchase, renting, repairing, or building of suitable landings, wharves, and store-houses; and the said capital stock shall be deemed personal estate, and shall be assignable and transferable upon the books of the said corporation, agreeably to the by-laws for that purpose to be made and adopted; and no part of the said capital stock shall at any time, nor under any pretence whatever, be divided among the stockholders for dividends; and no dividend shall be made or paid except from the actual profits; and each stockholder shall, in the election of directors, have one vote for each share of stock he holds in said company; *provided*, that no stockholder shall have more than ten votes.

Amount of capital stock.

Objects of incorporation.

3. *And be it enacted*, That John L. McKnight, Stephen Colwell, Walter Dwight Bell, Edward W. Coffin, Joseph Thompson, Jeremiah Stull, James Brookfield, Richard L. Somers, Daniel E. Estell, Abraham L. Iszard, and Francis J. Brognard, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of the said corporation, first giving two weeks' notice, in a newspaper circulating in the county of Atlantic, of the time and place of receiving the same, and also of the amount of the first instalment to be then paid; and, as soon as the same shall be subscribed, shall give a like notice for the meeting of stockholders to choose directors for conducting the affairs of the company.

Commissioners to receive subscriptions.

Election of  
directors.

4. *And be it enacted*, That the affairs, property, and concerns of the said corporation shall be conducted by five directors, a majority of whom shall constitute a quorum, and at least three shall be residents in this state, and shall be chosen on the first Monday in March annually, by ballot, by the stockholders, either in person or by proxy; no person shall be eligible as a director who shall not be a stockholder in the said company; should a vacancy occur at any time in the board of directors, the place shall be supplied by the remaining directors until the next annual election; said directors shall elect one of their number president.

Books of  
accounts to  
be kept.

5. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, at their office in the county of Atlantic, proper books of account, in which shall be regularly entered all the dealings and transactions of said corporation, which books shall at all times be subject to the inspection of the stockholders of the company; and that in the month of January, in each year, the directors shall submit to the stockholders a written statement of the amount of capital stock paid in, and the amount of all existing debts against the company; and no dividend shall be declared or paid to the stockholders when such payment would render the company insolvent; and the debts of the said corporation shall at no time be suffered to exceed the capital stock actually paid in.

Corpora-  
not dissol-  
ved for fail-  
ure to elect  
on day pre-  
scribed.

6. *And be it enacted*, That if an election of directors shall not be made during the day when pursuant to this act it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but such election may be held at any time thereafter, upon notice as aforesaid; and the directors for the time being shall continue, in all cases, to hold their offices until new ones shall have been chosen in their stead.

Limitation.

7. *And be it enacted*, That the corporation hereby created shall continue twenty-years.

Approved March 4, 1847.

AN ACT to change the name of Edmund Bryant Jones to Edmund Shaw Jones, of the county of Burlington.

Preamble.

WHEREAS I. Richard Jones and Rebecca R. Jones have presented their petition to the legislature, praying that the name



of their son, a minor, may be changed from Edmund Bryant Jones to Edmund Shaw Jones, and in such petition have stated satisfactory reasons why their prayer therein contained should be granted—therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Edmund Bryant Jones be changed to Edmund Shaw Jones, and that henceforth all business and other transactions, had by or with the said Edmund, shall be in the name given him by this act; and that by such name he shall be known in as full manner as if the name of Edmund Shaw Jones had always been the name of the said Edmund.

Name of  
Edmund  
B. Jones  
changed.

Approved March 4, 1847.

A supplement to an act entitled, "An act for the better security of mechanics and others erecting buildings, and furnishing materials therefor, approved February the sixteenth, eighteen hundred and forty-seven.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the several provisions of the act entitled, "An act for the better security of mechanics and others buildings, and furnishing materials therefor," approved February the sixteenth, eighteen hundred and forty-seven, be, and the same are hereby extended to the township of Belleville, in the county of Essex, as fully and to all intents and purposes as if the said township of Belleville had been embraced in the said act to which this is a supplement, any thing in the said act to the contrary notwithstanding.

Provisions  
of act ex-  
tended to  
township of  
Belleville.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 4, 1847.

A further supplement to the act entitled, "An act to establish and confirm the charter rights and privileges of the borough of Elizabeth," passed the twenty-eighth of November, seventeen hundred and eighty-nine.

Borough officers authorized to enforce payment for paving.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the mayor, aldermen, and commonalty of the borough of Elizabeth are hereby authorized and empowered to require the owners of land within the said borough to pay the expense of making, grading, flagging, paving, curbing, and improving the sidewalks and gutters in front of and appertaining to their respective lots, and to enforce the payment thereof, in such manner, and by ordinance or otherwise, as the said corporation may deem expedient and proper.

Taxes, how collected.

2. *And be it enacted*, That whenever a tax shall be ordered by the said corporation to be levied upon the whole or any part of the inhabitants of the said borough, it shall be lawful for the same to be assessed, levied, and collected at the same time, by the same officers, and in like manner, in all respects, as the state, county, and township taxes for the township of Elizabeth, in the county of Essex, are assessed, levied, and collected; and for that purpose the said officers are hereby invested with the like powers they now possess in assessing, levying, and collecting the said state, county, and township taxes.

Approved March 4, 1847.

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AN ACT to authorize Harvey Shaw, Benajah Tomlin, junior, Robert Baymore, junior, Ezra Norton, and others, to build, repair, maintain, and keep up a bridge over Goshen creek, in the Middle Township, county of Cape May, New Jersey.

Preamble.

WHEREAS Harvey Shaw, Benajah Tomlin, junior, Robert Baymore, junior, Ezra Norton, and others, of the Middle Township, county of Cape May, and state of New Jersey, have, in their petition, represented that they are the owners of a large body of meadow, lying between the Cedar hammock on the bay shore and the main land, and through which Go-

shen creek passes, which is so situate that a bridge is necessary as a thoroughfare to and from said marsh—therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for Owners of meadow authorized to build bridge the said Harvey Shaw, Benajah Tomlin, junior, Robert Baymore, junior, Ezra Norton, and others, owners of said meadow, their heirs and assigns, to build, maintain, repair, and keep up a bridge over the said Goshen creek, at the same place where the old bridge now is, above Goshen landing, and adjoining lands of Reuben Ludlam.

