

**ACTS**  
OF THE  
**FIFTY-THIRD**  
**GENERAL ASSEMBLY**

OF THE  
**State of New-Jersey,**

AT A SESSION BEGUN AT TRENTON ON THE TWENTY-EIGHTH DAY OF  
OCTOBER, ONE THOUSAND EIGHT HUNDRED AND TWENTY-  
EIGHT, AND CONTINUED BY ADJOURNMENTS.

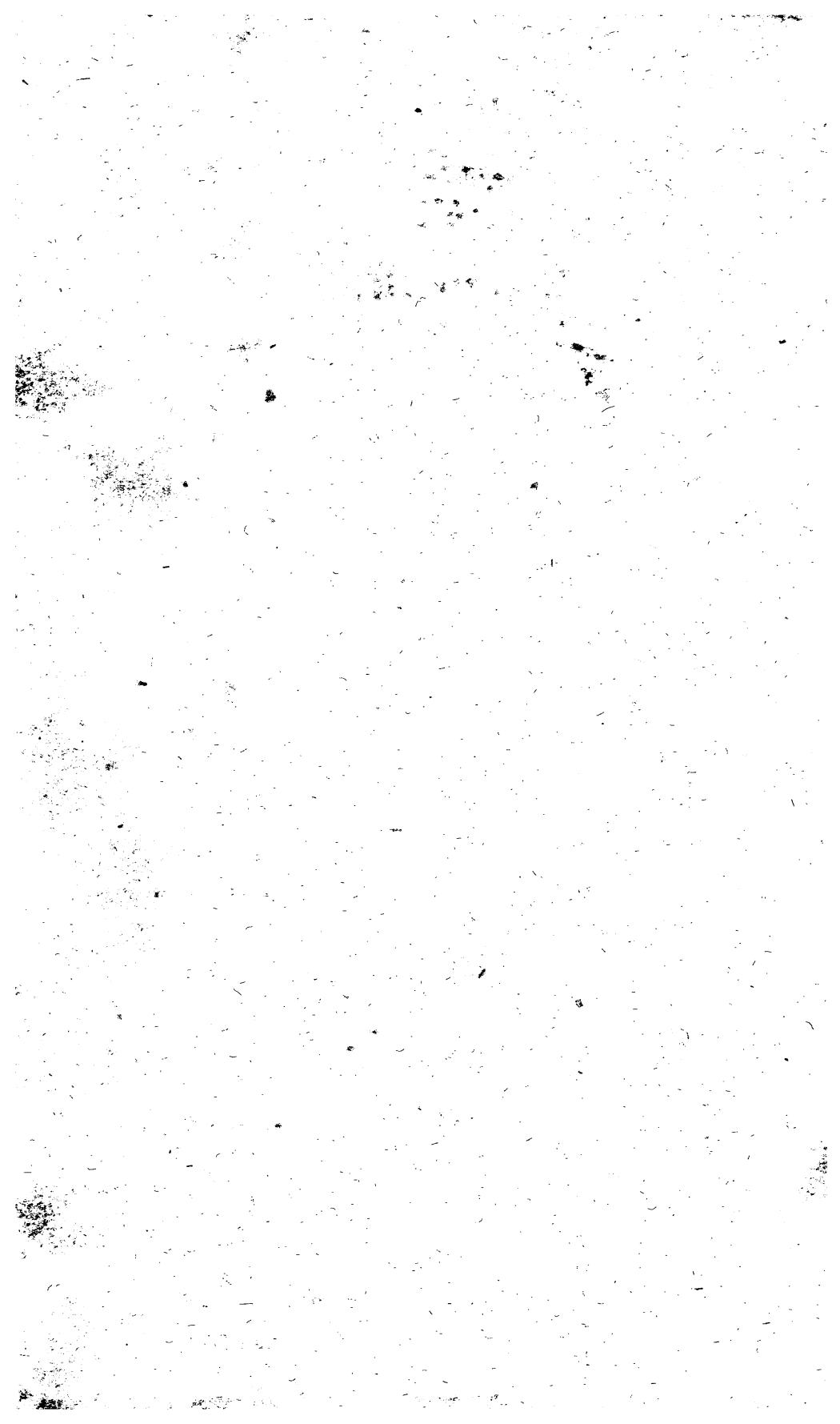
---

**BEING THE FIRST SITTING.**



---

**Trenton:**  
**PRINTED BY A. W. PHILLIPS.**  
**1828.**



**ACTS**  
OF THE  
**FIFTY-THIRD**  
**GENERAL ASSEMBLY**  
OF THE  
**State of New-Jersey.**

---

AN ACT authorizing the sale of an undivided moiety of certain lands and water privileges, commonly known by the name of the Elizabethtown-Point Ferries.

WHEREAS Thomas Gibbons Trumbull, a minor under the age of twenty-one years, is entitled to the equitable interest of, in, and to an undivided moiety of certain lands and water privileges, commonly known by the name of the Elizabethtown-Point Ferries, situate in the township of Elizabeth, in the county of Essex, which premises were left undivided in and by the report of Caleb Newbold, James Parker, and Gerard Rutgers, esquires, commissioners appointed by a decree of the Court of Chancery of this state, and which said property has remained wholly useless to the said minor, and is likely to remain unproductive until he shall attain the age of twenty-one years, unless a sale thereof can be effected—AND WHEREAS the said Thomas Gibbons Trumbull, and John M. Trumbull, his father and guardian, have, by their petition, represented to the legislature, that an advantageous sale of the said undivided moiety might be made, if a valid title could be given therefor—AND WHEREAS Joseph Trumbull, William Gibbons, and Daniel W. Coit, the present trustees, in whom the legal title to the said trust property is now vested, have, by the said decree, been directed to convey, assign, and deliver over to another trustee the said trust property, with other property in the said decree mentioned or referred to, but no such trustee has yet been appointed—Therefore;

Preamble.

SEC. 1. BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That Joseph Trumbull, William Gibbons, and Daniel W. Coit be, and they are hereby authorized, empowered, and directed to assign, transfer, and convey the said undivided moiety held by them in trust as aforesaid, in the Old and New Point Ferries, situate in the said township of Elizabeth, in the said report of the said commissioners more particularly described, and in and to which the said Thomas Gibbons Trumbull is equitably entitled as aforesaid; and also, all the other property in the said decree mentioned or referred to, in and to which the said Thomas Gibbons Trumbull is also equitably entitled, to William Halsted, and to make, execute, and deliver, in due form of law, in their names, or the names or name of the survivors or survivor of them, a good and sufficient deed or deeds of conveyance for the said trust premises, to be approved of by one of the masters of the said Court of Chancery; and, upon such conveyance or conveyances being made and approved of as aforesaid, the said William Halsted shall be deemed and taken to be a new trustee, in the place of the said present trustees, and vested with all the estate, right, title, interest, and possession which the said Joseph Trumbull, William Gibbons, and Daniel W. Coit now have in the said undivided moiety, and also, all the other property in the said decree mentioned or referred to, in and to which the said Thomas Gibbons Trumbull is also equitably entitled, and thereafter the said Joseph Trumbull, William Gibbons, and Daniel W. Coit shall be for ever discharged from said trust in the said premises directed to be conveyed by them as aforesaid.

Former trustees of the aforesaid property, authorized to transfer the same to William Halsted, esquire, &c.

The powers and duties of the new trustee prescribed.

SEC. 2. *And be it enacted*, That the said William Halsted be, and is hereby authorized, empowered, and directed to sell, dispose of, and convey the said undivided moiety, as soon as conveniently may be after the same shall be conveyed to him as aforesaid, for the highest sum or sums of money that can be obtained therefor, and, when sold, to make, execute, and deliver to the purchaser or purchasers thereof a good and sufficient deed or deeds of conveyance for the same, to be approved of by one of the masters of the said Court of Chancery: *Provided*, that no such deed or deeds shall be of any force or effect, unless it be made to appear to the chancellor of this state that such sale is made bona fide, and for the best price that can be obtained for said premises, at the time of such sale, and be so certified by him, in or upon such deed or deeds, and thereupon, the said purchaser or purchasers shall hold the said premises so conveyed to his or their own use, free and clear, and absolutely discharged from all trusts whatsoever, upon which the same is held by the said present trustees, and shall be held by the said new trustee.

Proviso.

SEC. 3. *And be it enacted*, That, before the said William

Halsted shall enter upon the execution of the trust, under and by virtue of this act, he shall give a bond to the governor of this state, with such surety, and in such sum, as the said governor shall approve of, for the faithful performance of the trust by this act assigned him, which bond shall be filed in the office of the secretary of state, and be subject to the order of the chancellor concerning the same.

Trustee en-joined to give bond, which bond is to be filed in the office of the secretary of state.

SEC. 4. *And be it enacted*, That the purchase money paid for the said undivided moiety, shall be received by the said William Halsted, and be held by him in the place and stead of, and upon the same trust as the said undivided moiety is now held by the said present trustees, and, after deducting the costs and charges of procuring this act, the expenses of said sale, and a reasonable allowance for his trouble in executing this trust, to be allowed by the chancellor, he shall place the residue of the said purchase money at interest, upon bond and mortgage, or vest the same in the public stock of the United States, or in the capital stock of some incorporated institution, with the approbation of the chancellor, and the interest or dividends arising therefrom shall be paid from time to time, as the same shall be received, to the guardians of the said Thomas Gibbons Trumbull, for his use, until he shall arrive at the age twenty-one years, if he shall live so long, and after he shall attain that age, or in case of his death before that time, then the said money to be paid and applied by the said William Halsted, according to the said trust, with the approbation of the said chancellor.

Certain specified duties to be performed by the new trustee.

C. November 3, 1828.

A SUPPLEMENT to an act entitled, "An act to enable William S. Pennington, of the county of Essex, to carry into effect a trust therein named," passed on the twenty-seventh day of November, one thousand eight hundred and twenty-three.

WHEREAS it is represented to the legislature, that since the passing of the act to which this is a supplement, William S. Pennington, esquire, the trustee therein named, hath departed this life; and that by reason of many difficulties which intervened, he was unable to execute the said trust in his lifetime, and died leaving the same unperformed, whereby the said trust and all the estate, right, and title of the said William S. Pennington in the trust estate descended to his heirs at law, some of whom are infants under the age of twenty-one years, and those who are adults are unwilling to take upon themselves the burthen of the said trust, and

Preamble.

are desirous that some other persons should be appointed in their place and stead—AND WHEREAS a majority of the heirs at law and descendants of John Budd and of Sarah Scott, deceased, who are the persons for whom the said William S. Pennington was trustee, as mentioned in the said act, are desirous that Silas Condit and James Vanderpool, of the county of Essex, should be substituted in the place of the heirs at law of the said William S. Pennington, and authorized to perform the trusts so as aforesaid remaining unperformed at the time of the death of the said trustee, and the said Silas Condit and James Vanderpool having consented to accept of the said trustship—Therefore,

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That Silas Condit and James Vanderpool, of the county of Essex, and the survivor of them, be, and they are hereby constituted and appointed trustees to execute the trust in the said act mentioned, and to do and perform all such acts which might have been done by the said William S. Pennington in the premises, in virtue of the said act to which this is a supplement, or in virtue of the article of agreement and conveyance by and between the heirs and descendants of John Budd and Sarah Scott, deceased, recited in the said act, subject, nevertheless, to the provisions, conditions, and restrictions of the third section of the said act; and that all the right, title, estate, and interest of the said William S. Pennington of, in, and to the premises, in the said act mentioned, and of his heirs at law in the same, be, and the same are hereby vested in the said Silas Condit and James Vanderpool, and the survivor of them, in as full and ample a manner as the same were vested in the said William S. Pennington, in his lifetime, to the same uses, trusts, and purposes as are set forth in the said act:

SEC. 2. *And be it enacted*, That if at any time hereafter the said trustees, and the survivor of them, shall neglect to perform the said trust, or shall be desirous to be discharged therefrom, it shall and may be lawful for the said Silas Condit and James Vanderpool, and the survivor of them, to substitute and appoint another trustee or trustees in their place and stead, to be nominated by the major part of the said heirs and descendants of the said John Budd and Sarah Scott, and from the time of such nomination and appointment, the said substitute or substitutes shall be invested with all the powers, and in all the estates, and be subject to all the trusts and restrictions hereby imposed on the said Silas Condit and James Vanderpool, trustees appointed by this act, or which, by the said act, are imposed on the said William S. Pennington.

C. November 5, 1828.

Names of the new trustees appointed in lieu of William S. Pennington, esq. deceased, &c.

Trustees empowered to substitute others in their places.

AN ACT respecting the real estate of Jacob Armstrong, deceased.

WHEREAS Elizabeth Armstrong, of the county of Cumberland, hath, by her petition to the legislature, represented that she is the widow of Jacob Armstrong, late of the said county, deceased, who has died intestate, seized in fee simple of certain real estate, and without issue, leaving no relations known unto her, and if there be any, they are aliens, and have never been within the United States—Therefore,

Preamble.

BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That all the right, title, and interest which the state of New-Jersey may have acquired by reason of the death of the said Jacob Armstrong, and the alienism of his relatives, of, in, or to the real estate within this state, whereof the said Jacob Armstrong died seized, be, and the same is hereby relinquished and released to, and vested in the said Elizabeth Armstrong, the widow of the said Jacob Armstrong, her heirs and assigns for ever, in as full and ample a manner, to all intents and purposes, as if the same had been devised and bequeathed to her by the said Jacob Armstrong, by any last will and testament duly executed and published in his lifetime, subject, nevertheless, to the payment of the debts of the said Jacob Armstrong: *Provided always*, that nothing herein contained, shall be construed or intended to bar or preclude, or in any wise affect the right, title, or interest which the heirs of the said Jacob Armstrong, (if any he has) or any other person or persons, may have to the said real estate, or any part thereof.

Certain rights of the state of New-Jersey vested in the widow and her heirs.

Proviso.

C. November 7, 1828.

AN ACT to divorce Elizabeth Drummond from her husband John Drummond.

BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That Elizabeth Drummond be, and she is hereby divorced from her husband John Drummond, and that the marriage contract heretofore existing between the said John Drummond and Elizabeth his wife, be, and the same is hereby as fully and absolutely dissolved as if they had never been joined in matrimony.

The bands of matrimony severed.

C. November 7, 1828.

AN ACT to incorporate the Trenton Calico Printing Manufactory.

SEC. 1. BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same. That John B. Sartori and P. A. Hargous, and such other persons as may be hereafter associated with them, and their successors and assigns, be, and they are hereby constituted a body politic and corporate by the name of the "Trenton Calico Printing Manufactory," for the sole purpose of manufacturing and printing wool, cotton, silk, flax, and hemp, in their several and various branches, and, by the same name, they and their successors and assigns shall have power and continue a body politic and corporate, and be capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts of justice or any other place whatever, to make and use a common seal, and the same to alter and renew at pleasure; and they and their successors and assigns, in their corporate name, shall be able and capable to acquire, purchase, receive, have, hold, and enjoy any lands, tenements, hereditaments, goods, and chattels, of what kind or quality soever necessary or useful for the said corporation to carry on the manufacturing operations above mentioned, and all other real estate which shall have been bona fide mortgaged to the said corporation by way of security, or conveyed to them in satisfaction of debts previously contracted in the course of business, or purchased at sales upon judgments which have been obtained for such debts: *Provided always*, that the funds of said corporation, or any part thereof, shall not be applied, used, or employed at any time in banking operations.

The name and style of the incorporation, their powers, privileges, &c. described and specified.

Proviso.

SEC. 2. *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 to be president, who shall hold their offices for one year; and that the said directors shall be chosen on the first Tuesday of January in every year, at such place and time as shall be directed by the by-laws of the said corporation, and public notice shall be given of the time and place of holding every such election, not less than ten days previous, in one or more newspapers printed nearest the place where said election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy; and each stockholder shall be entitled, in person or by power of attorney, to as many votes as he or she shall hold shares of the capital stock of said company, and the persons having the greatest number of votes, being stockholders, shall be directors; and the directors chosen at one election, shall be capable of serving, by virtue thereof, until another

Number of directors, when to be chosen; at what place notice to be given in the newspapers.

Votes, how to be apportioned, according to the number of shares held.

election shall have been had ; and the directors so chosen may appoint such officers and superintendants, and assign such compensations as they shall think fit, not less than a majority of the whole number of directors being present when the same shall be done; and if it shall at any time happen that any vacancy or vacancies occur, by death, resignation, or otherwise, among the directors, officers, or superintendants, such vacancy or vacancies shall be filled by such person or persons as the remainder of the directors for the time being, or a majority of them, shall appoint : and the first directors shall be Philip F. Howell, Benjamin Fish, John B. Sartori, P. A. Hargous, and Aaron O. Shuff, who shall hold their offices until the first Tuesday of January next, or until others are legally chosen.

Vacancies,  
how to be filled.

Names of the  
first directors,  
&c.