2. *And be it enacted*, That if any person or persons shall in any way injure the said bridge, such person or persons shall be responsible, and shall make good all damage which the owners may sustain, recoverable by action of trespass, in any court having jurisdiction of the same. Penalty for injuring bridge.

Approved March 4, 1847.

AN ACT making an appropriation for furnishing and conducting the State Lunatic Asylum.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is hereby directed to pay to the managers of the State Lunatic Asylum, on warrants of the governor, such sums as they may require to provide the necessary stock, furniture, and property for the conducting of the business of said asylum, and to pay the salaries of the resident officers for the present year, not exceeding in the whole the sum of twenty thousand dollars; and it shall be the duty of the secretary of state to audit the accounts of said managers. Appropriation for furniture.

2. *And be it enacted*, That this act shall go into effect immediately.

Approved March 4, 1847.

AN ACT to extend the time for completing the Belvidere Delaware Railroad.

Time for  
completing  
railroad ex-  
tended.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time for completing the railroad, limited in the eighteenth section of the act entitled, "An act to incorporate the Belvidere Delaware Railroad Company," passed the second day of March, eighteen hundred and thirty-six, be extended for the period of five years from the fourth day of July last, and that said act shall not be deemed void by reason of said road not having been completed and in use within the time limited in said section; *provided*, that nothing herein contained shall be so construed as to authorize the said company to exercise banking privileges.

Approved March 4, 1847.

Section 1.

A supplement to the act entitled, "An act relative to the borough of Princeton," passed the fourth of November, eighteen hundred and forty-two.

Licenses to  
be granted  
by common  
council.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the common council of the said borough shall have the sole and exclusive right and power of licensing all and every retailer of beer, ale, or cider, by less measure than one gallon, within the said borough, unless the inhabitants of said borough, at a meeting held for that purpose under the provision of any law of this state, shall decide that no license shall be granted; and shall also have the sole and exclusive right to license all and any hay-scales that now are or may hereafter be erected in said borough, upon such terms and conditions, and under such regulations, as they may deem most conducive to the good of the inhabitants of the said borough.

Liquors not  
to be sold  
on Sunday.

2. *And be it enacted*, That it shall and may be lawful for the said common council to require that every person, before he or she shall receive a license to keep an inn or tavern in said borough, shall, in addition to the recognizance now required by law, become bound, by a like recognizance, not to sell, or cause or permit to be sold, any vinous, spirituous, or other strong liquors on the christian sabbath, or first day of the week, commonly called Sunday.

3. *And be it enacted*, That the mayor or recorder of the said borough, in conjunction with any two of the members of the common council, shall have the sole and exclusive right and authority of licensing, in their discretion, any person or persons to exhibit and show any menagerie or collection of beasts or animals, or circus, within the said borough, subject to the same provisions, and in like manner as the same may now be lawfully done by any three justices of the peace; and shall also have the exclusive right and authority of licensing, in their discretion, any circus, interlude, farce, or play, in like manner as the same may now be done by any three justices of the peace; *provided*, that all moneys received from any such license, shall be paid over to the borough treasurer, for the use of the said borough; and that all actions to recover the penalties imposed by law for exhibiting without license, shall be in the name of the borough-treasurer, and for the use of the said borough.

4. *And be it enacted*, That the assessor and collector of said borough, instead of the fees now allowed by law, shall be entitled to receive, for assessing, levying, and collecting the taxes of said borough, such compensation as the common council of said borough shall by ordinance direct.

5. *And be it enacted*, That the inhabitants of the said borough of Princeton, at their annual town meetings, shall vote such sum or sums of money as they may think necessary to be raised for the ensuing year for the exigencies of the said borough, which sum shall be assessed, collected, and disposed of in such manner as the said common council shall direct; and if no sum, or an insufficient sum, shall be voted to be raised, and the interest of the borough require it, the common council are hereby authorized to call a meeting of the inhabitants, by advertisements, giving at least five days' notice, and propose to them the sum, in their opinion, necessary to be raised; and whatever sum the inhabitants shall, by a plurality of voices, vote to be raised, shall be assessed and collected, paid and disposed of, in such manner as the said common council shall direct; *provided always*, that if any person shall think himself or herself aggrieved by any assessment made as herein before directed, he or she may appeal to the common council, who are hereby required to hear his or her complaint, and redress the grievance, if any shall be made to appear.

6. *And be it enacted*, That it shall and may be lawful for the common council of said borough to order and cause to be assessed and raised by tax, from year to year, such sum or sums of money as they shall deem expedient for defraying the expenses of lighting the streets of said city, regulating, paving,

flagging, and gravelling the streets, maintaining and supporting the poor, schooling poor children, for defraying the contingent expenses of said borough, and for all other objects and purposes authorized by this act, to be assessed and collected in such manner as the said common council shall, by ordinance, direct; which taxes, when collected, shall be paid into the hands of the treasurer of said borough, to be subject to the order of the said common council; and it shall also be lawful for the said common council, in the name and on the behalf of the said the inhabitants of the borough of Princeton, to borrow money from time to time, for all purposes for which they are authorized by this act to raise money by tax, and to secure the payment thereof by bond or other instrument, under the common seal and the signature of the said mayor, and to provide by tax for the payment thereof; *provided*, no such assessment or loan shall, either of them, exceed the sum of two hundred dollars in any one year, or be made without the concurrence and approbation of the mayor of the said borough.

Ordinances  
for paying,  
&c.

7. *And be it enacted*, That it shall be lawful for the common council of said borough, or the major part thereof, in council convened, to make and establish ordinances and regulations for the levelling, grading, and paving, flagging, or gravelling sidewalks, and keeping the same in repair, in any street or streets in said borough, by the owners or occupants of lots fronting on or adjoining such street or streets, and to appoint one or more discreet and skilful person or persons to superintend the said work, and prescribe the manner in which the same shall be performed, and to enforce such ordinances and regulations, by enacting penalties for nonperformance thereof, to be sued for and recovered, with costs of suit, in an action of debt, by and in the name of the treasurer of said borough, for the use of the borough, before any justice of the peace thereof, or any other court having cognizance of the same; if the owner of any lot in front whereof the sidewalks shall, by such ordinance or regulation, be directed to be levelled, graded, and paved, flagged, or gravelled, shall neglect to comply with such ordinance or regulation within three months from its passage or adoption, it shall be lawful for the said common council to cause an estimate of the expenses of conforming to such ordinance or regulation, with respect to such lot, to be made, assessed, and certified by three assessors, to be appointed by said common council, which assessment shall be filed by the clerk; and if such assessment be approved by the common council, they shall cause an advertisement to be inserted in a newspaper published in said borough, for two months, stating the amount of such assessment, and requiring the owner of such lot to pay the same to the treasurer of said

borough, appointing a day and place when and where such lot will be sold at public auction, if default shall be made in such payment, for the lowest term of years at which any person shall offer to take the same, in consideration of advancing the sum advanced as aforesaid; and if, notwithstanding such notice and demand, the owner or owners of such lot shall neglect to pay such assessment, with the costs and charges thereof, and of the said advertisement, it shall be lawful for the said common council to cause such lot to be sold at public auction for a term of years, at the time and for the purposes, and in the manner, expressed in the said advertisement, and to give a declaration of such sale to the purchaser thereof, under the common seal of the said borough; and such purchaser, his executors, administrators, or assigns shall, by virtue thereof and of this act, lawfully hold and enjoy the same, for his and their own proper use, against his owner or owners, and all claiming under him or them, until his term therein shall be fully complete and ended, and be at liberty to remove all the buildings and materials which he or they shall erect or place thereon; but he or they shall leave such lot, at the expiration of the term, in sufficient fence, and the sidewalk in front thereof, in the order required by such ordinance or regulation; *provided always*, if, after paying the actual expense of leveling, grading, and paving, flagging, or gravelling the sidewalk in front of any lot so sold as aforesaid, in the manner directed by such ordinance or regulation, and deducting all reasonable charges attending the sale, a surplus of the purchase money shall remain in the hands of the treasurer of the said borough, the said surplus shall forthwith be paid, on demand, to the owner or owners of such lot, or his or their legal representatives; the amount of the estimate or assessment to be made as aforesaid, on any lot in the said borough, shall be and remain a lien thereon, from the time of the completion and return of such estimate or assessment, in manner aforesaid, until paid or otherwise satisfied; and that it shall be lawful for "the inhabitants of the borough of Princeton," instead of the remedy herein above provided, if they shall see fit, in case the owner or occupant of any lot or any house and lot within the said borough shall neglect to comply with such ordinance or regulation, in respect to the sidewalk in front thereof, to cause the same to be done and paid for out of any money in the hands of the treasurer of said borough, and to sue for and recover the amount so paid from the owner or owners of such lot, or his or their legal representatives, with interest and costs, in any court in this state having cognizance thereof, in an action on the case for so much money by them paid, laid out, and expended to and for the use of such owner or owners, his or their legal representatives; and in every such action the said

estimate or assessment, with the proof of the amount paid, shall be conclusive evidence for the plaintiff.

Parts of former acts repealed.

8. *And be it enacted*, That from and after the passing of this act, all other acts or parts of acts coming within the purview of this act be, and the same are hereby repealed.

Act, when to take effect.

9. *And be it enacted*, That this act shall be published in the Princeton Whig before the same shall take effect, which shall be within ten days after the passage thereof.

Approved March 4, 1847.

# AN ACT to encourage the establishment of mutual savings associations.

Preamble.

WHEREAS associations for investing and accumulating the periodical and other contributions of the associators for the creation of a fund, to be finally distributed equally among them, have in other states been found highly conducive to public and individual prosperity, by encouraging and fostering the virtues of temperance, industry, economy, and frugality; and whereas such associations are entitled to legislative countenance and encouragement—therefore,

Mode of incorporating association.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That every association of persons, residents of this state, not exceeding five hundred in number, who shall sign a certificate in writing, setting forth that they have formed an association for the purposes mentioned in the preamble to this act, and the name adopted for such association, and the city, borough, or township where it is to be located and its business transacted, and shall cause the same to be delivered to the clerk of the court of common pleas of the county which embraces the place of its location, shall thenceforth be a body politic and corporate in law, with all the powers mentioned in the first section of the act entitled, "An act concerning corporations," approved the fourteenth day of February, A. D. one thousand eight hundred and forty-six.

Certificate to be recorded.

2. *And be it enacted*, That the said clerk shall immediately file said certificate, and record the same in a book to be kept for that purpose, for which he shall be entitled to receive the sum of twenty-five cents.



3. *And be it enacted*, That parents and guardians may sign said certificate in behalf of their minor children or wards, and trustees in behalf of married women; and said parents, guardians, or trustees may hold the shares subscribed, and act in such association for those whom they so represent; but the benefit of such investments shall go to the parties represented. Certificates of minors, &c.

4. *And be it enacted*, That every such association may adopt such form of a constitution as to them shall seem right and proper; which constitution shall be signed by all the associators, and recorded in the book of minutes of such association, and may alter and amend the same, from time to time, in the manner provided therein; they may also make penalties for breaches of the constitution or by-laws, not exceeding ten dollars; but nothing in said constitution or by-laws shall be repugnant to the constitution or laws of this state or of the United States. Association may make by-laws, &c.

5. *And be it enacted*, That in investing the funds of said associations, preference shall always be given to the members thereof, who shall offer the most satisfactory security; *provided* the said association shall not take, directly or indirectly, upon any contract for loan of any money above the value of six dollars for the interest upon or for the forbearance of one hundred dollars for a year, and after that rate for a greater or less sum, or for a longer or shorter time. Investment of funds.

6. *And be it enacted*, That all matters not herein provided for shall be regulated by the constitutions and by-laws of said associations, respectively.

7. *And be it enacted*, That the legislature may at any time annul the charter of any association created under this act. Charter may be annulled.

8. *And be it enacted*, That this act shall take effect immediately. Act, when to take effect.

Approved March 4, 1847.

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AN ACT to authorize the building of an additional wing to the state prison.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joshua Wright, John S. McCully, John Acken, Emley Olden, and James Skirm, inspectors of the New Jersey state prison, be, and are hereby appointed Additional wing to be built.

commissioners for the purpose of erecting an additional wing to the present state prison building, for the better security of the prisoners, as well as additional security against fire, and to furnish suitable apartments for cooking, washing, baking, and store-rooms, and such other purposes as the said commissioners, in their judgment, shall deem necessary, with power to contract for the erection of the same; and the said commissioners shall appoint two of their number, who, together with the keeper of said prison, shall superintend the erection of said building, under the direction of said commissioners.