SEC. 3. *And be it enacted,* That the capital stock of said company shall not exceed the sum of one hundred thousand dollars, which shall be divided into shares of one hundred dollars each ; but so soon as the sum of thirty thousand dollars of the said capital stock shall have been subscribed, paid, or satisfactorily secured to be paid, it shall and may be lawful to and for the said company to commence their said business, and with that capital conduct and carry it on, until they shall deem it expedient to extend their operations, and the capital necessary for that purpose, which they are hereby authorized to do, from time to time, to the amount herein before mentioned : and it shall be lawful for the directors of the said company to call and demand from the said stockholders, respectively, all such sums of money by them subscribed, at such times, and in such proportions, as they shall deem proper, under pain of forfeiting the shares of the said stockholders, and all previous payments thereon, if such payments shall not be made within sixty days after a notice shall have been published for the space of thirty days in one or more newspapers published in or near the place where such payment shall be required to be made, and also in one or more newspapers published in the city of Philadelphia.

Amount of the  
capital stock,  
and price of  
shares.

When to commence.

Payments,  
how and when  
to be made,  
under penalty  
of forfeiting  
shares.

SEC. 4. *And be it enacted,* That the subscription for the said stock shall be open, and kept open for any number of days not exceeding thirty, under the direction of Philip F. Howell, Benjamin Fish, and P. A. Hargous.

SEC. 5. *And be it enacted,* That the stock or property of the said corporation, of whatsoever nature or kind, shall be deemed personal estate, and be transferable in such manner as shall be prescribed by the by-laws of the said corporation : *Provided,* that no dividends shall be made to and among the stockholders, except from and out of the profits of the said corporation.

Stock to be  
deemed personal  
estate,  
and transferable.

SEC. 6. *And be it enacted,* That in case it should at any time happen that an election should not be made on the day that pursuant to this act it ought to be made, the said corpora-

On certain  
contingencies,  
when elections  
may be held.

tion shall not for that cause be deemed to be dissolved; but it shall and may be lawful to hold such election on such other days, in the manner aforesaid, as shall be prescribed by the by-laws and ordinances of the said corporation.

Majority of directors to form a board.

SEC. 7. *And be it enacted*, That a majority of directors for the time being shall form a board for transacting the business of said corporation, and shall have power to ordain, establish, and put in execution such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government, management, and disposition of the stock, effects, profits, and concerns of the said corporation: *Provided*, that the same are not contrary to the constitution and laws of the United States or of this state.

Proviso.

Proper books of account to be kept, in which the transactions of the company are to be registered.

SEC. 8. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, proper books of accounts, in which shall be regularly entered all the transactions of the said corporation, which books shall at all times be open to the inspection of the stockholders of the said company, or their legal attorney or attorneys: *And further*, that 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 by the president and directors for that purpose.

Company may be dissolved at a general meeting.

On dissolution, trustees to settle up the affairs of the company.

SEC. 9. *And be it enacted*, That the said company may be dissolved at a general meeting of the stockholders, specially summoned for that purpose: *Provided*, at least three-fourths in value of the stockholders shall be present, or represented therein; and, upon such dissolution, the directors for the time being, and the survivors and survivor of them, shall be ipso facto trustees for settling all the affairs of the said corporation, disposing of its effects, recovering and paying its debts, and dividing the surplus among the stockholders, in proportion to their respective interest in the stock; unless the stockholders, at such general meeting, shall appoint other persons, not less than three, nor more than five in number, for such purpose, in which case the persons so appointed, and the survivors and survivor of them shall be trustee and trustees for the purposes aforesaid.

Limitation of charter.

SEC. 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 from thence to the end of the next session of the legislature, and no longer.

C. November 10, 1828.

AN ACT for the support of the Government of this State.

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

The specified amount to be paid to the several and respective officers of this state,

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

To the Chief Justice of the Supreme Court of this state for the time being, at the rate of twelve hundred dollars by the year.

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

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

To the Law Reporter of this state for the time being, at the rate of two hundred dollars by the year.

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

To the Quartermaster General of this state for the time being, at the rate of one hundred dollars by the year.

To the Adjutant General of this state for the time being, at the rate of one hundred dollars by the year.

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

on warrants to be signed by the governor of the state for the time being, or the vice-president of the Council.

SEC. 2. And be it enacted, That there shall be paid to the Vice-President of Council, and the Speaker of the House of Assembly, the sum of three dollars and fifty cents, and to every member of the Council and Assembly, the sum of three dollars, for each and every day they have respectively attended this, or may attend this or any future sitting of this legislature; and to every member the additional sum of three dollars for every twenty miles of the estimated distance by the most usual road between his place of residence and the seat of government, in going and returning, on a certificate, to be produced to the treasurer, expressing the sum due, and the number of days and miles, signed by the president or vice-president of Council, for the members of Council, or by the speaker of the House of Assembly, for the members of Assembly, or by Abraham Godwin, junior, Elias P. Seeley,

Per diem pay &c. of the vice-president members of the Council, and of the General Assembly, to be paid by treasurer, &c.

Alexander Wurts, and James Lloyd, or any two of them, for the members of Assembly.

Per diem of the secretary of Council and clerk of Assembly, &c.

SEC. 3. *And be it enacted*, That there shall be paid to the Secretary of Council, and Clerk of Assembly, the sum of three dollars and fifty cents, for every day they have respectively attended this; or may attend any future sitting of this legislature, and the sum of eight cents, by the sheet, computing one hundred words to the sheet, for entering the Minutes of Council and Assembly, and the Joint-Meeting, fairly in the journals, and five cents, by the sheet, for a copy thereof for the printers, on a certificate produced to the treasurer, signed by the president or vice-president of Council, for the secretary of Council, and by the president of Council, or the speaker of the House of Assembly, for the clerk of Assembly.

And of the sergeant-at-arms, and to the doorkeepers of both Houses.

SEC. 4. *And be it enacted*, That there shall be paid to the Sergeant-at-Arms for the time being, who shall attend the Council and the House of Assembly, and to the Doorkeepers of Council and the House of Assembly, for the time being, the sum of two dollars, by the day, for each day, on a certificate, to be produced to the treasurer, expressing the sum and the number of days they have respectively attended, signed by the president of Council or the speaker of the House of Assembly.

Ratio per sheet, to be paid to the engrossing clerk.

SEC. 5. *And be it enacted*, That there shall be paid to the engrossing clerk who shall engross the bills of Council and Assembly this session of the legislature, at the rate of eight cents by the sheet, on a certificate of the amount, signed by the president or vice-president of Council, or by the speaker of the House of Assembly.

Limitation.

SEC. 6. *And be it enacted*, That this act be and continue in force for one year from the twenty-eighth day of October, in the year of our Lord one thousand eight hundred and twenty-eight; and no longer.

C. November 11, 1828.

### AN ACT to defray Incidental Charges.

The respective and specified sums to be paid by the treasurer to the several persons mentioned therein.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That it shall be lawful for the treasurer of this state to pay the several persons herein after named, the following sums, viz:—

To Charles Parker, for expenses going, while at, and returning from Philadelphia three times, on business for the state, twenty-two dollars and sixty-eight cents; for postage, eight

dollars and forty-two cents; for bales and twine, to envelope the laws, &c. to secure them in their distribution, three dollars and nineteen cents; and for cash paid William Marseilles, for repairing the fence of the State House yard, two dollars and twenty-six cents; making an aggregate of thirty-six dollars and fifty-five cents.

To William L. Prall, for advertising the laws of the state in the True American, fifteen dollars; for publishing the proclamation of the governor for the election of members of Congress to supply the vacancies occasioned by the death of George Holcombe and Hedge Thompson, esquires, six dollars; for publishing two hundred and twenty-five copies of list of nominations of candidates for Electors and members of Congress, thirteen dollars and seventy-five cents; for printing list of unfinished business, and one hundred copies of the rules and orders of the House, eleven dollars; and for furnishing the True American to the members of Council and Assembly, seven dollars and seventeen cents; making an aggregate of fifty-two dollars and ninety-two cents.

To William Gould, for brushes, decanters, locks, and other articles furnished for the Assembly room, and services rendered, five dollars and forty-nine cents.

To Alexander Witherup, for boards furnished, and carpenter's work done to the Library and Assembly room, four dollars.

To Jacob B. James, for copying, under the order of the governor, for the secretary of the treasury of the United States, at his request, a statement of the returns of the officers and soldiers of the Jersey line, from the office of the secretary of state, one hundred and sixty-two and a half sheets, at six cents a sheet, nine dollars and seventy-five cents.

To the secretary of Council, and to the clerk of Assembly, three cents by the sheet, computing one hundred words to the sheet, in addition to what is allowed by law for the copy of the minutes made out for the printers.

To Daniel Fenton, for stationary and other articles furnished the Council and Assembly, forty-six dollars and fifty-four cents.

To Daniel Fenton, for an additional bill for stationary, two dollars and fifty cents.

To Joseph Justice, for printing some bills at the close of last session, advertising governor's proclamation for an election to supply vacancies in Congress, stationary, &c. as by bill rendered, thirty-eight dollars and eighty-three cents.

To Thomas S. Wiggins, for printing public acts for the use of the legislature this sitting, eighteen dollars and ten cents.

To Theodore Frelinghuysen, attorney general, for a taxed bill of costs, in the case of the state against the New-Jersey Delaware Oyster Company, thirty-one dollars and ninety-six cents.

C. & A. November 12, 1828.



**ACTS**  
OF THE  
**FIFTY-THIRD**  
**GENERAL ASSEMBLY**

OF THE  
**State of New-Jersey,**

AT A SESSION BEGUN AT TRENTON ON THE TWENTY-EIGHTH DAY OF  
OCTOBER, ONE THOUSAND EIGHT HUNDRED AND TWENTY-  
EIGHT, AND CONTINUED BY ADJOURNMENTS.

---

**BEING THE SECOND SITTING.**



---

**Trenton:**  
**PRINTED BY A. W. PHILLIPS.**  
**1829.**



**ACTS**  
OF THE  
**FIFTY-THIRD**  
**GENERAL ASSEMBLY**  
OF THE  
**State of New-Jersey.**

---

AN ACT to incorporate the Pleasant Mills Manufacturing Company, in Gloucester county, New-Jersey.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That Benjamin W. Richards and Joshua Lipincott, or the survivor of them, and such other persons as may be hereafter associated with them or him, and their successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name of "Pleasant Mills Manufacturing Company," for the sole purpose of manufacturing wool, cotton, flax, and hemp, in their several and various branches, and by the same name, they and their successors and assigns shall have power and continue a body politic and corporate, and be capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts of justice or any other place whatever, to make and use a common seal, and the same to alter and renew at pleasure; and they and their successors and assigns, in their corporate name, shall be able and capable to acquire, purchase, receive, have, hold, and enjoy any lands, tenements, hereditaments, goods, and chattels, of what kind or quality soever, necessary or useful for the said corporation to carry on the manufacturing operations above mentioned, and all other real-estate which shall have been bona fide mortgaged to the said corporation by way of security, or conveyed to them in satisfaction of debts previously contracted in the course of business, or purchased at sales upon judgments

The name and style of the incorporation, their powers, privileges &c. described and specified.

Proviso.

which shall have been obtained for such debts: *Provided always*, that the funds of said corporation, or any part thereof, shall not be applied, used, or employed at any time in banking operations.

Number of directors, when to be chosen, at what place; notice to be given in the newspapers.

SEC. 2. *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 to be president, who shall hold their offices for one year; and that the said directors shall be chosen on the first Tuesday in January in every year, at such place and time as shall be directed by the by-laws of the said corporation, and public notice shall be given of the time and place of holding every such election, not less than ten days previous, in one or more newspapers printed nearest the place where said election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy; and each stockholder shall be entitled, in person or by power of attorney, to as many votes as he or she shall hold shares of the capital stock of said company, and the persons having the greatest number of votes, being stockholders, shall be directors; and the directors chosen at one election, shall be capable of serving, by virtue thereof, until another election shall have been had; and the directors so chosen may appoint such officers and superintendants, and assign such compensations as they shall think fit, not less than a majority of the whole number of directors being present when the same shall be done: and if it shall at any time happen that any vacancy or vacancies occur, by death, resignation, or otherwise, among the directors, officers, or superintendants, such vacancy or vacancies shall be filled by such person or persons as the remainder of the directors for the time being, or a majority of them, shall appoint: and the first directors shall be Charles C. Stratton, Benjamin W. Richards, Joshua Lippincott, A. H. Richards, and Benjamin Say, and the survivors or survivor of them, who shall hold their offices until the first Tuesday of January next, or until others are legally chosen.

Votes, how to be apportioned, according to the number of shares held.

Vacancies, how to be filled.

Names of the first directors, &c.

Amount of the capital stock, and price of shares.

When to commence.

Payments, how and when to be made, under penalty of forfeiting shares.

SEC. 3. *And be it enacted*, That the capital stock of said company shall not exceed the sum of two hundred thousand dollars, which shall be divided into shares of one hundred dollars each; but so soon as the sum of seventy thousand dollars of the said capital stock shall have been subscribed and paid, or satisfactorily secured to be paid, it shall and may be lawful to and for the said company to commence their said business, and with that capital conduct and carry it on, until they shall deem it expedient to extend their operations: and it shall be lawful for the directors of the said company to call and demand from the said stockholders, respectively, all such sums of money by them subscribed, at such times, and in such proportions, as they shall deem proper, under pain of forfeiting the shares of the said stockholders, and all previous payments thereon, if such

payments shall not be made within sixty days after a notice shall have been published for the space of thirty days in one or more newspapers published in or near the place where such payment shall be required to be made, and also in one or more newspapers published in the city of Philadelphia.

SEC. 4. *And be it enacted*, That the subscription for the said stock shall be open, and kept open for any number of days not exceeding thirty, under the direction of Charles C. Stratton, Benjamin W. Richards, and Joshua Lippincott, or the survivor of them.

SEC. 5. *And be it enacted*, That the stock or property of the said corporation, of whatsoever nature or kind, shall be deemed personal estate, and be transferable in such manner as shall be prescribed by the by-laws of the said corporation: *Provided*, that no dividends shall be made to and among the stockholders, except from and out of the profits of the said corporation.

Stock to be deemed personal estate, and transferable.

SEC. 6. *And be it enacted*, That in case it should, at any time happen that an election 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 days, in the manner aforesaid, as shall be prescribed by the by-laws and ordinances of the said corporation.

On certain contingencies, when elections may be held.

SEC. 7. *And be it enacted*, That a majority of directors for the time being shall form a board for transacting the business of said corporation, and shall have power to ordain, establish, and put in execution such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government, management, and disposition of the stock, effects, profits, and concerns of the said corporation: *Provided*, the same are not contrary to the constitution and laws of the United States or of this state.

Majority of directors to form a board.

Proviso.

SEC. 8. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, proper books of accounts, in which shall be regularly entered all the transactions of the said corporation, which books shall at all times be open to the inspection of the stockholders of the said company, or their legal attorney or attorneys: *And further*, that 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 by the president and directors for the purpose.

Proviso.  
Proper books of account to be kept, in which the transactions of the company are to be registered.

SEC. 9. *And be it enacted*, That the said company may be dissolved at a general meeting of the stockholders, specially summoned for that purpose: *Provided*, at least three-fourths in value of the stockholders shall be present, or represented therein; and, upon such dissolution, the directors for the time being, and the survivors and survivor of them, shall be ipso facto trustees for settling all the affairs of the said corporation,

Company may be dissolved at a general meeting.

On dissolution, trustees to settle up the affairs of the company.

disposing of its effects, recovering and paying its debts, and dividing the surplus among the stockholders, in proportion to their respective interest in the stock; unless the stockholders, at such general meeting, shall appoint other persons, not less than three, nor more than five in number, for such purpose, in which case the persons so appointed, and the survivors and survivor of them shall be trustee and trustees for the purpose aforesaid.

The legislature may repeal, modify, amend, &c.

SEC. 10. *And be it enacted*, That the legislature shall have full power, at any time hereafter, to alter, amend, modify, or repeal this act whenever they shall think proper so to do.

C. January 10, 1829.

---

AN ACT to divorce Lydia Kirby from her husband Jonathan Kirby.

The bands of matrimony severed.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That the marriage contract between Lydia Kirby and her husband Jonathan Kirby be, and the same is hereby dissolved.

C. January 10, 1829.

---

AN ACT authorizing the commissioners therein named to divide the real estate which was of John Hewlings, late of the county of Burlington, at the time of his death, into two equal parts.

Preamble.

WHEREAS John Evans, Gideon Ferguson, and Vincent W. Crispen were, in and by the last will and testament of John Hewlings, late of the township of Evesham, in the county of Burlington, and state of New-Jersey, deceased, bearing date the fifteenth day of October, in the year of our Lord one thousand eight hundred and twenty-seven, and duly proved and recorded in the surrogate's office of the said county of Burlington, nominated, constituted, and appointed commissioners to divide all the real estate of the said John Hewlings, deceased, whatsoever and wheresoever situate, into two equal parts or shares, and the same, when divided, to set off and assign to certain persons, for certain estates, and upon certain uses in the said will particularly set forth—

AND WHEREAS John Evans, one of the commissioners named in the said will, hath, by writing, under his hand and seal, executed, bearing date the second day of June, in the year of our Lord one thousand eight hundred and twenty-eight, and filed in the said surrogate's office, declined the said appointment as commissioner, and refused to act under the same—Therefore,

SEC. 1. *BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That Benjamin Davis be, and he hereby is appointed a commissioner, under the will of John Hewlings, in the place of John Evans; and that the said Benjamin Davis, and Gideon Ferguson, and Vincent W. Crispin, named as commissioners in the will of the said John Hewlings, deceased, be, and they hereby are authorized to divide all the real estate whatsoever, which was of the said John Hewlings, at the time of his death, wheresoever situate, into two equal parts or shares, and the same to set off and assign to such person and persons, for such estate and estates, and to such use and uses, as in and by the will of the said John Hewlings, deceased, is directed.

SEC. 2. *And be it enacted,* That the division and assignment of the real estate which was of the said John Hewlings, at the time of his death, authorized by the first section of this act, to be made by the said Benjamin Davis, Gideon Ferguson, and Vincent W. Crispin, shall, when made, be as valid, operative, and effectual in the law, as if the said John Evans had acted therein, and the said division and assignment had been made by the said John Evans, Gideon Ferguson, and Vincent W. Crispin.

C. January 12, 1829.

---

AN ACT to divorce Amelia Garretson from her husband  
Joseph Garretson.

*BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the marriage contract between Amelia Garretson and her husband Joseph Garretson be, and the same is hereby dissolved.

The bands of  
matrimony  
severed.

C. January 13, 1829.

AN ACT to divorce Abraham Goltry, of the county of Somerset, from his wife Sarah.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*; That the marriage contract between Abraham Goltry and his wife Sarah be, and the same is hereby dissolved, as fully as if they had never been joined in matrimony.

C. January 17, 1829.

AN ACT to authorize Nathan Vail and Randolph Dunham, administrators, with the will annexed, of Isaac Clark, deceased, to sell and convey the real estate of said deceased.

WHEREAS Isaac Clark, late of the township of Westfield, in the county of Essex, deceased, did, by his last will and testament, executed in due form of law, bearing date the eleventh day of January, in the year of our Lord one thousand eight hundred and sixteen, among other things, order and direct that all his estate, both real and personal, should be sold, either at public or private sale, and did appoint David Osborn and William Darling executors thereof—AND WHEREAS the said David Osborn and William Darling renounced the said executorship, in due form of law, and thereupon afterwards, to wit, on the seventeenth day of June, in the year of our Lord one thousand eight hundred and eighteen, the administration, with the will annexed, was granted unto Hugh Drake and Piatt Williamson, who duly proved the same before the surrogate of Essex, and they, the said Hugh Drake and Piatt Williamson, having renounced and refused to act further, without having fully administered the estate of the said Isaac Clark, deceased, whereby administration of all and singular the goods, chattels, rights, and credits unadministered of the said Isaac Clark, deceased, with his will annexed, and to the uses therein mentioned, was granted, by the surrogate of the said county of Essex, on the tenth day of June, eighteen hundred and twenty-two, unto Nathan Vail and Randolph Dunham—AND WHEREAS it is represented and sufficiently proved that the said Nathan Vail and Randolph Dunham, the present administrators, with the will annexed, of the said Isaac Clark, deceased, cannot sell and dispose of the real estate of said deceased that remains unsold, without the aid and interposition of the legislature—Therefore,

SEC. 1. BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That Nathan Vail and Randolph Dunham, administrators, with the will annexed, of Isaac Clark, deceased, and the survivor of them, be, and they hereby are authorized and empowered to sell and convey the lands and tenements, with the appurtenances, in the last will and testament of the said Isaac Clark, deceased, mentioned, and thereby ordered to be sold, and make conveyance or conveyances for the same to any purchaser or purchasers, in as full and ample a manner, to all intents and purposes, as if they, the said Nathan Vail and Randolph Dunham, had been originally appointed executors of the last will and testament of the said Isaac Clark, deceased; and that they be invested with all the powers and authorities given in and by the said will to the executors therein named, and subject to the same duties and obligations, and liable to the same responsibilities, as if they had been appointed executors therein, and letters testamentary thereupon had been granted to them; and that they pay and apply the moneys arising from the sale of the said real estate in the manner limited and expressed in the said last will and testament, and agreeably to the true intent and meaning thereof.

Names of the administrators, their powers, duties, and responsibilities prescribed.

SEC. 2. *And be it enacted*, That before the said Nathan Vail and Randolph Dunham shall enter into the trust reposed in them, they shall execute a bond, in such sum; and with such securities as shall be approved of by the surrogate of the county of Essex, for the faithful performance of the duties required of them by this act, which bond shall be filed in the said surrogate's office, for the benefit of all persons concerned.

To enter into bond for the faithful discharge of their trust.

SEC. 3. *And be it enacted*, That the said Nathan Vail and Randolph Dunham, and the survivor of them, shall, within six months after the sale of the said real estate, make, subscribe, and exhibit, under oath or affirmation, unto the surrogate of the county of Essex, an exact statement of the amount of said sale or sales, to be by him recorded and filed agreeably to law; and the Orphans' Court of the said county of Essex shall allow reasonable commissions or fees to the said Nathan Vail and Randolph Dunham, for their services, and the said Nathan Vail and Randolph Dunham shall be accountable for all moneys received by them, or either of them, by virtue of this act.

To make a statement and render an account of the amount of sales, and file the same agreeably to law, and be accountable for all moneys received.

C. January 19, 1829.

A SUPPLEMENT to the act entitled, "An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen," passed February seventh, eighteen hundred and fifteen.

Former boundary of the tract extended, &c.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the southern boundary of the tract of woodland now enclosed and fenced in by virtue of the act to which this is a supplement, shall extend to the Hackensack and Paterson turnpike road, from the corner of the land of John C. Vansausn to the corner of the land of John C. Post, any thing in the said act to which this is a supplement to the contrary notwithstanding.

C. January 19, 1829.



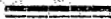
AN ACT to divorce Laurretta Bagg from her husband Thomas Bagg, junior.

Matrimonial bands severed

Proviso.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the marriage contract heretofore existing between Laurretta Bagg and Thomas Bagg, junior, be, and the same is hereby dissolved, as fully, to all intents and purposes, as if they had never been joined in matrimony: *Provided nevertheless,* that the issue of such marriage shall not be deemed illegitimate in consequence of this act.

C. January 20, 1829.



AN ACT to divorce Samuel C. Halsted from his wife Emeline Halsted.

Matrimonial bands severed

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That Samuel C. Halsted be, and he is hereby divorced from his wife Emeline Halsted, and that the marriage contract heretofore existing between the said Samuel C. Halsted and Emeline his wife be, and the same is hereby dissolved.

C. January 20, 1829.

**AN ACT** to authorize Joshua R. Smith and George R. Smith, executors of the last will and testament of Mary D. Smith, late of the city of Burlington, deceased, and the survivor of them, to sell and convey two certain lots of ground, and to divide the proceeds thereof among the legal heirs of the said Mary D. Smith's real estate.

**WHEREAS** Joshua R. Smith, Margaret M. Smith, Daniel B. Smith, Caleb R. Smith, Benjamin Smith, Barzillai C. Smith, Robert Smith, Edward T. Smith, Daniel Smith, George R. Smith, Ambrose Smith, and Mary D. Smith, and as a "committee" (or guardian) of the person and estate of Joseph D. Smith, being all the heirs at law of the real estate of the said Mary D. Smith have, by their memorial, set forth, that the said Mary D. Smith died seized of two lots of ground, in the said city of Burlington, of the estimated value of two hundred and forty dollars, which cannot be conveniently divided, and, by reason of the situation of some of the heirs, cannot be sold without loss, or conveyed by a valid title, and requesting that the said executors, and the survivor of them, may be empowered to sell and convey the said lots, and divide the proceeds of the sales thereof among the said heirs, according to their several rights and interest therein; and the said request appearing reasonable and just—Therefore,

**SEC. 1.** BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the said Joshua R. Smith and George R. Smith, executors of the said last will and testament of the said Mary D. Smith, and the survivor of them, to sell, by public or private sale, at their or his discretion, and to convey, by good and sufficient deed or deeds, to the purchaser or purchasers thereof, the two adjoining lots of ground fronting on High and Wood streets, in the said city of Burlington, which the said Mary D. Smith purchased from the executors of Sarah Smith, deceased, and to divide the proceeds thereof among the several heirs of the real estate of the said Mary D. Smith, in the proportions directed by the laws of this state regulating the division of real estates of persons dying intestate; the portions of such of the said heirs as are minors or non-compos mentis, being paid to their respective legal guardians, trustees, or committee, as the case may be.

**SEC. 2.** And be it enacted, That the said Joshua R. Smith and George R. Smith, and the survivor of them, shall make a full report of their or his proceedings, in the said sale and division, to the surrogate of the county of Burlington, together with the receipts and discharges from the several heirs

Preamble.

Executors authorized to sell and convey certain real estate in the city of Burlington.

Executors to make a report of their proceedings to the Orphans' Court, &c.

or their legal guardians, trustees or committee, to be submitted for allowance to the Orphans' Court of the said county, at as early a term as practicable next succeeding the said sale, and to be filed in the office of the said surrogate.

C. January 20, 1829.

---

AN ACT for the preservation of Muskrat Fur.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That it shall not be lawful, after the passing of this act, for any person to catch, shoot, trap, or in any way kill, any muskrat or muskrats, in this state, between the twentieth day of April and the first day of December in every year, except such muskrat or muskrats be so caught, shot, trapped, or killed on the banks cast up to prevent the flooding of lowlands, or mill or forge dams, and the land thus embanked.

Time specified when muskrats may not be killed.

SEC. 2. *And be it enacted*, That any person or persons violating this law, be liable to a penalty of four dollars for every muskrat so caught, shot, trapped, or killed, to be recovered by action of debt, with costs of suit, in any court of competent jurisdiction, by any person being an inhabitant of the state, in the name of the state of New-Jersey, the one half to go to the person prosecuting, and the remaining half to and for the support of the poor of the township where the offence was committed.

Penalty for a violation of this act, how to be recovered.

C. January 21, 1829.

---

AN ACT to repeal the act entitled, "An act to raise money to drain the drowned lands in the county of Sussex," passed the twenty-eighth day of November, eighteen hundred and six, and the supplement thereto, passed the twenty-fifth day of November, eighteen hundred and nine.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That the act entitled, "An act to raise money to drain the drowned lands in the county of Sussex," passed the twenty-eighth day of November, in the year of our Lord one thousand eight hundred and six, and the act supplementary

What former acts by this act are repealed.

thereto, passed the twenty-fifth day of November, in the year of our Lord one thousand eight hundred and nine, be, and the same are hereby repealed.

C. January 21, 1829.

---

A SUPPLEMENT to an act entitled, "An act to incorporate the Columbian Steam-Boat Company," passed the twelfth day of February, in the year of our Lord one thousand eight hundred and twenty-eight.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That the Columbian Steam-Boat Company be, and it is hereby authorized to increase the amount of its capital stock to two hundred and fifty thousand dollars, and no more, subject, nevertheless, to all restrictions and regulations prescribed by the act to which this is a supplement; and that the steam-boat or steam-boats of the said company be authorized to navigate any part of the river Delaware.

The amount of the original capital stock; how far it may be increased.

C. January 21, 1829.

---

### AN ACT for the relief of George P. Woolley.

WHEREAS it appears that George P. Woolley, a free citizen of the county of Morris, is now, and has been for more than two years past imprisoned in the county jail of the said county—AND WHEREAS it appears that the said George P. Woolley is unable to pay the claim, demand, or damages for which he is so imprisoned, and that there is no existing law for his relief—Therefore,

Preamble.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That the said George P. Woolley be, and he is hereby directed to be set at liberty by the sheriff of the said county, or his jail keeper, and that he be for ever hereafter released from the process upon which he is imprisoned, and be freed from future imprisonment for the cause upon which the said process was issued against him.

To be discharged from Morris jail.

C. January 21, 1829.

A FURTHER SUPPLEMENT to the act entitled, "An act to enable the owners of tide swamps and marshes, to improve the same, and the owners of meadows already banked in, and held by different persons, to keep the same in good repair," passed the twenty-ninth day of November, in the year of our Lord one thousand seven hundred and eighty-eight.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That when any tract of marsh or swamp is exposed to the overflow of the tide, and the same may admit of a division, by one or more cross-banks, into separate parts, it shall be lawful for the owners of two-thirds of any part of said marsh which may be justly separated from the rest by a cross-bank, to apply to the Court of Common Pleas of the county in which such marsh doth lie, as directed by the first section of the act to which this is a supplement; upon which said court is required to appoint three or more judicious and disinterested men, well acquainted with banking and improving tide meadows, as commissioners, who shall view the premises, hear the parties applicant, and others interested; and, if they think proper, lay out the cross-bank as applied for, together with the other necessary banks, sluices, and flood-gates, and works requisite for securing the marsh or swamp from the overflow of the tide, in such place and places, and direction, as may appear reasonable, and most safe and beneficial to the owners of such part of the marsh and swamp which is proposed to be secured from the overflow of the tide, subject to the like rules, regulations, and proceedings as required by the act and supplements to which this is a further supplement.

SEC. 2. *And be it enacted,* That it shall and may be lawful for the owners and possessors of any meadow already banked in, or that may hereafter be banked in, to meet and assemble statedly, on such day in the month of April, yearly and every year, at one o'clock in the afternoon, and at such place as a majority of those met at the first meeting, or at the last preceding annual meeting, may from time to time have appointed, and there, between the hours of one and five in the afternoon, by ballot or otherwise, and plurality of votes of those met, appoint managers, a treasurer, and clerk, to continue for one year, or until others are appointed to fill their places, and to settle the accounts of the company.

SEC. 3. *And be it enacted,* That whenever the owners and possessors of two-thirds of the marsh, meadow ground, and swamp, lying within the bounds of any meadow bank company, shall agree to a re-valuation and assessment of the several lots

The owners of two-thirds, &c. authorized to apply to the Court of Common Pleas; for the appointment of three commissioners, to hear the parties, make improvements, &c.

Time of the annual meeting.

Managers and other officers appointed annually.

and parcels of such marsh, swamp, and meadow ground, it shall and may be lawful for the owners and possessors of the same company, at a special meeting to be held for such purpose, notice of which said meeting shall be given by the managers, or clerk of the company, by putting up advertisements thereof in three or more public places, near the premises, setting forth the time and place of meeting, to choose, by ballot or otherwise, three or more indifferent and disinterested men to re-value all the marsh, swamp, and meadow ground secured by the bank or dams from the overflow of the tide; and the managers of the said company are hereby required to make out all subsequent duplicates and assessments agreeably to such re-valuation.

The powers and privileges of a certain majority of owners prescribed, &c.

SEC. 4. *And be it enacted*, That it shall and may be lawful for the owners and possessors of any tract of marsh, swamp, or meadow ground, lying within the bounds of any meadow bank company, organized or to be organized under the provisions of the act to which this is a supplement, to cause the same to be subjected to the overflowing of the tide, in such manner and for such time or times as the same company shall, at their annual meetings, direct and appoint: *Provided always*, that the owners of at least three-fourths of such marsh, swamp, or meadow ground shall vote or agree to such overflow.

Owners of marshes, &c. may organize under this act, &c.

Proviso.

SEC. 5. *And be it enacted*, That such part or parts of the act and supplements to which this is a further supplement as comes within the purview of this act, and are contrary to the provisions thereof, be, and the same is hereby repealed.

Such part or parts of former acts repealed.

C. January 22, 1829.

AN ACT to divorce Betsey Voorhees, of the county of Somerset, from her husband Lucas L. Voorhees.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That the said Betsey Voorhees be, and she is hereby divorced from her husband Lucas L. Voorhees, and that the marriage contract heretofore existing between the said Lucas L. Voorhees and Betsey his wife be, and the same is hereby dissolved, as fully as if they had never been joined in matrimony.

The bands of matrimony severed.

C. January 23, 1829.

AN ACT to assist the inhabitants of the townships of Pahaquary and Knowlton, in the county of Warren, to complete that part of a public highway, in said townships, which crosses the Blue Mountain at the Water Gap.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the sum of two thousand dollars be,

Two thousand dollars to be given from the treasury for the completion of said road.

and the same is hereby appropriated towards the opening and completing the public highway lately laid out in the townships of Pahaquary and Knowlton, in the county of Warren, and which crosses the Blue Mountain at the Water Gap of the Delaware river; which sum shall be paid by the treasurer of this state; to the commissioners hereafter appointed, on a warrant from the governor or person administering the government of this state, to be granted upon satisfactory evidence to him, that the said road has been open and completed for use.