Expenses,  
how de-  
frayed.

2. *And be it enacted*, That, for the purpose aforesaid, the said commissioners shall have power to draw from the keeper of said prison the surplus earnings of the prisoners that may be in his hands, and not needed for ordinary expenses of the institution; and if such surplus earnings should be insufficient to pay the expense of erecting such building, the said commissioners shall be authorized to draw upon the treasurer, from time to time, for such additional sums as may be necessary, not exceeding in all the sum of five thousand dollars; *provided*, the whole expense of erecting said building shall not exceed the sum of ten thousand dollars; and the secretary of state shall audit the account of said commissioners.

Act, when  
to take ef-  
fect.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 4, 1847

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AN ACT to provide compensation to the state directors of the Delaware and Raritan Canal and the Camden and Amboy Railroad and Transportation Companies.

Compensa-  
tion to state  
directors.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the directors, on the part of the state, of the Delaware and Raritan Canal and the Camden and Amboy Railroad and Transportation Companies, shall each be entitled to receive three dollars per day, for each day they may be so employed in the discharge of their duties.

Approved March 4, 1847.

A supplement to the act entitled, "An act for the establishment of work-houses in the several counties in this state," passed the twentieth of February, seventeen hundred and ninety-nine.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the board of chosen freeholders of the several counties in this state are hereby authorized to convert so much of the buildings, in their respective counties, known as the common jail of the county, as to them may seem proper, into a work-house, taking care, in all cases, to reserve space and room enough in the said jails for the uses and purposes of the public jail, in order that the act to which this is a supplement may be carried out as fully, to all intents and purposes, in the several counties in this state, as though a work-house had been built or purchased according to the provisions of the aforesaid act. Part of jail to be converted into work-house

2. *And be it enacted*, That this act shall take effect immediately on the passage thereof. Act, when to take effect.

Approved March 4, 1847.

AN ACT to provide for the assessment and collection of taxes in the counties of Camden and Gloucester.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be the duty of the assessors of the several townships of the counties of Camden and Gloucester, to take an account of the ratable property in the said several townships, between the twentieth day of April and the twentieth day of June, in each and every year hereafter. Time of assessment.

2. *And be it enacted*, That the said assessors shall meet annually, on the second Monday of July, at ten o'clock in the forenoon, at the court-house, in their respective counties, and perform the duties required to be done and performed in and by the third, fourth, fifth, and sixth sections of the act entitled, "An act concerning taxes," approved the fourteenth day of April, eighteen hundred and forty-six. Annual meeting of assessors.

3. *And be it enacted*, That the commissioners of appeal in cases of taxation, in the several townships of the said counties of Camden and Gloucester, shall convene annually, at the usual Meeting of commissioners of appeal.

places of holding town meetings, on the second Monday of September, at the hour of ten o'clock in the forenoon, for the purpose of discharging the duties of their office, instead of the second Tuesday of November, as heretofore.

Township  
collectors.

4. *And be it enacted*, That the collectors of the several townships in the counties of Camden and Gloucester shall annually give notice and perform the duties required by the tenth section of the said "Act concerning taxes," on the first day of August, instead of the first day of October, as heretofore.

Notice to be  
given for  
payment of  
tax.

5. *And be it enacted*, That the collectors in the several townships in the counties of Camden and Gloucester, within thirty days after the receipt of the transcript or duplicate of the assessment of taxes in their respective townships, shall demand payment of the tax or sum assessed on each individual in his township, in person or by notice left at his or her place of residence, and also give notice of the time and place of meeting of the commissioners of appeal; and the said collectors shall pay the taxes by them collected, and the fines and forfeitures by them received, by virtue of any law of this state, to the county collector of their respective counties, by the twenty-second day of October in every year.

Nonpay-  
ment of  
taxes.

6. *And be it enacted*, That in case of the nonpayment of taxes at the time appointed, the township collectors of the said townships, respectively, shall make out a list of the names of the delinquents, with the sums due from them, respectively, thereunto annexed, and deliver the same to some justice of the peace of the county on the twentieth day of October in every year, except when that day shall happen on Sunday, and then on the next day following; whereupon it shall be the duty of said justice to perform the duties required of him by the thirteenth section of the said "Act concerning taxes."

Special  
constables  
may be ap-  
pointed.

7. *And be it enacted*, That if, in the opinion of the township committee of any of the said townships, the interest of the township would be promoted thereby, it shall be lawful for the said committee to appoint a special constable, to whom the justice shall direct the warrant or warrants required by the eighteenth section of the aforesaid act; and who, after giving bond, with such security as the said committee shall direct and approve of, shall be authorized to perform the duties required to be done in and by the said act, as fully as a constable elected at the annual town meeting.

Part of for-  
mer act re-  
pealed.

8. *And be it enacted*, That the provisions of the act entitled, "An act concerning taxes," approved the fourteenth day of April, eighteen hundred and forty-six, so far as they relate to the counties of Camden and Gloucester, and are inconsis-

ent with the provisions of this act, be, and the same are hereby repealed.

9. *And be it enacted*, That this act shall take effect immediately. Act, when  
to take ef-  
fect.

Approved March 4, 1847.

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AN ACT to raise by tax the sum of twenty thousand dollars.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That there shall be assessed, levied, and collected, on the inhabitants of this state, their personal estate, and on the lands and tenements within the same, the sum of twenty 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 forty-eight. \$20,000 to  
be raised by  
tax.

2. *And be it enacted*, That the said sum of twenty thousand dollars shall be paid by the several counties of this state, in the proportions following, that is say: Proportions  
to be raised  
by the se-  
veral coun-  
ties.

The county of Bergen shall pay the sum of six hundred and sixty-seven dollars.

The county of Hudson shall pay the sum of four hundred and ten dollars.

The county of Essex shall pay the sum of seventeen hundred and seventy-six dollars.

The county of Passaic shall pay the sum of five hundred and twelve dollars.

The county of Morris shall pay the sum of fifteen hundred and sixty-eight dollars.

The county of Sussex shall pay the sum of ten hundred and twelve dollars and fifty cents.

The county of Warren shall pay the sum of ten hundred and ninety-two dollars and fifty cents.

The county of Hunterdon shall pay the sum of fifteen hundred and fifty-one dollars.

The county of Somerset shall pay the sum of twelve hundred and fifty-five dollars.

The county of Middlesex shall pay the sum of thirteen hundred and sixty-six dollars.

The county of Monmouth shall pay the sum of eighteen hundred and sixty-two dollars.

The county of Burlington shall pay the sum of nineteen hundred and five dollars.

The county of Gloucester shall pay the sum of six hundred and eighty-one dollars.

The county of Camden shall pay the sum of seven hundred and seventy-five dollars.

The county of Cumberland shall pay the sum of seven hundred and ninety-three dollars.

The county of Salem shall pay the sum of ten hundred and seventy-eight dollars.

The county of Cape May shall pay the sum of three hundred and twenty-three dollars.

The county of Atlantic shall pay the sum of two hundred and thirty-three dollars.

The county of Mercer shall pay the sum of eleven hundred and forty dollars.

Articles  
taxed at  
specific  
sums.

3. *And be it enacted*, That the assessors of the several townships, cities, or boroughs of this state, to raise the aforesaid sum of twenty thousand dollars, shall assess and rate the several articles and things hereinafter enumerated at the following sums:

Every covering horse or jack above three years old, any sum not exceeding ten dollars, to be paid by the person upon whose premises the horse or jack is kept; all other horses or mules three years old and upwards, any sum not exceeding eight cents.

All neat cattle three years old and upwards, any sum not exceeding four cents.

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

Every phaeton, coachee, or four-wheeled chaise, with steel or iron springs, any sum not exceeding four dollars.

Every four-horse stage wagon with springs, any sum not exceeding five dollars.

Every two-horse spring wagon, any sum not exceeding two dollars and fifty cents.

Every covered riding wagon with springs, any sum not exceeding seventy-five cents.

Every two horse chair or curricule with steel or iron springs, any sum not exceeding one dollar and fifty cents.

Every riding chair, gig, sulky, or pleasure wagon, any sum not exceeding seventy-five cents.

Every dearborn wagon with steel or iron springs, any sum not exceeding seventy-five cents.

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

Articles to be valued and rated at discretion of assessor.

All tracts of land of more than twenty acres, shall be valued by the assessor at its real value, as near as may be, and all houses and lots of land of twenty acres and under, connected therewith, and all lots of land of twenty acres and under, not connected with houses, shall be valued by the respective assessors at their discretion, valuing and rating the same, however, in proportion to the actual yearly rent or value of the same, as near as may be according to the scale by which they shall rate lands in regard to the actual, yearly rent or value thereof.

All householders (under which description shall be included all married men), any sum not exceeding three dollars over and above their certainties and other estate made ratable by this act.

All merchants, shopkeepers, and traders, any sum not exceeding ten dollars.

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

All chemical works used for the manufacture of any of the chemical salts or fluids for sale, any sum not exceeding ten dollars.

All paint mills, any sum not exceeding fifteen dollars, to be valued according to the extent of the manufacture.

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

All clover mills, any sum not exceeding ten dollars.

All cotton manufactories, any sum not exceeding thirty dollars.

All sail duck manufactories, any sum not exceeding ten dollars.

All woollen manufactories, any sum not exceeding ten dollars.

All carding machines propelled by water or steam, and not connected with any cotton or woollen manufactory, any sum not exceeding three dollars.

All India rubber manufactories, any sum not exceeding ten dollars.

All cupola furnaces, any sum not exceeding fifteen dollars.

All blast furnaces other than cupola furnaces, any sum not exceeding thirty dollars.

All saw mills, for each saw, any sum not exceeding eight dollars.

All forges that work pig-iron, and forges and bloomerics that work bar-iron immediately from ore or cinders, for each fire, any sum not exceeding six dollars.

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

All paper mills, for each engine, any sum not exceeding five dollars.

All snuff mills, any sum not exceeding nine dollars.

All powder mills, any sum not exceeding fifteen dollars.

All oil mills or oil presses, any sum not exceeding nine dollars.

All bark mills propelled by water or steam, for grinding bark for sale, any sum not exceeding ten dollars.

All fulling mills not connected with any woollen manufactory, any sum not exceeding four dollars.

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

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

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

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

Every printing, bleaching, and dying manufactory, any sum not exceeding ten dollars.

Every earthen or stone ware manufactory, any sum not exceeding seven dollars.

Every glass or porcelain manufactory, where glass or porcelain ware is manufactured for sale, any sum not exceeding ten dollars.

Every tobacco manufactory, other than snuff mills, conducted by steam, horse, or water power, having due regard to the extent and capacity of the same, any sum not exceeding ten dollars.

Every single man, whether he lives with his parents or not, any sum not exceeding one dollar and fifty cents over and above the certainties made ratable by this act; if any single



man be a householder, he may, at the discretion of the assessor, be taxed as other householders are liable by law to be taxed; *provided*, that nothing in this section shall be so construed as to subject any species of property to be taxed more than once, and that no property herein specifically mentioned as taxable shall be subject to a tax as real estate.

5. *And be it enacted*, That it shall be the duty of every assessor to make and carry out in his tax book, and the duplicate thereof, a just and true valuation of all the real estate made liable by law; and the amount of tax assessed in each township, city, or borough, above what is raised from the certainties, shall be levied by a per centage upon such valuation. Duties of assessor.

6. *And be it enacted*, That the sum of twenty thousand dollars shall be assessed, levied, and collected in the manner prescribed in the act entitled, "An act concerning taxes," approved April the fourteenth, one thousand eight hundred and forty-six; 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 duties imposed by said act; and the assessors, collectors, and other officers concerned in the assessment and collection of said tax; shall be entitled to the fees and compensation allowed by law. Manner of assessing, levying, and collecting.

7. *And be it enacted*, That this act shall go into effect immediately. Act, when to take effect.

Approved March 4, 1847.

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#### AN ACT to defray incidental expenses.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the treasurer of this state to pay to the several persons hereinafter named, the following sums, viz: Certain incidental charges to be paid.

1. To Jonathan Cook, for horse and carriage hire for the use of state prison and lunatic asylum committees, sixteen dollars.

2. To David Clark, for sand, inkstands, and blank book, nine dollars and twelve and a half cents.

3. To Phillips & Boswell, for printing vouchers, blanks, pedlers' licenses, &c., as per bill, seventy dollars and fifty cents.