Names of commissioners

SEC. 2. *And be it enacted,* That Jacob Brotzman, William Heyberger, and Doctor George Green, be, and they are hereby appointed commissioners, whose duty it shall be to superintend the opening and completing the aforesaid road.

C. January 23, 1829.

AN ACT to incorporate the City of Jersey, in the county of Bergen, and to repeal a former act.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That all that part of the township of Bergen, formerly called Powles Hook, bounded on the west by a certain ditch running between the lands of the Associates of the Jersey Company and those late of Cornelius Van Vorst, deceased,

Boundaries of the city prescribed.

The freeholders and other inhabitants created a body politic.

The name and style of the incorporation, their powers, privileges &c.

and by the middle of the Hudson river, and the bays surrounding all the other parts of the same, and the freeholders, and other inhabitants thereof, or who hereafter may reside within the same, shall be, and hereby are created and made a corporation or body politic, in fact and in name, and shall be known as such by the name and style of "The board of selectmen and inhabitants of Jersey City," and, by that name, shall have perpetual succession, be capable of suing and being sued, pleading and being impleaded, in all suits at law and in equity, as occasion may require, and shall have a common seal, which may be renewed or altered, from time to time, at pleasure.

SEC. 2. *And be it enacted,* That, for the conducting the af-

fairs of the said corporation, the freeholders and other taxable white male inhabitants, being citizens of the United States, and having resided for one year immediately before any election at which they may offer to vote within the bounds of the said corporation, shall choose, at an election to be held for that purpose, and by ballot, seven white male inhabitants, who shall be citizens of the United States, freeholders within said bounds, and shall have resided therein for one year immediately before such election, a majority of whom shall be a quorum, and may transact business by not less than four concurring votes; which election shall be annually held at some public and convenient place within the aforesaid bounds, on the first Monday of September in every year: and the persons so chosen shall enter upon the duties of their office on the Tuesday next succeeding their election, and shall continue in office for one year thereafter and until others are elected, and shall enter upon the duties of their office; and if any person, at any time elected one of the board of selectmen, shall happen to die, resign, remove out of the bounds of said corporation, or become otherwise disqualified within the period for which he shall have been elected, so that his seat is vacated, such vacancy shall be filled, until the next annual election, by some other duly qualified person, to be chosen by the remaining members of the board: and every member of the board of selectmen shall, before he enters upon the duties of his office, make oath or affirmation, before some judge of the Court of Common Pleas or justice of the peace of the county of Bergen, well and faithfully to execute the trust reposed in him, as one of the board of selectmen of Jersey City, according to the best of his skill and ability; which oath or affirmation shall be reduced to writing, and shall be, by the secretary of the said board, filed with their papers.

Qualification of voters prescribed.

Elections to be annual.

Officers chosen for one year, &c.

Vacancies, how to be filled.

Oaths of officers to be taken, &c. and filed by the secretary of the board.

SEC. 3. *And be it enacted*, That the board of selectmen shall, before every annual election, appoint three freeholders, being residents within the bounds of said corporation and citizens of the United States, and not members of the said board, to be inspectors of the succeeding election, any two of whom may act; which inspectors shall have written notice of their appointment by the secretary of said board; and in case any person or persons so appointed, shall neglect or refuse to serve, the board shall have power to fill the vacancy; and the said board shall cause notice to be given, by advertisements set up in at least three public places within said bounds, and at least ten days before each annual election, of the time and place where the ensuing election shall be held; and the freeholders so appointed shall attend at the place assigned for that purpose, judge of the qualifications of every person offering to vote at such election, and receive the votes of such as shall offer, and be found qualified; shall count the votes, and certify, in writing, who are the persons elected by the greatest num-

The board of selectmen empowered to appoint inspectors of election, &c.

Public notice to be given by the board of the time and place of each annual election.

ber of votes; which certificate shall be entered on record in the minutes of said board, and shall be conclusive evidence of who are chosen to compose the board of selectmen for the ensuing year.

**SEC. 4. *And be it enacted,*** That at the first meeting of the board of selectmen after each annual election, they shall choose, from amongst themselves, one person to be their president, whose duty it shall be to preside at the board when convened for the transaction of business, and in the absence of the president, they shall at any meeting of the board, choose some other member to be president pro tempore; and it shall be the duty of the president or president pro tempore, as the case may be, on the request, in writing, of any two members of the board, to call special meetings, or the board may meet on their own adjournments; and the board shall, at the first, or any subsequent meeting, appoint one fit person, not a member, to be treasurer; and all drafts on the treasurer shall, by order of the board, be signed by the president or president pro tempore, as the case may be, which order shall be entered in the minutes; and the board shall also appoint some fit person, not a member, to be their secretary, whose duty it shall be to record their proceedings, and to do such other acts as may properly be required of him: and the board, in order to carry their ordinances or by-laws into complete effect, shall appoint an officer, to be denominated or called the city marshal, who shall, within the bounds of said corporation, in criminal cases, and in all cases for breach of the peace, or for breach or non-observance of the by-laws or ordinances of the board of selectmen, have the same power, and be entitled to the same fees for his services, and shall be liable to the same penalties for neglect of duty, as constables are, or may be; by the laws of the state of New-Jersey; and said marshal shall, before he enters on the duties of his office, take and subscribe, before some justice of the peace of the county, an oath or affirmation well and faithfully to execute the duties of the said office; and all or either of the three officers last above mentioned may be removed by the board, and others appointed in their places: and the board may also annually appoint, on such terms, and under such regulations as they shall deem proper and reasonable, all such other agents, officers, and servants, including harbor masters, measurers of grain, weigh-masters, cullers of staves and headings, auctioneers, inspectors of beef and pork, pot and pearl ashes, and lumber, as they shall find necessary or convenient: and the board shall also have the exclusive right of licensing, annually, such and so many cartmen, draymen, and porters, tavern-keepers, inn-holders, victuallers, suttlers, and retailers of spirituous liquors, within said bounds, also on such terms, and under such regulations, as they shall deem proper and reasonable: and the board of selectmen shall cause all their proceedings to be entered on record, which record shall be accessible at all reasonable times to all persons interested therein.

A president to be chosen by the board immediately after each annual election.

Special meetings, &c.

Treasurer and secretary, their duties, &c.

A city marshal to be appointed, his powers and duties, to take an oath or affirmation for the faithful execution of the duties of his office.

Further powers of the board prescribed.

Proceedings of the board to be recorded, &c.

SEC. 5. *And be it enacted*, That the freeholders and other inhabitants, and the property of non-residents within the bounds of said corporation, shall hereafter be exempted from all taxes, impositions, or assessments, for or on account of making or repairing the public roads beyond said bounds: *Provided*, that the said corporation shall, at all times, make and keep in good repair the public roads within said bounds: *And provided also*, that the inhabitants of all that part of the township of Bergen without the aforesaid bounds, and their property, and the property of non-residents therein, shall hereafter be exempted from all taxes, impositions, or assessments for or on account of making or repairing the public roads within the bounds of said corporation.

Certain persons and property exempted from certain taxes.

SEC. 6. *And be it enacted*, That, to enable the board of selectmen to carry into effect the ordinances or by-laws that may be by them, from time to time, enacted and passed, and to remunerate any officer, agent, or servant, for his or their services, the said board shall be, and they are hereby authorized, from time to time, to impose and raise money, by tax upon the freeholders and other taxable inhabitants, and on the property of non-residents; but such tax shall not exceed the sum of three hundred dollars within any one year, commencing on the day after each annual election, when the freeholders elected selectmen for the ensuing year shall enter upon the duties of their office: and no money exceeding the said sum of three hundred dollars shall be raised by tax by the said corporation, or under authority thereof, within any one year, as aforesaid, unless with the consent of a majority of the freeholders and other taxable inhabitants who may attend a public meeting for the purpose of considering the subject; and of which meeting not less than ten days' previous notice shall be given, by advertisements set up in at least three public places within the bounds of said corporation; and such consent, if obtained, shall be certified by at least three freeholders, who shall have been appointed by the board of selectmen for the purpose of ascertaining the sentiments of the inhabitants thereon; and a copy of such certificate shall be entered in the minutes of the said board, and such entry, certified by the secretary of said board to be a true copy of such certificate, shall be sufficient evidence of the fact.

The board authorized to raise money from time to time, under certain restrictions, &c.

SEC. 7. *And be it enacted*, That the corporation or body politic hereby created, and by the name and style aforesaid, may purchase, or otherwise acquire, any real or personal estate, and may erect and maintain any such building or buildings within the limits of the same as shall be found necessary or convenient for the transaction of business, or for the exercise of the powers and privileges conferred by this act or any future act of the legislature, and may alienate or otherwise dispose of any such estate as may be found convenient, or occasion shall re-

The corporation authorized to purchase real estate &c. erect public buildings &c.

Proviso.

quire: *Provided always*, that no real estate shall be purchased for money or other valuable consideration by the said corporation or body politic, without the previous consent of a majority of the corporators entitled by this act to vote at the election for selectmen, who may attend a meeting or meetings to be held for the purpose of obtaining such consent, on public notice being given of such meeting at least ten days previous thereto; and such consent, if obtained, shall be certified by at least three freeholders, chosen for that purpose by the persons assembled to vote; and a copy of such certificate shall be entered in the minutes of the board of selectmen; and such entry, certified by the secretary of said board to be a true copy of said certificate, shall be conclusive evidence of the fact.

By laws and ordinances may be made and enforced.

Proviso.

SEC. 8. *And be it enacted*, That the board of selectmen are hereby empowered to pass and enforce all such by-laws and ordinances as may be found expedient to carry into effect the powers hereby granted to the said corporation or body politic, and to impose reasonable penalties for the breaches or for the non-observance thereof, so that no penalty shall exceed the sum of twenty-five dollars for any one offence: *Provided*, that such by-laws or ordinances be not contrary to the constitution or legislative acts of this state or of the United States; and all penalties inflicted by the by-laws or ordinances of the board of selectmen may be sued for and recovered by action of debt, in any court having jurisdiction thereof, in the name of "The board of selectmen and inhabitants of Jersey City," and applied to the use of the said corporation, and members of the said board, and all other inhabitants within the bounds of said corporation, not otherwise legally disqualified, shall be competent witnesses in all such cases.

Further powers of the corporation and the board of selectmen set forth and particularized.

SEC. 9. *And be it enacted*, That the powers to be exercised by the corporation hereby created, and the subjects matter respecting which the board of selectmen may pass and enforce by-laws or ordinances within the limits thereof, shall be the following, and those only, that is to say: relating to the public roads, streets, and highways; the digging out, filling up, and regulating the same, and preventing nuisances and obstructions therein, and to the enclosing, or otherwise improving the public grounds; relating to the public markets for the sale of provisions; the measurement and inspection of firewood and other fuel; the weighing and inspection of hay; the weight and prices of bread, having regard to the materials of which it is made; the lighting the public roads, streets, or highways, and the preservation of the means used for that purpose; the providing and regulating a night watch, and erecting and maintaining a watch-house, if it shall be judged necessary for the greater security of persons and property; relating to fire engines, engine houses, and other implements for extinguishing fires, and the government of fire companies; and also to all precautionary

and other measures for preventing; as well as extinguishing fires; relating to weights and meaasures, to public wells, pumps, and cisterns, and the use and preservation thereof; to slaughter houses, distilleries, or whatever else shall be, or may become public nuisances; to the running at large, or restraining from so doing, of horses, cattle, swine, or other animals, and geese and other fowls; relating to whatever may concern the orderly conduct of the inhabitants, sojourners, apprentices, servants, and slaves residing or being within the limits aforesaid; relating to the setting up or fixing any pole or poles for fishing in the waters within the limits of the said corporation, whereby the lives of persons may be endangered, or the navigation obstructed; relating to all acts of public indecency, such as bathing or swimming in the waters within the limits aforesaid, in sight of the inhabitants in open day, and other indecent exposure; relating to the establishment of quarantine regulations, and to all other acts, measures, and things for the preservation of the health of the inhabitants against pestilential diseases, whether foreign or domestic; relating to the anchoring and mooring of vessels within the waters of said city, to wharves and rates of wharfage; to the equitable assessment of taxes authorized by this act, and the collection thereof; to the compensation or pay of all such agents, officers, and servants, cartmen, draymen, and porters, and others not herein before provided for, as the board of selectmen shall find it necessary or convenient, from time to time, to appoint or license; relating to the preservation of trees in any of the streets, roads, or other public grounds; relating to fines and penalties on persons elected or appointed to office by virtue of this act, who, holding such office, shall neglect or refuse to execute the duties thereof, when properly required so to do; and relative, also, to all such other acts, matters, and things not herein before provided for, as the preservation of the peace, the proper observance of the by-laws or ordinances of the board of selectmen, and the reasonable security of the persons and property of inhabitants and others within said limits may require.

SEC. 10. *And be it enacted*, That the persons composing the board of selectmen shall be, ex-officio, conservators of the peace within the bounds of said corporation, and, for that purpose, shall jointly and severally have authority to cause all persons to be brought before them, or either of them, for breach of the peace or for disturbing the public tranquillity; and shall have power to proceed in such cases; and in other criminal cases requiring immediate attention, in the same manner as justices of the peace are or may be empowered to do by the laws of the state of New-Jersey.

Selectmen,  
ex-officio, to  
be conserva-  
tors of the  
peace, &c.

SEC. 11. *And be it enacted*, That the act entitled, "An act to incorporate the City of Jersey, in the county of Bergen," passed the twenty-eighth day of January, eighteen hundred and

Former act  
repealed.

Proviso.

twenty, be, and the same is hereby repealed: *Provided nevertheless*, that such repeal shall not render ineffectual any thing lawfully done under said act: *And provided also*, that the present board of selectmen shall be and continue in office until the first Tuesday in September next, and until others shall be elected agreeably to the provisions of this act, and shall have entered upon the duties of their office.—*And whereas* the said corporation is created, and the powers by this act conferred, are intended for the public welfare, therefore, *Be it further enacted*, that the legislature hereby reserves the right of repealing or modifying the provisions of this act, from time to time, and in such manner, as the public welfare may require.

The legislature may repeal, &c.

C. January 23, 1829.

---

AN ACT to divorce Susan Ann Baldwin from her husband Abraham Baldwin.

The bands of matrimony severed.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That Susan Ann Baldwin be, and she is hereby divorced from her husband Abraham Baldwin, and the marriage contract heretofore existing between the said Abraham Baldwin and Susan Ann his wife be, and the same is hereby dissolved, as fully as if they never had been joined in matrimony.

C. January 24, 1829.

---

AN ACT to enable Andrew A. Ten Eyck, of the county of Somerset, to carry into effect a certain trust, created by Garret Tunison, of said county, for the benefit of Ariantie Compton, by deed bearing date the fourth of April, eighteen hundred and fifteen.

Preamble.

WHEREAS it appears to the legislature, that since the execution of the said deed of trust, Samuel Voorhees, the trustee therein named, hath departed this life without having executed said trust—AND WHEREAS the said Garret Tunison, after the death of the said Samuel Voorhees, did, under his hand and seal, appoint the said Andrew A. Ten Eyck trustee in the place of the said Samuel Voorhees, who took

upon himself the duties thereof, and hath paid, laid out, and expended considerable sums of money for the necessary support and maintenance of the said Ariantie Compton—  
Therefore,

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the said Andrew A. Ten Eyck be, and he is hereby constituted and appointed a trustee, to execute the trust in the said deed from the said Garret Tunison to the said Samuel Voorhees, and to do and perform all such acts as might have been done by the said Samuel Voorhees; and that all the right, title, and estate of the said Samuel Voorhees, and of his heirs at-law, of, in, and to the lands and premises mentioned and described in the said deed of trust be, and the same are hereby vested in the said Andrew A. Ten Eyck, in as full and ample a manner as the same were vested in the said Samuel Voorhees in his lifetime, to the same uses, trusts, and purposes as the same are set forth in said deed of trust; and that all such acts as have already been done by the said Andrew A. Ten Eyck, according to the true intent and meaning of said original deed of trust, be, and the same are hereby confirmed.

A new trustee appointed, and invested with full powers; and his duty prescribed, &c.

A. January 26, 1829.

**AN ACT directing the mode of proceeding in cases of violent, sudden, or casual deaths.**

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That it shall be the duty of every coroner, (or justice of the peace, in the absence of a coroner) on being informed of the violent, sudden, or casual death of any person within his county, immediately to proceed and view the body, and make all proper inquiry respecting the cause and manner of the death; and if, from such inquiry, the said coroner or justice shall be satisfied that no person or persons has or have been guilty of causing or procuring the said death, and that there are no suspicious circumstances attending the same, he shall, without further proceedings therein, deliver the body to the friends thereof, (if any there be) for interment; but in case there are no friends who will take charge of, and bury it, and if the deceased shall not have left property sufficient to pay the expenses of the burial, then it shall be the duty of the said coroner or justice to bury the same.

The duty of coroners, &c. on certain contingencies, &c.

SEC. 2. *And be it enacted,* That in all cases where inquests

Form of certificate prescribed.

are not taken, the coroner or justice shall make a certificate, under his hand and seal, of the following or similar import, to wit:—"I                    one of the coroners (or justices of the peace, as the case may be) of the county of                    having notice of the death of                    and having viewed the dead body of the said                    and made inquiry respecting his (or her) death, do hereby certify, that I am satisfied no guilt attaches to any person or persons by reason of the said death, and that an inquest is unnecessary." [And in cases where it shall have become necessary for the coroner or justice to bury the dead body, the certificate shall continue and say]:—"That the said deceased has no friends who appear to take charge of, and bury his (or her) body, nor, as I can ascertain, has he or she left property sufficient, and within reach of the overseers of the poor, to defray the expenses thereof; I have therefore buried the same." Which certificate shall be filed with, and accompany the tax bill of costs.

Duties of the coroner or justice specified, &c.

Certificate to be filed, &c.

SEC. 3. *And be it enacted*, That, after a view and inquiry had as aforesaid, if the said coroner or justice shall have reason to suspect that the person whose body he shall have been called to view, came to his or her death by murder or manslaughter, or by the contrivance, aiding, procuring, or other misconduct of any person or persons, then it shall be his duty forthwith to proceed and take inquest of the said death, agreeably to the act entitled, "An act respecting coroners," passed the eighth day of March, seventeen hundred and ninety-six.

Further duties of the coroner, &c.

Compensation for duty performed.

SEC. 4. *And be it enacted*, That the coroner or justice for the view and inquiry, as aforesaid, shall be entitled to receive two dollars, and for burying the dead body, where the same shall become necessary, agreeably to the first section of this act, five dollars, which shall be paid in the same manner as costs of taking inquests of death are paid.

Certain specified duties of the clerks enjoined, &c.

SEC. 5. *And be it enacted*, That it shall be the duty of the clerks of the respective counties, before they proceed to tax bills of costs of inquests of death or bills of costs for the performance of the duties required by the first section of this act, to require of, and administer to all coroners or justices presenting such bills of costs for taxing, an oath or affirmation, that there are not included in the said bill or bills presented any item or items, except for services actually rendered, or duties performed; and that the amount charged in the bill for jurors' and witnesses' services has been paid to them respectively; which oath the said clerks are required to endorse on the back, or some other convenient part of the taxed bill of costs, and cause the said coroner or justice to subscribe the same, for which service the said clerk shall be entitled to receive twelve and a half cents.

Certain parts of former acts repealed.

SEC. 6. *And be it enacted*, That so much of the second section of the act entitled, "An act to regulate fees," passed

the thirteenth day of June, seventeen hundred and ninety-nine, as allows to coroners for the view of a dead body two dollars, and the fourth section, and so much of the fifth section, of the act entitled, "An act respecting coroners," passed the eighth day of March, seventeen hundred and ninety-six, as are contrary to the provisions of this act, be, and the same are hereby repealed.

C. January 27, 1829.

A SUPPLEMENT to an act entitled, "An act to alter and amend the act entitled an act concerning inns and taverns," passed the first day of June, one thousand eight hundred and twenty.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, whenever any of the courts of General Quarter Sessions of the Peace, in and for any of the counties in this state, shall reject and refuse to grant the application of any person or persons for license to keep an inn and tavern, under the provisions of the act to which this is a supplement, that it shall not be lawful for such person or persons, whose application to keep such inn and tavern shall have been rejected by the court aforesaid, to apply again for said license at any time within one year thereafter.

No one to apply for a license to keep a tavern twice in one year.

C. January 28, 1829.

AN ACT authorizing the enclosure of a certain tract of land situate in the township of Caldwell, in the county of Essex, called "The Hetfield Swamp."

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the owners and possessors of all that tract of land, situate, lying, and being in the township of Caldwell, in the county of Essex, called the Hetfield Swamp, which said land is included in the following boundaries, to wit: beginning at the river Passaic, at the eastern abutment of Pine brook bridge; thence running south, twenty degrees and thirty minutes east, sixty-four links; thence south, twenty-five degrees west, one chain, twenty-six

Boundaries of the Hetfield Swamp delineated, prescribed, and the tract authorized to be enclosed.

links; thence south, seventy-five degrees east, three chains, seventy-four links; thence south, sixty-two degrees east, sixteen chains, fifteen links; thence south, twelve degrees east, three chains, eighty-six links; thence south, thirty-two degrees west, one chain, fifty links; thence south, fifty-seven degrees west, five chains; thence south, thirty-two degrees west, two chains; thence south, five degrees west, three chains, sixty-two links; thence south, five degrees east, eight chains, seventy-two links; thence south, twelve degrees and thirty minutes west, four chains; thence south, thirty degrees west, five chains; thence south, three degrees west, fourteen chains, eighty-eight links; thence south, forty-seven degrees west, seven chains, sixty-three links; thence south, thirty degrees west, twenty-five chains, seventy-three links; thence south, fifty degrees west, two chains, eighty-two links; thence north, forty-seven degrees west, seven chains, eleven links; thence south, forty-three degrees west, seven chains, ninety links; thence north, forty-eight degrees west, twelve chains; thence south, sixty-nine degrees west, three chains, fifteen links, to the river; thence the several courses, as the said Passaic river now runs, to the place of beginning, at the eastern abutment of Pine brook bridge, to enclose the same, and erect such fences and swing-gates, or to dig such ditches, as by the persons herein after elected to make the assessments from time to time may be deemed proper, provided the same be a lawful fence or ditch; and that from and after enclosing the same as aforesaid, no person or persons whatsoever shall be at liberty to drive or let in any horses, cattle, sheep, or hogs, with an intent to run at large in the said tract: *Provided*, that nothing in this act contained shall be construed to prevent any person or persons from permitting his, her, or their own cattle, horses, sheep, or hogs, or of any other person, to run on any part of the said tract already enclosed by him, her, or them, or which may hereafter be enclosed, so long as the same shall be enclosed by him, her, or them by a lawful fence.

Fences, &c.; assessments to be made for the repair of.

Proviso.

After enclosure, cattle, &c. trespassing, the owners of the same liable to certain penalty, &c.

Penalty for injuring the fences, and leaving open the gates; how inflicted.

SEC. 2. *And be it enacted*, That if any person whatsoever shall drive or let in any horses, cattle, sheep, or hogs within the said tract, after it shall have been enclosed as aforesaid, such persons shall be liable to a penalty of twenty dollars, to be sued for and recovered before any justice of the peace of the county of Essex, in an action of debt, by any one of the owners of said enclosed tract, and to be applied one half to the use of the person suing for the same, and the other half to the use of the owners of said tract, for enclosing the same.

SEC. 3. *And be it enacted*, That if any person shall pull down any fence, or leave open any swing-gate longer than to pass through, and immediately put up said fence, and shut up said swing-gate, shall forfeit and pay five dollars for each offence, to be sued for and recovered in an action of debt, with costs

of suit, by any person prosecuting for the same, the one half to the use of the person prosecuting, and the other half to the owners of said tract, for enclosing the same.

SEC. 4. *And be it enacted,* That it shall and may be lawful, immediately after the passing of this act, for any one concerned in the aforesaid tract, to call a meeting of the owners and possessors thereof, by putting up advertisements in five of the most public places in the township of Caldwell, at least twenty days previous to the time of meeting; on which notice being given, the owners and possessors of said tract shall convene at the house now occupied by Timothy C. Ward, innkeeper, in Caldwell township; which owners and possessors, or such as shall assemble in pursuance of said notice, shall, when met, proceed to elect, by a plurality of votes, three persons, being owners in said tract, to make and repair the fences and swing-gates necessary to enclose the aforesaid tract, and for the purpose of making assessments, and superintending the expenditure of all money to be received and paid for the purpose aforesaid; which said persons, so elected, shall continue in office until the first Tuesday in April next, when a new election shall take place, between the hours of two and five o'clock in the afternoon of that day; and an election for that purpose shall be held on the first Tuesday in April in each year afterwards, at such places as shall be agreed upon by a majority of the said owners, assembled at a previous annual meeting, between the hours aforesaid; and each owner or possessor shall be entitled to one vote for every acre of land, to the number of ten, and one vote for every additional ten acres he, she, or they shall own or possess in the aforesaid tract.

Meeting of the owners and possessors, to be advertised, &c.

Assessments to be made for the repair of fences, &c.

SEC. 5. *And be it enacted,* That if any horses, cattle, sheep, or hogs shall be found running at large on any part of said tract enclosed as aforesaid, except as excepted in the first section of this act, it shall and may be lawful for any owner and possessor of any part of the said tract to take and drive the same to any public pound in the township of Caldwell, and shall, as soon as may be, make affidavit stating that the same were running at large on the tract; and, in such affidavit, shall give a description of the horses, cattle, sheep, and hogs so taken; which affidavit shall be delivered to the poundkeeper where the horses, cattle, sheep, and hogs are impounded: and the persons impounding the said horses, cattle, or hogs shall be entitled to receive for every head so taken and impounded, the sum of twenty cents, if not exceeding four, and if more than four, then for every head so taken and impounded, the sum of ten cents, and the sum of five cents for every sheep, to be collected, by the poundkeeper, from the owner or owners, or from the sale of the said horses, cattle, sheep, and hogs, and shall be the measure of damage to be paid on such occasions; and the poundkeeper is directed to receive such beast or beasts,

Trespassing cattle, &c. to be impounded.

The ratio of moneys to be paid per head to the poundkeeper &c.

and proceed in the same manner, after the receipt of the same, as is directed in the act entitled, "An act regulating fences," passed the twenty-third day of January, seventeen hundred and ninety-nine; and he shall be entitled to the same fees, and subject to the same penalties for the neglect of duty, as are allowed and imposed in and by the said act.

**SEC. 6. *And be it enacted,*** That all damages recovered by virtue of this act shall be applied and appropriated, from time to time, the one half to the person prosecuting, and the other half towards making and repairing the fences deemed necessary to enclose the said tract.

**SEC. 7. *And be it enacted,*** That the persons so elected as aforesaid shall, by virtue of this act, be authorized to make an estimate of the part of the tract benefited by such enclosure, and shall ascertain the number of acres, as accurately as they can, which each individual owns or possesses therein, and which may receive benefit from such enclosure, either by actual survey or otherwise, as shall be agreed on by a majority of the owners and possessors met at their first, or any subsequent meeting; which estimate, when made, shall be by the persons so elected as aforesaid fairly entered in a book to be kept for the purpose, in which book shall be entered the names of the persons from time to time elected to superintend the expenditures of the money assessed, for making and repairing fences and swing-gates as aforesaid, and other of the proceedings relative to enclosing of the said tract, which book shall be kept by the persons elected as aforesaid; and all assessments shall be made according to the first estimate, until the same is altered by a majority of votes of the owners and possessors of the aforesaid tract: *Provided always,* that no owner of lands within said tract shall be subject to such assessment for making and repairing fences and swing-gates, or ditches, as aforesaid, who shall have enclosed their own lands, and shall keep them so enclosed, by a lawful fence: *And provided also,* that an appeal from such assessment may be made to the commissioners of appeal of the said township of Caldwell, at the same time, and in the same manner, that appeals are made from assessments for taxes in this state.

**SEC. 8. *And be it enacted,*** That, as soon as any assessment is made, and the sum which each individual is to pay is ascertained, it shall be the duty of the persons so elected as aforesaid to demand from each individual his, her, or their proportion, either personally or by leaving a statement of the sum he, she, or they are to pay, with some white person above the age of fourteen years, at their dwellinghouse, and, on failure of payment thereof for thirty days after such demand, which shall and may be proved by the oath of the persons elected as aforesaid, to sue for and recover the same, in their own names, from each individual so assessed and notified as aforesaid, to-

Damages, how to be appropriated.

Estimated acres enclosed, and benefits derived, to be ascertained, &c.

The names of the superintendants to be entered in a book, to be provided for that purpose, and their proceedings in the premises.

Proviso.

Assessments made, and the amount due from each owner and possessor to be made known to them.

gether with costs of prosecution for the same, before any court having cognizance of the same: *Provided*, that execution, in such case, shall be levied on the wood, timber, grass, or herbage of such delinquent owner or possessor of land enclosed in said tract; and sufficient thereof may be sold to pay the debt and all legal costs, but that no other property of the defendant shall be liable for the same; nor shall the defendant be liable to personal arrest or imprisonment on the said execution.

Proviso.

SEC. 9. *And be it enacted*, That the persons so elected shall account annually to the owners for all moneys which have come to their hands as aforesaid, and shall pay over all balances remaining in their hands, if any, to their successors, together with the book directed to be kept, immediately on their going out of office, under the penalty of one hundred dollars on the defaulter, to be sued for and recovered by their successors in office, with costs of suit, and to be applied, when recovered, to making and repairing fences and swing-gates to keep enclosed the said tract.

Superintendants to account annually to the owners for all moneys &c., under certain penalty, &c.

C. January 28, 1829.

A FURTHER SUPPLEMENT to an act entitled, "An act to incorporate the Newark and Mount Pleasant Turnpike Company."

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the Newark and Mount Pleasant Turnpike Company to abandon so much of the western end of their road, as will leave them six miles, and no more, from the east end of their road, in the valley at the foot of the first mountain, nearly opposite the house of Joseph Condit.

Certain specified parts of the road abandoned.

SEC. 2. *And be it enacted*, That the section of the road above mentioned, shall devolve on the inhabitants of the several townships through which it passes, to be kept in repair in the several modes of working the highways, by the townships through which it passes: *Provided*, that the Newark and Mount Pleasant Turnpike Company shall give notice, in writing, on or before the first day of April next, to the township committees of the several townships through which the road passes, that they have abandoned and given up to the townships, the section of the road above mentioned.

The inhabitants to repair the highways, &c.

Proviso.

C. February 2, 1829.

AN ACT for the relief of the devisees and heirs at law of Stephen Condit, late of Hanover, in the county of Morris, deceased.

Preamble.

WHEREAS Stephen Condit, late of Hanover, in the county of Morris, deceased, by his last will and testament, bearing date February twenty-fourth, one thousand eight hundred and sixteen, did give and devise all his lands, in certain portions to his children, therein named, to them and their heirs, and, in a subsequent clause of said will, did provide, that "should either die without an heir or heirs of their body, the property to be equally divided among the survivors"—AND WHEREAS doubts have arisen, whether the said will, by reason of the last mentioned clause, would not at law be construed to limit the devise as first made, and to vest in the devisees and heirs of the said deceased conditional estates of inheritance—AND WHEREAS all the children of the said deceased, being the only persons interested, have, by their petition, requested the legislature to interfere and remove all doubts on this subject, by passing a law declaring that the estates in the said lands to them respectively devised in and by the said will, shall be taken and considered as unconditional estates of inheritance in fee simple; and their request appearing to be reasonable—Therefore,

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the said last will of the said Stephen Condit, deceased, so far as regards the disposition of his real estate, shall be taken and construed to vest, from and after the decease of the said testator, in his children, therein mentioned, absolute and unconditional estates of inheritance in fee simple in the lands and portions of real estate to them respectively devised, as fully and effectually as if the same had therein been devised to them, their heirs and assigns for ever.

C. February 3, 1829.

AN ACT to alter the time of electing trustees of the first Presbyterian Church in Orange.

Trustees to be chosen henceforth annually on the first day of January, &c.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the members of the first Presbyterian congregation in Orange, to meet on the first day of January next, and annually thereafter on the first day

of January, unless that day should come on Sunday, and then on the second day of January, at two o'clock in the afternoon, at their meeting house, to elect trustees, in the manner provided by law.

SEC. 2. *And be it enacted*, That an election of trustees in said congregation shall take place on the second Thursday in April next, as heretofore, to hold their offices until the first day of January next, and no longer; and that so much of any act as is contrary to the provisions hereof be, and the same is hereby repealed.

What is hereby repealed.

A. February 4, 1829.

AN ACT to alter the boundary line between the townships of Green and Byram, in the county of Sussex.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That all that part of the township of Green, in the county of Sussex, lying to the south of the following line: beginning at a birch tree in the division line between East and West Jersey, a corner of the townships of Newton and Byram, and thence running to the line of the county of Warren, by the same course as the division line between the said townships of Newton and Byram, be, and the same is hereby attached to the township of Byram.

Part of the township of Green attached to the township of Byram.

A. February 5, 1829.

AN ACT concerning the new town dock, and other matters, in the township of Newark, in the county of Essex.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That the dock or wharf known and called by the name of the new town dock of Newark, situated on the shore or bank of the Passaic river, in the township of Newark, the legal title whereof is now in trustees, under an act entitled, "An act for incorporating sundry persons as trustees of the new town dock of Newark, in Essex county," passed the thirteenth day of March, in the year of our Lord one thousand seven hundred and ninety-eight, shall belong, and the same is hereby declared to belong to, and the title thereof to be vested

The title to be transferred from the trustees, and vested in the inhabitants of the township of Newark and their successors.