4. To Adams C. Davis, for stationery furnished the House

of Assembly at the commencement of the present session, sixty-one dollars and ninety-eight cents.

5. To William Thos. Carroll, clerk of the supreme court of United States, for bill of costs in the case of Merritt Martin & Co., ninety-five dollars and ninety-seven cents.

6. To William Kerwood, for putting two book-shelves in government house, in eighteen hundred and forty-four, two dollars.

7. To Blackfan & Wilkinson, for lumber furnished for state arsenal, as per bill, twenty dollars and nineteen cents.

8. To Charles Parker, George S. Green, and Samuel S. Stryker, for appraising stock at state prison, eighty dollars.

9. To Jones & Corlies, for cloth for supreme court room, as per bill, fifty-nine dollars and fifty cents.

10. To William Pearson, for sundry hardware for state arsenal, as per bill, two dollars and twelve cents.

11. To Benjamin S. Disbrow, for five tables and other furniture for, and for work done in repairing furniture in state house, eighty dollars.

12. To president and directors of Trenton water works, for use of water one year, ten dollars, and for water to water trees and other purposes, extra, fifteen dollars, twenty-five dollars.

13. To Charles Brearley, for sundry hardware, &c., for state arsenal, as per bill, ten dollars and seventy-two cents.

14. To William De Hart, librarian, for numbers of library room, making catalogue of state library, and for work done in removing and regulating said library, as per receipts, nineteen dollars and twenty-five cents.

15. To Richard Thomas, for one stove and sundry hardware, furnished for the state house, as per bill, nineteen dollars and fifty-one cents.

16. To John C. Miller, for one stove, pipe, &c., for library room, ten dollars and fifty-six cents.

17. To Orrin Pharo, for advertising governor's proclamations of November thirteenth, eighteen hundred and forty-five, May twenty-eighth, eighteen hundred and forty-six, and November sixth, five dollars and twenty-five cents.

18. To B. W. Titus, for carpet, damask, oil cloth, baize, &c., for state house, two hundred and nineteen dollars and eighty-nine cents.

19. To B. W. Titus, for carpet and thread for committee room, thirty dollars and sixty-six cents.

20. To Howell & Page, for cutting doors in library room, and putting on fastenings, four dollars and seven cents.

21. To George Alexander, for making index to the Minutes of the Votes and Proceedings of the seventieth General Assembly, fifty dollars.

22. To William Pearson, for sundry hardware for state house, as per bill, nine dollars and thirty-one cents.

23. To John C. Miller, for sundry hardware for, and for cleaning and repairing sundry articles of hardware in state house, as per bill, sixty-four dollars and thirty-seven and a half cents.

24. To J. S. Fish, for two tons of nut coal for state arsenal, ten dollars.

25. To Elias Phillips & Co., for pitchers, tumblers, &c., for Senate, four dollars and seventy-five cents, (per sergeant-at-arms of Senate).

26. To Amos Hogeland, for sixty-four pounds of sperm candles for Assembly, twenty-two dollars and forty cents, (per sergeant-at-arms of Assembly).

27. To Stacy A. Paxson, treasurer, for travelling expenses to Philadelphia and Paterson, to receive dividends on stock, attending sales of Paterson lands, collecting interest, &c., charcoal for Senate and Assembly, and for sundry articles for state house, cleaning, &c., as per bill, eighty-eight dollars and nineteen and a half cents.

28. To Stacy A. Paxson, for money paid to labourers for keeping grounds in order, and work done in state house during the recess of the legislature, as per receipts, one hundred and thirty-five dollars and fifty cents.

29. To Henry Cook, for repairing desks in Assembly room, ten dollars.

30. To Charles S. Olden, chairman of the committee to investigate the affairs of the Plainfield Bank, for the expenses of said committee, eighty-nine dollars.

31. To A. S. Pennington, prosecutor of Passaic county, for bill of costs in suit of the state against Ellis Collins, as per bill, fifty-three dollars and ninety-four cents.

32. To Thomas Macpherson, for stationery for Senate, as per bill, one hundred and seventy-two dollars, (per Daniel Dodd, jun.)

33. To each of the members of the Senate and General Assembly, any sum not exceeding ten dollars, for their incidental expenses during the present session of the legislature.

34. To D. Fitz Randolph, for extra rule and figure work on Senate journal of eighteen hundred and forty-six, fifty-three dollars and fourteen cents.

35. To Joseph J. Levy, for stationery for Senate, (per Da-

niel Dodd, jun., fifteen dollars; for do., per Francis J. Brognard, two dollars and fifty cents), seventeen dollars and fifty cents.

36. To Hutchinson & Clark, for candles and sundries, as per bill, one hundred and eighteen dollars and thirty-five cents, (per sergeant-at-arms of Senate).

37. To Thomas Macpherson, for one ream of envelop paper, (per sergeant-at-arms of Assembly), three dollars and fifty cents.

38. To Obadiah Howell, for ink and one cloth brush (per sergeant-at arms of Senate), eight dollars and twenty-five cents.

39. To William B. Kinney, for advertising governor's proclamation of November third, eighteen hundred and forty-six, five dollars.

40. To Mills & Glen, for advertising proposals for furnishing coal, three weeks, one dollar and thirty-eight cents.

41. To Benjamin F. Yard, for advertising governor's proclamation of November tenth, eighteen hundred and forty-six, one dollar and fifty cents.

42. To Sterling & Plumley, for one bushel of sand, thirty-eight cents.

43. To Joseph G. Brearley, for sundries, as per bill, for Senate, Assembly, library, &c., thirty-two dollars and fifteen cents.

44. To William W. Norcross, for sperm candles for courts, seven dollars and thirty-seven cents.

45. To G. P. Beebee, for advertising governor's proclamation of November twenty-ninth, eighteen hundred and forty-four, two dollars.

46. To Joseph Bernhard, for steel stamps; brass measures, siphon, brand, figures, and letters, as per bill, to carry out act of April seventeenth, eighteen hundred and forty-six, forty-five dollars and twenty-five cents.

47. To Daniel Christopher, for seal and certificate, and copy, two dollars and fifty cents.

48. To Charles G. McChesney, for cash paid, as per receipts, to Messrs. Gosman, Nixon, Phillips, and Thompson, for charcoal, printing rules supreme court, postage, &c., sixteen dollars and eleven cents.