Proviso.

in, the inhabitants of the township of Newark, in the county of Essex, to and for the use and benefit of the said the inhabitants of the township of Newark, in the county of Essex, and their successors for ever: *Provided always*, that nothing in this act contained shall be so construed as in any manner to lessen or impair the right, title, or estate of any person or persons having, claiming, or to claim, in opposition to said township, any right, title, or estate, in or to the said new town dock, or any part thereof.

Former act repealed.

Proviso.

SEC. 2. *And be it enacted*, That the act entitled, "An act to incorporate sundry persons as trustees of the new town dock of Newark, in Essex county;" in the foregoing section named, be, and the same is hereby repealed: *Provided always*, that such repeal shall not invalidate, or in any other manner affect, any contract lawfully made by the said trustees with any person or persons, concerning the said dock.

The town committee empowered to rent or lease said premises.

SEC. 3. *And be it enacted*, That the said new town dock shall and may henceforth be rented or leased by the town committee, or be otherwise used, enjoyed, or appropriated for the use of the said township, as the inhabitants of the said township shall, at their annual or other lawful town meetings, from time to time ordain and direct.

The inhabitants to be deemed competent witnesses, &c.

SEC. 4. *And be it enacted*, That any of the inhabitants of the township of Newark, notwithstanding they may be subject to taxation therein for township purposes, shall be deemed and taken to be competent witnesses for the said township, on the trial of any action or actions, at law or in equity, touching the title or right of possession of the said new town dock, or any part thereof, or any other matter relating thereto.

The town committee empowered to sell and convey family burying lots, &c.

SEC. 5. *And be it enacted*, That it shall and may be lawful for the town committee of the said township of Newark, under such regulations or directions as the inhabitants of the said township, at their annual or other lawful town meetings, shall from time to time ordain and appoint, to sell and convey, in fee simple or otherwise, small and convenient family burying lots, out of the public burying ground recently purchased by the said township of Newark, to such person or persons as may from time to time make application therefor, for the purpose of burying therein their dead, and for no other purpose; and that the deeds or other evidences of right or title to be made for such small family burying lots to the purchaser or purchasers thereof, shall be signed and sealed by the members of the said town committee for the time being, or by a majority of them, and, being so signed and sealed, shall, when delivered to the purchaser or purchasers, be deemed and taken to be valid and sufficient conveyances, in the law, for the uses and purposes therein expressed.

Also, authorized to approve.

SEC. 6. *And be it enacted*, That it shall and may be lawful for the town committee of the township of Newark, under

such regulations and restrictions as the annual or other lawful town meeting of the said township shall from time to time ordain and appoint, to lay out and appropriate any moneys belonging to the said township, and arising from town property, and lying within the town plot, by way of rent or otherwise, for the building materials, or purchase of and keeping in repair, fire engines, engine houses, hooks, ladders, fire buckets, and other implements and machinery for the purpose, or connected with the business of extinguishing fires in the said town.

SEC. 7. *And be it enacted*, That it shall and may be lawful for the inhabitants of the township of Newark aforesaid, at their annual or other lawful town meetings, to resolve and agree to borrow, upon the credit of the said township, any sum or sums of money, for any purpose for which the said town meeting may lawfully raise money by taxes, and to authorize the town committee to negotiate such loan or loans, and to give their bond or bonds, or other securities therefor, in their own names as such committee, or in the names of the majority of them; which bonds or securities, so given, shall not be personally binding on the members of the said committee, but shall bind the said township, in its corporate capacity; or the said township, at any such meeting as aforesaid, may authorize and direct the town committee, or a majority of them, in their own names, as members of such committee, to make, execute, and deliver to the lender or lenders of any moneys so borrowed, as aforesaid, a mortgage of and upon any property belonging to the said township, and which the said township have a right to sell or dispose of; which bonds, mortgages, or other securities, so made and delivered, shall be binding on the said township, and may be enforced against them by suit or suits in any court of law or equity of competent jurisdiction; which suit or suits may be prosecuted against the said township in their corporate name and capacity, in the same manner as any other corporation may be sued at law or in equity: *Provided always*, that no such moneys shall be borrowed until the said town meeting shall have voted or resolved that the same shall be raised by taxes for the purpose of paying off the same, when such money or moneys shall become due; which vote or resolution, in case money shall have been borrowed, as aforesaid, on the faith thereof, shall not be revoked or repealed by any town meeting to be held in the said township, until the money or moneys so borrowed shall be paid off and satisfied, with interest and costs, if any costs shall have accrued thereon.

appropriate any moneys belonging to the said township, to the purchase of machinery for extinguishing fires.

The inhabitants, at their annual meetings, empowered to authorize the town committee to borrow money, for which the said township is to be responsible, &c.

Proviso.

C. February 6, 1829.

AN ACT to authorize the chosen freeholders of the county of Gloucester to build a drawbridge over Nacott creek, at a place called Port Republic.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the board of chosen freeholders of the county of Gloucester be, and they hereby are authorized to build and maintain a good and sufficient bridge over Nacott creek, when they, or a majority of them, may think proper so to do, with a draw therein, at a place called Port Republic, so as to meet the road now laid out on the north side of said creek, in the township of Galloway, and the draw to be fixed in that part of said bridge where the vessels and boats may pass through with the greatest convenience; and that the draw in said bridge shall be at least twenty-five feet wide: *Provided nevertheless,* that if the board of chosen freeholders, or a majority of them, as aforesaid, shall not agree, within one year from the fourth day of July next, to build said bridge, then this act shall be void.

SEC. 2. *And be it enacted,* That if any captain of a vessel, or other person or persons, shall hoist the draw in said bridge, and leave the same up, so as to prevent travellers and others from passing over the same for more than fifteen minutes, when the same is not absolutely necessary for the passage of some vessel or boat through the same, or if any person or persons shall cut, remove, or destroy any piece or pieces of timber, or any plank or planks belonging to, or a part of said bridge, draw, posts or piles, or shall remove any piece or pieces of timber, or any iron work belonging to the said draw, posts, or piles, or otherwise wilfully damage or do any act which may have a tendency to injure said bridge and draw unnecessarily, he, she, or they so offending shall, for each and every offence, forfeit and pay the sum of twenty dollars over and above the damage done to said bridge or draw, to be recovered, in an action of debt, before any court having competent jurisdiction, with costs of suit, by any person who shall sue for the same, one half of said sum to be for the use of the prosecutor, and the other half to be paid into the hands of the county collector, to and for the use of the county of Gloucester.

A. February 7, 1829.

The chosen freeholders authorized to build a bridge at a certain place.

Proviso:

Penalties for injuring the works &c.

of said bridge, how to be inflicted.

AN ACT to incorporate the Union Line Stage and Steam Boat Company.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That Robert Bayles, Robert Letson, Phineas Withington, Benjamin Fish, Edwin A. Stevens, Robert L. Stevens, and George Abbe, and all and every of the persons who shall at the time of the passing of this act be members or partners of the association called and known by the name of "the Union Line Stage and Steam-Boat Company:" and the persons who shall hereafter become members, according to the provision herein after contained, shall be, and they are hereby created and declared to be a body corporate and politic, by the name of "the Union Line Stage and Steam-Boat Company:" and they and their successors, by the name of "the Union Line Stage and Steam-Boat Company," shall and may have continual succession during the term of twenty-one years from and after the passing of this act, and shall be able to sue and be sued, implead and be impleaded, in all courts of record or elsewhere, and to purchase, receive, have, hold, and enjoy, to them and their successors, lands, tenements, and hereditaments, goods and chattels, of what nature or kind soever, real, personal, or mixed, and choses in action, and the same, from time to time, to sell, grant, alien, demise, mortgage, pledge, or dispose of; and also to make and have a common seal, and the same to alter and renew at pleasure; and also to ordain, establish, and put in execution such by-laws, ordinances, and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to the laws and constitution of this state or of the United States, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering of the affairs thereof: *Provided,* that the powers, privileges, rights, and franchises herein and hereby granted are upon the express condition, that the legislature of this state shall at all times hereafter have the power to revoke, repeal, alter, amend, and modify the same, as to the said legislature shall seem expedient or proper.

Names of the persons incorporated.

Style of the incorporation; its powers, privileges and limitation prescribed.

Proviso.

SEC. 2. *And be it enacted,* That all the joint stock, and all other the estate, real, personal, and mixed, and all the securities, dues, claims, and demands, and all the records, books, papers, vouchers, and other documents whatsoever, in any wise belonging to, or held or claimed by the said association or persons named in the first section of this act, shall be transferred to, and vested in the said corporation of "the Union Line Stage and Steam-Boat Company" hereby created, as absolutely

The joint stock and all other estate, &c. of the aforesaid association transferred to, and vested in this incorporation.

and all contracts, debts, &c. of said association to be binding and obligatory on the company &c.

and completely, to all intents and purposes, as shall then respectively belong to, or be held and claimed by the said association or partnership, or by their officers and agents for their use; and also all the contracts and other engagements, debts, obligations, and assumptions whatsoever of the said association or partnership entered into, made, subsisting, due, or payable, or to become due or payable at the time of the passing this act, shall henceforth become, and be as obligatory and binding upon the said incorporation of "the Union Line Stage and Steam-Boat Company" hereby created, to all intents and purposes as if the same respectively had been entered into, made, and contracted by the said company subsequent to the incorporation thereof: *Provided*, that nothing in this section contained shall impair the rights of creditors and others having claims against the said association or partnership, but the same may be enforced in the same way as if this act had not passed.

Proviso.

SEC. 3. *And be it enacted*, That from and after the passing of this act, the following constitution shall be deemed the constitution of "the Union Line Stage and Steam-Boat Company" hereby created, that is to say:—

Amount of the capital stock, and price of shares.

I. The capital stock of the said "the Union Line Stage and Steam-Boat Company" shall not exceed two hundred and fifty thousand dollars, divided into shares of one hundred dollars each; and the present capital stock of the said company may at any time be increased to that amount, or to such extent as shall be deemed necessary to complete the establishment, at the discretion of the company, by increasing the number of shares to that extent, and opening books to receive subscriptions therefor; the said capital stock to be employed by the said company for the establishment of steam-boat or steam-boats to ply on the Delaware, and from New-York to the Raritan river, or the waters thereof: *Provided*, that nothing in this section shall be construed to prevent their taking up or landing passengers at any intermediate point or points.

Books to be opened, &c.

Proviso.

II. A general meeting of the stockholders shall be held on the first Monday of April next, and on the first Monday of January in each succeeding year, at such place as the said company, or, in default thereof, the president, shall from time to time appoint, whereof two weeks' notice shall be given in one daily newspaper published in Philadelphia, one daily newspaper published in New-York, and two newspapers published in New-Jersey; and the said stockholders, between the hours of ten and three o'clock of that day, shall, in person or by proxy, elect, by ballot, by a majority of votes of them or their proxies present, each being entitled to one vote for every share of stock held; five directors, being stockholders, to serve for one year next after their election, and until their successors are chosen.

Number of directors, when to be chosen, at what place; notice to be given in the newspapers.

Votes, how to be apportioned, according to the number of shares held.

III. In case either of the directors shall transfer the whole

of his or their shares of stock in this company, the office of such director or directors shall thereupon be vacated; and in case of a vacancy in the office of a director, by any means, or for any cause whatever, the remaining directors shall supply the same; and the directors so chosen shall have the same powers, and be considered in all respects as if elected by the stockholders.

Vacancies,  
how to be filled.

IV. The directors, at their first meeting after their election, shall choose, from their body, a president and treasurer from among the stockholders, to serve for one year thereafter, and until their successors are duly chosen: they, the president and directors, shall meet at such times and places, and be convened in such manner, as they from time to time may agree on, for transacting their business: three directors shall constitute a quorum for the transaction of business, and, if the president be absent, they may choose a president pro tempore: they shall keep correct minutes of all their transactions, in a book to be provided for that purpose: they shall have full power to employ, agree with, and appoint such engineers, artists, superintendants, and others, as they shall think necessary for the making, repairing, constructing, and finishing, on the most liberal and improved plan, such steam-boat or boats as they may deem expedient; procure, by purchase or otherwise, steam-boats, suitable sites, landings, and accommodations, and cause convenient wharves, docks, piers, and slips to be built thereon; purchase materials, fix on and agree with persons employed and engaged by them their respective wages and compensations; call on the stockholders for moneys due on their respective shares, in such instalments as may be required, and to do such other duties as may be necessary to ensure the completion, and conduct the business; make by-laws, and do such other acts as may be necessary for the purposes contemplated by this act, and the same shall be binding on the stockholders; and to call a meeting of the stockholders, giving notice as is required in the second article.

The directors  
to choose a  
president for  
one year.

The president  
and directors,  
when to meet  
for the trans-  
acting of busi-  
ness.

Their powers  
and privileges.

V. The treasurer shall receive the cash, securities, leases, deeds, and other papers belonging to the company, and from time to time pay, dispose of, and deliver the same according to the order of the directors; he shall keep regular and fair books and accounts of his receipts and disbursements, which shall at all times be open to inspection of the stockholders; and shall, before entering upon the duties of his office, give such bond and security for the due and faithful discharge thereof, and for accounting for and delivering up to his successor in office, all the moneys, securities, deeds, effects, and papers which may remain in his hands, as the board of directors may require, which bond shall be held by the president.

Duty of the  
treasurer pre-  
scribed.

To give bond  
for the faithful  
performance  
of his trust.

VI. The shares in the capital stock of the said company

Stock to be deemed personal estate, and transferable.

shall be deemed personal estate, and be assignable and transferable at pleasure, in person or by attorney, in a book to be kept for that purpose, in the presence of the president or treasurer, subject to the instalments due thereon; and if any stockholder, either of the shares of the present capital stock, or of the shares which may be added thereto, after twenty days' notice given, as is required in the second article, of the time and place appointed for the payment of any instalment of stock, shall neglect to pay such instalment for thirty days next after the time so appointed, every such stockholder shall forfeit to the use of the company all his, her, or their shares of stock, and every previous payment made thereon, and cease to be a member; which shares of stock so forfeited shall and may be sold by the president and directors for the time being for such prices as can be had for the same, and the purchaser or purchasers thereof shall be considered members of the company, as fully as if they had been originally stockholders.

Payments, how and when to be made, under penalty of forfeiting shares.

Directors empowered to fix salaries, compensation &c. of such persons as they may employ &c.

VII. That the said directors shall have power to fix the salaries, compensation, or wages of all persons employed or appointed by them; regulate the prices of transportation of passengers and goods; declare dividends (retaining such surplus funds as they see proper), and do other acts necessary or expedient to enable them to manage the property of the company to the best advantage.

No part of the funds to be employed in banking.

SEC. 4. *And be it enacted*, That nothing in this act contained shall authorize the said company to employ any part of their funds for any other purposes than those before specified in this act, or to engage in any banking operations.

A. February 7, 1829.

### AN ACT to divorce Thomas Bullock from his wife Rebecca Bullock.

Marriage contract severed.

BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That Thomas Bullock be, and he is hereby divorced from his wife Rebecca Bullock, and that the marriage contract heretofore existing between the said Thomas Bullock and Rebecca Bullock be, and the same is hereby for ever dissolved, as fully, to all intents and purposes, as if they had never been joined in matrimony: *Provided nevertheless*, that the issue of the said marriage shall not be deemed illegitimate in consequence of this act.

C. February 11, 1829.

AN ACT to extend the charter of the State Bank at Trenton,  
for certain purposes.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That an act entitled, "An act to establish State Banks in New-Jersey," passed January twenty-eighth, one thousand eight hundred and twelve, with the supplements thereto, be, and the same is hereby extended, and declared to be continued in regard to the State Bank at Trenton, so far as may be necessary to enable the president, directors, and company of the said the State Bank at Trenton, to collect the debts, demands, and damages which have accrued or become due, or which may hereafter accrue or become due to them, and to settle up and close their concerns: *Provided*, that the time shall not exceed the term of ten years, from and after the twenty-eighth day of January, one thousand eight hundred and thirty-two: *And also provided*, that the said president and directors are not hereby privileged, during the extension aforesaid, to issue any bills of credit, bank bills, or other circulation of money, by loan or otherwise, in the form or style of banking business.

Certain specified acts extended.

Proviso.

SEC. 2. *And be it enacted*, That the said president and directors shall annually, after the passing of this act, until its concerns be finally closed, make out and lay before the legislature, an accurate statement of the property, debts, and credits of the said banking company, under the oath of the president and cashier thereof.

Annual statement of its concerns to be laid before the legislature.

SEC. 3. *And be it enacted*, That it shall and may be lawful for the legislature of this state, at any time hereafter, to alter, modify, or repeal this act.

Legislature empowered to repeal &c.

C. & A. February 14, 1829.

A FURTHER SUPPLEMENT to the "Act concerning taxes," passed June tenth, one thousand seven hundred and ninety-nine.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That before any constable shall collect any tax by distress and sale of any timber, wood, herbage, or other vendible property, according to the thirty-third section of the act to which this is a further supplement, it shall be his duty to put up notices of such sale in five of the most public places in the township where the premises are, at least thirty days previous to such distress and sale, and shall advertise the same in

The duty of the constable to advertise in five public places thirty days before the sale.