49. To Arnold & Brittain, for advertising governor's proclamations to volunteers and thanksgiving, nine dollars and fifty cents.

50. To Charles G. McChesney, secretary of state, for pre-

paring forms for abstracts of ratables, forwarding blank forms, preparing and transmitting thirty-six bundles of Laws, Senate Journals, Minutes of Assembly, Chancery Reports, Law Reports, each, notifying banks of treasurer's appointment (twenty six), &c., as per bill, twenty-two dollars.

51. To Edward T. Lyon, for stationery for Assembly (per A. M. Cumming), as per bill, two hundred and seventy-five dollars and ten cents.

52. To Charles Scott, for sundries, as ordered by A. M. Cumming, for the use of Assembly, as per bill, fifty-six dollars and sixty-four cents.

53. To Charles Scott, for sundries, as ordered by C. G. McChesney, for the use of the governor, court of appeals, secretary of state's office, &c., as per bill, sixty-six dollars and eleven cents.

54. To Charles Scott, for sundries, as ordered by J. Wilson, for the supreme court, as per bill, fifty-three dollars and ninety-six cents.

55. To Charles Scott, for sundries, as ordered by D. Dodd, jun., for the Senate, as per bill, one hundred and seventy-eight dollars and thirty-nine cents.

56. To Charles Scott, for sundries, as ordered by S. R. Gummere, for chancery office, as per bill, one hundred and four dollars and five cents.

57. To Charles Scott, for sundries for the state library, per William De Hart, as per bill, one dollar and fifty cents.

58. To Charles Scott, for sundries, as ordered by Stacy A. Paxson, for treasurer's office, as per bill, nine dollars and forty-one cents.

59. To Charles Scott, for sundries, as ordered by F. J. Brognard, as per bill, twenty-seven dollars and eighty-nine cents.

60. To Joseph Pycraft, for attending furnaces, &c., from the eleventh of January to the fifth of March, making fifty-four days, at one dollar per day, fifty-four dollars.

61. To Charles Scott, for sundries, as ordered by M. F. Carman, as per bill, seventeen dollars and seventy-five cents.

62. To Daniel Dodd, jun., for indexing the Journal of Senate of last year, and for stationery for Senate, as per bills, one hundred and eighty-one dollars and fifty-six cents.

63. To William De Hart, for money paid for carrying wood and coal into library room, as per receipt, three dollars.

64. To Alexander M. Cumming, for stationery for Assembly, two hundred and sixty-three dollars.

65. To Sherman & Harron, for advertising, printing catalogue for library, and pamphlets, bills, &c., for Senate and Assembly, sixteen hundred and seventy dollars and fifty-eight cents.

66. To Joseph A. Yard, for advertising rules for supreme court, three dollars and seventy-five cents.

67. To Sylvester Van Sickell, for making and laying carpets in library and in the Assembly room; &c., as per bill, twelve dollars and sixty-five cents.

68. To David Clark, for stationery, as per bill, two dollars.

69. To Francis J. Brognard, for services rendered as private secretary to the governor during the present session of the legislature, seventy-five dollars.

Approved March 5, 1847.

## JOINT RESOLUTIONS.

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Relative to the officers and army of the United States in Mexico.

WHEREAS General Taylor's course, throughout the war with Mexico, has been such as has commanded the admiration of his countrymen, as well as to elicit praise from foreign nations, and we have seen with regret an attempt made to defame and detract from his hard-earned reputation, earned by a life spent in the service of his country, in the war of eighteen hundred and twelve, in the swamps of Florida, and in the chapparals of Mexico, and so well established that any attempts now made to tarnish his name will recoil on the authors, and they be held up to well merited contempt. Preamble.

1. RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the skill, ability, and indomitable bravery displayed in the Mexican war by General Zachary Taylor, merit our warmest praise, and that the thanks of this legislature are due, and are hereby tendered to him. Thanks to Gen. Taylor.

2. *Resolved*, That the gallantry of our army and its officers, on the battle fields of Palo Alto, Resaca de la Palma, and Monterey, has won them enduring renown, and that the thanks of this legislature be hereby tendered to them. Thanks to officers and army.

3. *Resolved*, That the governor be requested to forward a copy of the foregoing preamble and resolutions to General Taylor, and, through him, to the officers and soldiers of the army. Copies to be forwarded.

Approved January 28, 1847.

To authorize the treasurer to pay to Augustus S. Barber, of Woodbury, the balance due him for printing the Votes and Proceedings of the House of Assembly, for the year eighteen hundred and forty-six.

Treasurer  
authorized  
to pay A.  
S. Barber  
\$156.31.

RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is hereby authorized to pay to Augustus S. Barber, of Woodbury, one hundred and fifty-six dollars and thirty-one cents, being the balance due him for printing the Votes and Proceedings of the House of Assembly for the year eighteen hundred and forty-six.

Approved February 2, 1847.

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Relative to the accounts of John Engle, a trustee, on behalf of the state, of the estate of John G. Leake, deceased.

Secretary  
of state to  
audit ac-  
counts of  
J. Engle.

RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the secretary of this state be authorized to audit and adjust the accounts of the said John Engle, referred to in his petition, and that he make report thereof to the next legislature; and that said secretary shall have power to send for persons and papers, and to examine witnesses under oath, if he shall deem it necessary.

Approved February 9, 1847.

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Relative to the extension of slavery in any territory which may be annexed to the United States.

1. RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the senators and representatives in congress from this state, be requested to use their best efforts to secure, as a fundamental condition to, or provision in any act of annexation of any territory hereafter to be acquired by the United States, as an indemnity for claims, or otherwise obtained, that slavery or involuntary servitude, except as a pun-



ishment for crimes, shall be for ever excluded from the territory to be annexed.

2. *Resolved*, That the governor be requested to transmit a copy of the above resolution to each of our senators and representatives in congress.

Approved February 16, 1847.

Relative to the distribution of the Revised Laws of this state.

*RESOLVED, by the Senate and General Assembly of the State of New Jersey*, That the treasurer be directed to furnish each member, and the clerks of the present legislature, with a copy of the Revised Statute Laws of the state.

Members of the legislature and clerks to be furnished with Rev. Laws.

Approved February 18, 1847.

Authorizing the governor to present swords to Jersey officers, who have distinguished themselves in the Mexican war.