Time of sale specified.

a newspaper printed in the county, or circulating therein, at least four weeks, successively, prior to such sale, and shall therein set forth the names of all the persons to whom such tax is assessed, and the day and hour of sale; which sale shall be held between the hours of twelve and five o'clock of said day; and the constable, for his trouble and expense of so advertising the same, shall be entitled to an additional cost of twenty-five cents for each tax, over and above the necessary expense of advertising as aforesaid.

Section of a former act repealed.

SEC. 2. *And be it enacted*, That the third section of the act entitled, "A supplement to the act concerning taxes," passed December tenth, one thousand eight hundred and twenty-three, be, and the same is hereby repealed.

C. February 13, 1829.

### AN ACT to incorporate the New-Jersey Flax and Hemp Manufacturing Company.

Style of the incorporation; its powers and privileges.

SEC. 1. *BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That Frederick Roumage, and such other persons as may, are, or hereafter may be associated with him, and their successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name of the "Flax and Hemp Manufacturing Company," for the sole purpose of dressing, bleaching, spinning, weaving, and manufacturing flax and hemp; and by that name, they and their successors and assigns shall have power, and continue to be a body corporate, and be capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, and defending and being defended, in all courts and places, and in all manner of actions, suits, complaints, causes, and matters whatsoever; and they and their successors may have a common seal, and the same may make, alter, and change at their pleasure; and they and their successors, by their corporate name, shall, in law, be capable of buying, holding, and conveying any lands, tenements, hereditaments, goods, wares, and merchandise whatsoever, in any part of this state, necessary or useful for the said corporation to carry on the operations above mentioned, or conveyed to them, or purchased by them for the satisfaction or security of any debt or demand due to said corporation: *Provided always*, that the funds of said corporation, or any part thereof, shall not be applied, used, or employed, at any time, in banking operations.

Proviso.

SEC. 2. *And be it enacted*, That the stock, property, and

concerns of the said company shall be managed and conducted by seven directors being stockholders, one of whom to be president, who shall hold their offices one year from the first Tuesday in November, in every year; and that the said directors shall, on the last Tuesday in October, in every year, at such time and place as shall be directed by the by-laws of the said company, and public notice shall be given of the time and place of holding every such election, not less than ten days previous, in one or more newspapers printed nearest the place where such election shall be held by such stockholders as shall attend for that purpose, either in person or by proxy; and their elections shall be by ballot; and each stockholder shall be entitled to one vote for every share of stock he may hold, not exceeding ten, and for every five shares above ten, one vote, and the persons having the greatest number of votes, being stockholders, shall be the directors; and the said directors, as soon as may be after their election, shall proceed, in like manner, to elect, by ballot, one out of their number, to be president, and shall also, at the same time elect a secretary to the company; and if any vacancy or vacancies shall at any time happen, by death or otherwise, among the directors elected, the directors for the time being, or a majority of them, shall fill up such vacancy or vacancies, for the remainder of the year; and that the first directors shall be L. L. Frederiek Roumage, Keen Prudden, Job Crane, John Roumage, Samuel James, Sidney Brooks, and Felix Pettier, who shall hold their offices until the first day of November, A. D. one thousand eight hundred and twenty-nine, and until others are elected.

SEC. 3. *And be it enacted,* That the capital stock of said company shall not exceed one hundred thousand dollars, and shall be divided into shares of fifty dollars each; but it shall nevertheless, be lawful for the said company, whenever fifty thousand dollars of the said capital stock shall have been subscribed and paid; or satisfactorily secured to be paid, to commence their said business, and with that capital, conduct and carry it on, until they shall find it expedient to extend their capital, which they are authorized to do, from time to time, to the amount herein before mentioned; and it shall be lawful for the directors of said company to call and demand from the stockholders, respectively, all such sums of money subscribed, at such times and in such proportions as they shall deem proper, under pain of forfeiting the shares of the said stockholders, and all previous payments thereon, if such payments shall not be made within sixty days after a notice requiring such payments shall have been published for that time in one or more public newspapers published nearest the place where such payments are to be made, and in one newspaper published in each of the cities of New-York and Philadelphia.

SEC. 4. *And be it enacted,* That the stock and property of the said corporation, of whatsoever nature or kind, shall be

Number of directors; to hold their offices for one year.

Elections to be previously advertised; & to be by ballot.

A president and secretary to be appointed.

Vacancies, how to be filled.

Names of the first directors, &c.

Amount of capital specified.

Subscriptions to be paid on demand, under penalty of forfeiture.

Property of said corporation to be deemed personal estate, and transferable.

Proviso.

deemed personal estate, and be transferable in such manner as shall be prescribed by the by-laws of the said corporation: *Provided*, that no dividends shall be made to and amongst the stockholders, except from and out of the profits of the said corporation: *And provided further*, that the stockholders shall be responsible, in their individual and private capacities, to the extent of their respective interest in the corporate property of the said corporation, and no further, for all debts which in case of dissolution of the said corporation, shall be due and owing by the said corporation.

On certain contingencies, when elections may be held.

SEC. 5. *And be it enacted*, That if any election should not take place on the day herein before mentioned, 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 days, in the manner aforesaid, as shall be prescribed by the by-laws and ordinances of the said corporation.

Powers of the board of directors.

SEC. 6. *And be it enacted*, That a majority of the directors for the time being shall form a board for transacting the business of the said corporation, and shall have power to make and prescribe all necessary and proper by-laws not repugnant to the constitution and laws of the United States, and this state, touching the management of the stock, effects, estate, property, and profits of the said corporation, officers' appointments, clerks, and servants, salaries, and allowances, and other concerns of said corporation.

Proper books of account to be kept, in which the transactions of the company are to be registered.

SEC. 7. *And be it enacted*, That the directors shall at all times keep, or cause to be kept at their office, proper books of accounts, in which shall regularly be entered all the transactions of the said corporation, which books shall, at all times, be open to the inspection of the stockholders of said company; *Provided*, that no transfer of stock shall be valid or effectual, until such transfer shall be entered or registered in the books to be kept by the president and directors for the purpose.

Company may be dissolved at a general meeting. On dissolution, trustees to settle up the affairs of the company.

SEC. 8. *And be it enacted*, That the said company may be dissolved at a general meeting of the stockholders, specially summoned for that purpose: *Provided*, at least three-fourths in value of the stockholders shall be present or represented therein; and upon such dissolution, the directors for the time being, and the survivors or the survivor of them, shall be ipso facto trustees for settling all the affairs of the said corporation, disposing of its effects, recovering and paying its debts, and dividing the surplus among the stockholders, in proportion to their respective interests in the said stocks, unless the stockholders, at such general meeting, shall appoint other persons, not less than three, nor more than five in number, for such purposes, in which case the persons so appointed, and the survivors or survivor of them, shall be trustees or trustee for the purpose aforesaid.

SEC. 9. *And be it enacted*, That this act shall be and con-

tinue in force for and during the term of twenty-one years, and no longer, unless sooner repealed; and that the legislature shall at all times, in their discretion, have the power to modify, alter, or repeal this act, or any section thereof.

C. & A. February 13, 1829.

AN ACT for the relief of Catharine Patterson.

WHEREAS, on or about the year seventeen hundred and ninety-eight, William Patterson, of the county of Hunterdon, departed this life, having, by his last will and testament, devised his real estate, consisting of a small messuage, situate in Trenton, first to his widow, the said Catharine, during her natural life, and, after her decease, to his son Samuel Patterson, his heirs and assigns, in fee, subject to the payment of sundry legacies therein named.—AND WHEREAS, since that period, the said Samuel Patterson, as well as all the rest of the children of the decedent, have departed this life, without making any testament and last will, three children, the issue of Joseph and Nancy Patterson; grandchildren of this petitioner, alone are survivors.—AND WHEREAS the said Catharine Patterson, being at an advanced age, very infirm, and entirely destitute of a living, having exhausted all her substance in nursing; clothing, and schooling the said grandchildren—Therefore,

Preamble.

SEC. 1. BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same; That Robert McNeely and William Potts, be, and they are hereby appointed trustees to sell, dispose of, mortgage, convey in fee, or otherwise convert into money, the real property of the said William Patterson, deceased, as named in his said last will and testament, dated the second day of November, one thousand seven hundred and ninety-eight.

Trustees authorized to sell and convey certain real estate.

SEC. 2. And be it enacted, That the said Robert McNeely and William Potts, trustees as aforesaid, be, and they are hereby authorized to contribute of the money so raised on the premises aforesaid, by mortgage, sale, or otherwise, as aforesaid, sufficient to and for the comfortable support of the said Catharine Patterson, during her natural life, and at her decease, the remainder, if any, to pay to the right heirs of the said William Patterson, deceased, or their lawful representatives.

and how to appropriate the moneys received for the same.

The trustees to account, on a certain contingency, to the Orphans' Court.

SEC. 3. And be it enacted, That the said Robert McNeely and William Potts, trustees as aforesaid, or the survivor of

them, shall, at the decease of the said Catharine Patterson, and within one year thereafter, make return of, and account for the estate that may have come into their hands by virtue of this act, before the Orphans' Court of the county of Hunterdon.

A. February 14, 1829.

### AN ACT to prevent frauds by Incorporated Companies.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State; and it is hereby enacted by the authority of the same,* That whenever any incorporated company in this state shall become insolvent, it shall be the duty of the directors or managers of the said company, within ten days thereafter, to call a public meeting of the stockholders of the said company, and to lay before them, for inspection and examination, all the books of accounts, by-laws, and minutes of the said corporation, and to exhibit to the said meeting a full and true statement of all the estate, funds, and property of the said company, and of all the debts due and owing to the said company, and by whom, and of all the debts owing by the said company, and to whom, as far as the said directors and managers can at that time make out the same; so as to exhibit to the stockholders a full, fair, and true account of the situation of the affairs of the said company.

In case of insolvency, the duty of the directors and managers prescribed.

SEC. 2. *And be it enacted,* That whenever any such incorporated company shall hereafter become insolvent, or shall suspend the ordinary business of the said company, for want of funds to carry on the same, it shall not be lawful for the directors or managers of the said company, or for any officer or agent of the said company, to sell, convey, assign, or transfer any of the estate, effects, choses in action, goods, chattels, rights or credits, lands, or tenements of the said company; nor shall it be lawful to make any such sale, conveyance, assignment, or transfer, in contemplation of the insolvency of any such company, and every such sale, conveyance, assignment, or transfer shall be utterly null and void, as against creditors: *Provided always,* that in case of a bona fide purchase, made for a valuable consideration, before the said company shall have actually suspended the ordinary business of the said company as aforesaid, by any person having no knowledge, information, or notice of the insolvency of the said company, or of the sale being made in contemplation of the insolvency of the said company, such purchase shall not be invalidated or impeached.

No transfer of property allowed in case of insolvency or suspension of business.

Proviso.

SEC. 3. *And be it enacted,* That when the bank bills or notes of any incorporated bank in this state shall hereafter be-

come depreciated, and shall pass in this state, in the place where such bank is located, at less than their par value, it shall not be lawful for any of the directors, or any of the officers or agents of the said bank to pay any debt which they may owe to the said bank in the depreciated notes or bills of the said bank, nor shall any promissory note, or other evidence of debt, given to, or held by any such bank, which any director, or officer, or agent of the said bank shall be the drawer, giver, or endorser of, and which shall have been made, given, or endorsed for or on account of any director, or officer, or agent of the said bank, or which shall have been discounted for the benefit of any director, or officer, or agent of the said bank, be paid to the said bank or to its receiver or receivers, or trustees, in the depreciated bills or notes of the said bank; but all such debts shall be paid either in specie or in other bank bills or notes passing current in this state at the time, at their par value; and all payments made or received contrary to this section are hereby declared null and void, and of no effect.

Officers of any bank, the notes of which are depreciated, prohibited from paying debts owed by them to the bank, in such notes.

SEC. 4. *And be it enacted*, That if any director, cashier, book-keeper, or other officer or agent of any such bank, shall knowingly overdraw his account with the bank of which he shall be a director, officer, or agent, by means whereof he shall wrongfully obtain the money, notes, or funds of the said bank, or shall in any way wrongfully use or employ any of the money, notes, or funds of the said bank for his own private use and benefit, and contrary to his duty or trust as a director, or officer, or agent of the said bank, he shall make good the same, and pay therefor, during the time he shall have had the same, at the rate of ten per centum per annum thereon.

Officer over-drawing his account, to make good the same, with ten per cent. thereon.

SEC. 5. *And be it enacted*, That if any director, cashier, book-keeper, or other officer or agent of any such bank, shall knowingly overdraw his account with the bank of which he shall be a director, officer, or agent, for his own private use and benefit, or shall in any way knowingly or wrongfully convert to his own use and benefit any of the money, bills, notes, or other funds of the said bank, with intent to defraud said bank, in every such case the person so offending shall be judged guilty of a high misdemeanor, and, on being thereof convicted, shall be punished by fine, not exceeding one thousand dollars, or imprisonment at hard labor, not exceeding five years.

Penalty for over-drawing.

SEC. 6. *And be it enacted*, That whenever any incorporated company shall have become insolvent, it shall and may be lawful for any creditor or stockholder of the said company to apply, by petition or bill of complaint, to the chancellor, setting forth the facts and circumstances of the case, for a writ of injunction and the appointment of a receiver or receivers, or trustees; whereupon the chancellor, being satisfied of the sufficiency of said application, and also of the truth of the facts and allegations contained in the said petition or bill, by affida-

When chancellor to grant injunction to restrain banking operations.

vit or otherwise, and upon giving, when so ordered, such reasonable notice, to be served or published, as the chancellor, in an order to be made for that purpose, shall direct, the chancellor may proceed in a summary way to hear the affidavits, proofs, and allegations which may be offered by or on behalf of the parties; and if, upon such inquiry into the matters or cause of complaint, it shall be made to appear to the chancellor that the said company has become insolvent, and shall not be about to resume its business in a short time thereafter, with safety to the public, and advantage to the stockholders, it shall and may be lawful for the chancellor to issue an injunction to restrain the said company and its officers and agents 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 estate, moneys, funds, lands, tenements, or effects of the said company, until the court shall otherwise order.

What acts of the officers shall be proofs of insolvency.

SEC. 7. *And be it enacted,* That whenever two or more of the directors, or the cashier of any banking company, shall admit that the said bank is insolvent or unable to pay its debts, and the said bank shall neglect or refuse to pay its just debts, when demanded within the usual and proper hours of business, or whenever such banking company shall have stopped payment, by neglecting or refusing to redeem their bills, notes, or other evidences of debt in specie or in the notes of some other incorporated bank, current at the time in this state, at par value, for want of funds, or shall have closed its doors during banking hours, or taken any other measures with intent to prevent the creditors of the said bank from demanding payment of their just debts, or from presenting the notes or bills of the said bank for redemption as aforesaid, or shall have suspended the ordinary business of the said bank for want of funds to carry on the same, the said banking company shall from the time thereof be deemed and considered insolvent, within the true intent and meaning of this act.

Chancellor to appoint receiver; his duty.

SEC. 8. *And be it enacted,* That it shall and may be lawful for the Court of Chancery, if the circumstances of the case and the ends of justice require it, at the time of ordering the said injunction, or at any other time afterwards during the continuance of the said injunction, to appoint a receiver or receivers, or three trustees, with full power and authority to demand, sue for, collect, receive, and take into their possession all the goods and chattels, rights and credits, moneys and effects, lands and tenements, books, papers, choses in action, bills, notes, and property of every description, belonging to the said company at the time of their insolvency or suspension of business as aforesaid, and to sell, convey, or assign all the said real or personal estate, and to pay into the Court of Chancery all the mo-

neys and securities for money arising from such sales, or which the said receiver or receivers, or trustees, shall collect or receive by virtue of the authority vested in them, to be disposed of by the said receiver or receivers, or trustees, from time to time, under the order of the said court, among the creditors of the said company, first making to the receiver or receivers, or trustees, such reasonable compensation as the chancellor may deem just and proper, and also deducting the costs of the proceedings in the said court.

SEC. 9. *And be it enacted*, That before the said receiver or receivers, or trustees, shall be capable of acting, he or they shall comply with such terms as the chancellor, in his order appointing him or them, may prescribe, and he or they shall, respectively, take and subscribe the following oath or affirmation, before one of the masters of the Court of Chancery, or before the chancellor :—“ I do swear (or affirm) that I will faithfully, honestly, and impartially execute the powers and trusts reposed in me as receiver or trustee, as the case may be, for the creditors and stockholders of the and that without favor or affection;” which oath or affirmation shall be filed in the office of the clerk in chancery, within ten days after the taking thereof.

To comply with the terms prescribed by the chancellor.

Oath.