1. *RESOLVED, by the Senate and General Assembly of the State of New Jersey*, That, on account of the brave and gallant conduct displayed by Captain William R. Montgomery, Lieutenants N. Beakes Rossell, Fowler Hamilton, and Samuel G. French, of the United States army, citizens of the state of New Jersey, in the late battles of Palo Alto, Resaca de la Palma, and Monterey, the governor be authorized and requested to procure four swords, to be presented to the said officers, in the name of the state of New Jersey.

Governor authorized to procure swords.

2. *Resolved*, That the governor be requested to forward a copy of the foregoing resolution to each of the above named officers.

To forward copy of resolution.

3. *Resolved*, That the governor draw his warrant on the treasurer for the expenses incurred in procuring said swords.

To draw warrant on treasurer.

Approved February 19, 1847.

For the payment to Thomas Neal, of a reward due him for apprehending a fugitive prisoner.

Preamble. WHEREAS it is represented, to the satisfaction of this legislature, that Thomas Neal, while a night-watch in the state prison, apprehended a fugitive prisoner, for whose apprehension a reward of two hundred dollars had been publicly offered by the board of inspectors, but did not at the time receive such reward; and whereas said Thomas Neal hath now become infirm, and is in indigent circumstances, and hath appealed to the legislature to pay him said sum—therefore,

\$200 to be  
paid to T.  
Neal.

RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the treasurer be authorized to pay to said Thomas Neal the said sum of two hundred dollars, on receiving from him a receipt in full discharge of said claim.

Approved February 25, 1847.

Providing for publishing a third edition of Gordon's map of New Jersey.

Preamble. WHEREAS it appears, by the report of the committee on education, that nearly fourteen years have elapsed since the issue of the last edition of Gordon's map of New Jersey, during which time five new counties, and many new townships have been formed, and sundry railroads and other improvements constructed; and whereas the publisher of said map agrees, that, if the state of New Jersey will contract to pay him one thousand dollars (being the same sum given towards publishing each of the other editions), he will proceed to prepare a third edition of said map, and, for the purpose of aiding in advancing the cause of education in New Jersey, agrees to supply the schools of the state at half the price of the former editions; and further, agrees to furnish to the state, without charge, a number of copies for the state house, the several counties, and various public institutions; and whereas the cause of education and the wants of the citizens of the state require that a new edition of said map be published—therefore,

RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That when the publisher of Gordon's map of New Jersey shall furnish to the treasurer of the state a sufficient number of copies of a new and improved edition of the same, embracing the new counties, townships, canals, railroads, &c., to supply the governor's room, Senate chamber, hall of the House of Assembly, state library, offices of the secretary of state, treasurer, clerk of chancery, clerk of supreme court, and for the court house of each county in the state, for the library of congress, the College of New Jersey, Rutgers College, Burlington College, and the Historical Society of New Jersey, one copy each; and further, shall deposit with the treasurer his bond, with two good and sufficient sureties, in the penal sum of five hundred dollars, that he will, upon application being made within three years, furnish copies of the said map for public schools, at a price not exceeding two dollars each, the treasurer of the state shall, thereupon, pay to him the sum of one thousand dollars; and his receipt for the same shall be a sufficient voucher for the treasurer, in the settlement of his accounts.

Approved February 25, 1847.

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For additional compensation to the commissioners for repairing state house, building public offices, &c.

RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state be directed to pay to Samuel R. Gummere, Samuel R. Hamilton, and Stacy A. Paxson, commissioners for repairing the state house, building offices, &c., the sum of four hundred dollars, as compensation in full for their services, in addition to the one hundred dollars, each, appropriated by the act of April second, eighteen hundred and forty-five, by which they were appointed.

Approved March 3, 1847.

Authorizing the sale and conveyance of certain premises in Paterson, now owned by the state.

Preamble. WHEREAS certain premises, situate in the township of Paterson, in the county Passaic, were conveyed to the state, upon a purchase thereof, made by the treasurer of the state, for the use of the state, on sale, in pursuance of decrees of foreclosure of certain mortgages held by the trustees of the school fund, and opportunity may occur for the resale of said premises—therefore,

Treasurer authorized to transfer certain mortgages. RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state be authorized and directed, with the concurrence of the attorney general of this state, to execute and deliver deeds of conveyance for all and singular the said premises, with their appurtenances; for such prices as he may be able to obtain for the same; *provided*, such price, in each case, reimburse the state the whole cost, interest, and expenses paid or incurred in the purchase, as aforesaid, of said premises, respectively, by said treasurer.

Approved March 4, 1847.

Authorizing repairs to be made on state arsenal.

Repairs to state arsenal authorized. RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the quartermaster general be authorized to cause the roof of the state arsenal to be repaired, and to draw on the treasurer for the amount expended in said repairs; *provided*, the cost thereof does not exceed the sum of two hundred dollars.

Approved March 4, 1847.

Authorizing the transfer, by the treasurer, of certain bonds and mortgages to the trustees of the school fund.

Treasurer authorized to transfer certain mortgages. RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state is hereby autho-

rized to assign and transfer the bonds and mortgages heretofore received by him, as part of the consideration for the government lot, upon which securities there is due the sum of nine thousand two hundred and fifty-three dollars and thirty-four cents, to the trustees for the support of free schools; and that the principal due as aforesaid, when said bonds and mortgages shall have been transferred, shall be held and disbursed in like manner as are other funds belonging to the state.

Approved March 4, 1847.

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Relative to the journals of the two houses.

RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the clerk of the House of Assembly and the secretary of the Senate be authorized to employ some suitable person to prepare a copy of their respective journals, as required by the third section of the act entitled, "An act relative to the laws of this state, the proceedings of the legislature, and the distribution thereof, and of the laws of the United States," approved April sixteenth, eighteen hundred and forty-six; and that they be paid therefor eight cents per sheet, each, upon a warrant to be produced to the treasurer, signed by the speaker of the House of Assembly for the clerk of the House of Assembly, and by the president of the Senate for the secretary of the Senate. Copies of journals to be prepared

Approved March 5, 1847.

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Authorizing the treasurer to borrow money.

RESOLVED, *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state be, and he hereby is authorized to borrow, from time to time, for the use of the state, such sum or sums of money as may be necessary to meet the expenses authorized by law, not exceeding forty thousand dollars, at a rate of interest not exceeding six per cent per annum. Treasurer authorized to borrow money.

Approved March 5, 1847.



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