SEC. 10. *And be it enacted*, That it shall and may be lawful for the receiver or receivers, or trustees, in order to enable them to ascertain and secure the property and effects of the company for which he or they shall be appointed as aforesaid, to send for persons and papers, and to examine the said persons, and the president, directors, managers, cashier, and all other officers and agents of the said company, on oath or affirmation, which oath or affirmation the said receiver or receivers, or trustees, are hereby empowered to administer, respecting the affairs and transactions of the said company, and the estate, money, goods, chattels, credits, notes, bills, and choses in action, real and personal estate, and effects of every kind, of the said company; and if any such person shall refuse to be sworn or affirmed, and to make answer to such questions as shall be put to him, or shall refuse to declare the whole truth touching the subject matter of the said examination, then it shall be lawful for the chancellor, on report made to him by the said receiver or receivers, or trustees, to commit such person to prison, there to remain until he shall submit himself to be examined as aforesaid, and shall pay all the costs of such proceedings against him.

Powers of receiver.

Persons refusing to swear to be committed to prison, and to pay costs.

SEC. 11. *And be it enacted*, That it shall be lawful for the said receiver or receivers, or trustees, with the assistance of a peace officer, to break open, in the day time, the houses, shops, warehouses, doors, trunks, chests, or other places of the said company for which he or they shall be appointed receiver or receivers, or trustees as aforesaid, where any of the said company's goods, chattels, choses in action, notes, bills, moneys, books, papers, or other writings or effects have been usually kept, or shall be, and to take possession of the same, and also

Receiver empowered to take possession of company's goods and lands &c.

to take possession of the lands and tenements belonging to said corporation.

Receiver to lay before chancellor an inventory of the effects of the company.

SEC. 12. *And be it enacted*, That it shall be the duty of the receiver or receivers, or trustees, so to be appointed, as soon as they conveniently can, after taking possession of the estate and effects of the company for which he or they shall be appointed as aforesaid, to lay before the Court of Chancery a full and complete inventory of all the estate, property, and effects of the said company, its nature and probable value, and an account of all the debts due from the said company, and of the debts to it, as near as the said receiver or receivers, or trustees can ascertain the same at that time; and also to make a report of their proceedings to the said court every six months thereafter, until the said trust shall be completed.

To make report every six months.

Empowered to commence suits, compound with debtors, &c.

SEC. 13. *And be it enacted*, That the receiver or receivers, or trustees, so to be appointed, shall be deemed and taken to be a receiver or receivers, or trustees for the creditors and stockholders of the company for which they shall be appointed, with full power and authority, whenever they shall deem it proper, to institute suits at law or in equity in his or their own name or names, as receiver or receivers, or trustees as aforesaid, for the recovery of any estate, real or personal, debts, rights in action, damages, and demands whatsoever and wheresoever existing in favor of the said company at the time of the insolvency or suspension of business, as aforesaid, of the said company, or accruing subsequent thereto; and with power and authority, in their discretion, to compound and settle with any debtor of the said company, or with persons having possession of their property, or in any way responsible in law or equity to the said company at the time of its insolvency or suspension of business as aforesaid, upon such terms, and in such manner, as the said receiver or receivers, or trustees shall deem just and beneficial, under all the circumstances, to the persons interested in the funds and property of the said corporation; and in case of mutual dealing between the said corporation and any other person or persons, to allow just set-offs in favor of such persons, in all cases in which it shall appear to the said receiver or receivers, or trustees that the same ought to be allowed, according to law and equity: *Provided*, that where a debtor shall have paid bona fide his debt to the said company, without notice that the said company had become insolvent, or had suspended its business, as aforesaid, he, she, or they shall not be liable to pay the same to the receiver or receivers, or trustees.

Proviso.

Claims of creditors, how adjudicated.

SEC. 14. *And be it enacted*, That any creditor who shall lay his claim before the receiver or receivers, or trustees, appointed in pursuance of this act, may, at the same time, declare his desire that a jury may decide thereon; and, in like manner, the said receiver or receivers, or trustees, may require

that the same shall be referred to a jury ; and, in either case, such request shall be entered on the minutes of the said receiver or receivers, or trustees, and thereupon an issue shall be made up between the parties, under the direction of one of the justices of the Supreme Court, and a jury impanelled, as in other cases, to try the same at the Circuit Court next to be holden in the county in which the said company carried on their business : the verdict of such jury shall be subject to the control of the Supreme Court, as in suits originally instituted in the said court, and when rendered, if not set aside by the court, shall be certified by the clerk of the Supreme Court, to the said receiver or receivers, or trustees ; and such creditor or creditors shall be considered, in all respects, as having proved their debts for the amounts so ascertained to be due to them.

SEC. 15. *And be it enacted,* That every matter and thing by this act required to be done by the receiver or receivers, or trustees, of any such incorporated company, shall be good and effectual, to all intents and purposes, if performed by a majority of them : and it shall and may be lawful for the Court of Chancery to remove any receiver or receivers, or trustees, so to be appointed, and to appoint another or others in his or their place or places, or to fill any vacancy or vacancies which may occur, as the said court may deem expedient and proper.

Chancellor may remove receiver, and appoint another.

SEC. 16. *And be it enacted,* That in payment of the creditors, and distribution of the funds of any such company, the creditors shall be paid proportionally to the amount of their respective debts, excepting mortgage and judgment creditors when the judgment has not been by confession for the purpose of preferring creditors ; and that the said creditors shall be entitled to such distribution on debts not due, making in such case a lawful rebate of interest, when interest is not accruing on the same ; and the surplus funds, if any, after payment of the creditors, and the costs and expenses as aforesaid, may be divided and paid to the stockholders proportionally, according to their respective shares.

Creditors to receive proportionally, excepting mortgage and judgment creditors.

Surplus to be divided among stockholders.

SEC. 17. *And be it enacted,* That in all suits in any court of law or equity which shall be pending in the name of any such incorporated company as aforesaid, at the time of the appointment of a receiver or receivers, or trustees, as aforesaid, it shall be lawful for the said courts, and they are hereby directed, on application of the said receiver or receivers, or trustees, to cause the said receiver or receivers, or trustees, to be substituted as plaintiff or plaintiffs, in the place and stead of the said company, or to carry on such suit in the name of the said company, for the use of the said receiver or receivers, or trustees.

In suits depending at the time receiver is appointed, he is to be substituted as plaintiff.

SEC. 18. *And be it enacted,* That in case any such company, or person or persons whatever, shall think themselves or himself aggrieved by the proceedings or determination of the said receiver or receivers, or trustees, in the discharge of their

Chancellor to hear and decide complaints against proceedings of receiver.

duty, it shall be lawful for the party aggrieved to appeal to the chancellor, who shall, in a summary way, hear and determine the matter complained of, and make such order touching the same as shall be equitable and just; and the chancellor, in the execution of the powers and authority under this act, is hereby vested with all the jurisdiction and power which is lawful for the Court of Chancery to exercise in suits depending in that court, and may proceed according to the rules, principles, and practice of that court, excepting when otherwise directed by this act; and all cases brought before the chancellor, under this act, shall be considered as depending in the Court of Chancery, and the orders and decisions carried into effect the same as in other causes of equity jurisdiction.

Upon a proper case, chancellor to appoint commissioners to investigate the affairs of any bank: if company refuse, chancellor to declare them insolvent.

SEC. 19. *And be it enacted*, That it shall be the duty of the chancellor of this state, upon application made to him by petition by two or more directors, creditors, or stockholders of any banking company in this state, upon a proper case, made by the oath or affirmation of the petitioners or others, in his discretion, to appoint one or more commissioner or commissioners, with full power to investigate the situation and affairs of the said bank, and make report thereon without delay, under oath or affirmation, to the said chancellor: and it shall be the duty of the officers of the said bank to give the said commissioner or commissioners free access to the houses, shops, vaults, trunks, chests, notes, bills, moneys, books, papers, and every other place or thing of the said company, under pain of being declared insolvent by the said chancellor, in case of refusal; and, after the said commissioner or commissioners shall have made his or their report as aforesaid, it shall be the duty of the said chancellor, if in his opinion the interest of the public or of the stockholders requires it, to proceed against said bank, in the manner herein before directed with respect to insolvent banks.

Who to pay expenses of commissioners.

SEC. 20. *And be it enacted*, That the said commissioner or commissioners shall receive such reasonable compensation as the chancellor may deem just and proper, to be paid by, or recovered of the said petitioners, in case no injunction issues after his or their report is made; but if an injunction shall be issued, then to be paid out of the funds or assets of the said bank.

This act not to impair any right now existing.

SEC. 21. *And be it enacted*, That nothing in this act contained shall apply to any incorporated bridge, road, or turnpike company, literary or religious society, or destroy or impair any right or remedy already existing against any incorporated company.

C. February 16, 1829.

A SUPPLEMENT to an act entitled, "An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen," passed February twenty-fifth, eighteen hundred and twenty-eight.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That so much of the first section of the act to which this is a supplement as authorizes the managers therein named to make assessment upon the owners and possessors of a certain tract of woodland, therein named, for the purpose of making one half of the fences in the line of partition between the said tract of woodland and the adjoining lands, be, and the same is hereby repealed.

Certain parts  
of a former  
act repealed.

C. February 18, 1829.

AN ACT to repeal an act establishing the township of Centreville, in Salem county, and the supplement thereto.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the act establishing a new township in the county of Salem, called Centreville, passed the nineteenth day of November, one thousand eight hundred and twenty-one, and the supplement to said act, passed the nineteenth of November, one thousand eight hundred and twenty-three, be, and the same are hereby repealed.

Former acts  
repealed,

SEC 2. *And be it enacted,* That the commissioners now in office for said township for taking the acknowledgments or proofs of deeds, shall hold their offices during the term for which they were appointed.

with an ex-  
ception.

C. February 18, 1829.

AN ACT to extend the "Act incorporating State Banks in New-Jersey."

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the act entitled, "An act to establish State Banks

Charters ex-  
tended to de-  
finite periods.

in New-Jersey," passed January twenty-eighth, one thousand eight hundred and twelve, with the supplements thereto, be, and the same are hereby extended and declared to be continued, so far as regards "The President, Directors, and Company of the State Bank at Morris," until the first Monday in February, in the year of our Lord one thousand eight hundred and forty-nine; so far as regards "The President, Directors, and Company of the State Bank at Elizabeth," until the first Monday in February, in the year of our Lord one thousand eight hundred and fifty-one; so far as regards "The President, Directors, and Company of the State Bank at Camden," until the first Monday in February, in the year of our Lord one thousand eight hundred and fifty-two; so far as regards "The President, Directors, and Company of the State Bank at Newark," until the first Monday in February, in the year of our Lord one thousand eight hundred and fifty-three; and so far as regards "The President, Directors, and Company of the State Bank at New-Brunswick," until the first Monday in February, in the year of our Lord one thousand eight hundred and fifty-five: *Provided*, that they shall not take more than at the rates of six per centum per annum for or upon their loans or discounts.

Proviso.

C. February 19, 1829.

---

AN ACT concerning the public streets and highways in the township of Salem.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That from and after the passing of this act, it shall not be lawful for any inhabitant of the township of Salem, in the county of Salem, or other person or persons, to dig up, remove, or carry away any soil, earth, sand, or gravel, being within the bounds of any of the public streets or highways in the said township of Salem, for the purpose of conveying the same out of the said streets or highways to be appropriated to the private use or benefit of any person or persons, whomsoever; and it is hereby made the duty of the township committee of the said township, for the time being, to prosecute, in the corporate name of the said township, all persons who shall offend against the provisions of this section, in an action of trespass, before any court of competent jurisdiction in the county aforesaid, whether held in the said township or elsewhere, for the recovery of all damages which the said township shall sustain by or in consequence of any such offence: *And further*, that all moneys collected by virtue of this act shall be

Certain acts prohibited, and penalties for violation thereof.

paid by the township committee to the collector of the township, for the use thereof, and that all expenses and costs which the township committee may incur in any prosecution to be by them instituted in pursuance of the directions of this act, shall be paid by the said township.

Moneys, how to be appropriated.

SEC. 2. *And be it enacted*, That any of the inhabitants of the township of Salem aforesaid, notwithstanding they may be subject to taxation therein for township purposes, shall be deemed and taken to be competent witnesses for the said township on the trial of any action or actions to be brought by virtue of this act.

Inhabitants competent witnesses.

C. February 20, 1829.

AN ACT to restore the navigation of Woodbury Creek, in the county of Gloucester.

WHEREAS, by the memorial and petition of the inhabitants of Woodbury, and a number of other citizens of the county of Gloucester, as well as by the petition of certain meadow owners on Woodbury creek, it is represented and set forth, that the removal of the existing obstructions to the navigation of Woodbury creek, in the county of Gloucester, from the town of Woodbury to the river Delaware, would be productive of great and important advantages to the public, and that the said inhabitants of Woodbury, and others interested in the said navigation, are willing to open and clear out the same, at their own private expense—Therefore,

Preamble.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That James Matlack, Jacob Glover, and Ephraim Miller, be, and they are hereby appointed commissioners, any two of whom shall have power and authority to open and clear out the navigation of Woodbury creek, in the county of Gloucester, from the town of Woodbury to the river Delaware: *And also*, to cut, remove, and clear away any timber, logs, bridges, or other thing whatsoever having a tendency to obstruct the navigation, or that in the opinion of the commissioners may endanger the same, (always excepting the bridge across said creek in the Crown Point road) doing as little damage to the owners or proprietors of any of the said lands as possible; and, for the purpose aforesaid, the said commissioners, their agents, artificers, laborers, wagons, carts, horses, oxen, and machinery, of whatever kind it may be, shall between the first day of September and the first of May, ha

Names of commissioners, their powers, privileges &c.

free ingress, egress, and regress into and upon any land, meadow, or marsh adjoining or contiguous to the said creek.

Proprietors of two-thirds of the meadow may erect bank, dam &c.

SEC. 2. *And be it enacted,* That it shall and may be lawful for the proprietors of two-thirds of the meadows on the said Woodbury creek, above the bridge in the main street or road to Camden, liable to be overflowed by the tide, at any time hereafter to erect and maintain a bank, dam, sluice, floodgates, or other device for preventing such overflow of the tide: *Provided,* that such sluice or floodgates shall not be placed within a nearer distance than forty yards from said bridge.

The navigation to be improved and effected by individual enterprize.

SEC. 3. *And whereas* it is understood and intended, that the opening and clearing out the navigation, as aforesaid, is to be accomplished by individual enterprize, and the charges and expenses which may be incurred by the commissioners, in the prosecution of the powers and duties under this act, defrayed without the aid of public funds, therefore, *Be it enacted;* that the said commissioners shall have power to collect, receive, and appropriate to the objects of their appointment, all sums of money which may be subscribed or paid to them for the purposes aforesaid; and it shall be their duty to keep a just and fair account of all their receipts and disbursements, and present the same for examination, whenever required so to do by a majority of the contributors: and it shall be lawful for the said contributors, or a majority of them, when met, to fix and determine the amount of compensation of the said commissioners for their services under this act.

Commissioners to be compensated for their services.

SEC. 4. *And be it enacted,* That it shall not be lawful for the commissioners aforesaid to cut, remove, and clear away the dam at or near the mouth of the said creek, or do any other act or thing by which the tide shall be let into the said creek, without first giving notice, in writing, of the day and time when they intend so to cut, remove, and clear away the same; which notice shall be served personally upon each and every of the owners or occupiers of meadows adjoining the said creek, between the town of Woodbury and the river Delaware, so far as they may be found, at least two years before the time so determined upon; and that the said commissioners shall also give public notice thereof, by causing the same to be published in the newspaper printed at Woodbury, within one month after the passage of this act, and continued therein for the space of one year.

Personal notice to be given by the commissioners to the owners &c., of the time of opening the creek.

SEC. 5. *And be it enacted,* That in case of the death, resignation, or inability to act of any of the said commissioners, it shall be lawful for the governor or person administering the government of this state to appoint a fit person in his place.

Vacancies, how to be filled.

Certain privileges reserved to William Cooper and heirs.

SEC. 6. *And be it enacted,* That it shall and may be lawful for William Cooper and his heirs or assigns, at any time hereafter, to erect and maintain a bridge across the said Woodbury creek, at such point or place on his farm above the Crown

Point road as to him may seem proper: *Provided nevertheless*, that the said bridge so to be erected and maintained shall at no time occasion any greater hindrance or obstruction to the navigation of the said creek than is or may be for the time being occasioned by the bridge across the same in the aforesaid Crown Point road. Proviso.

SEC. 7. *And be it enacted*, That so much of the act entitled, "An act to enable the owners and possessors of the lower meadows on Woodbury creek, in the county of Gloucester, (henceforth to be called 'the Lower Meadow Company of Woodbury') to keep up and maintain the dam, banks, and other waterworks already made and erected, and make such new ones as may be necessary for the more effectual draining and watering said meadows," passed the eighth year of George third, and so much of any other act or acts as come within the purview of this act, be, and the same is hereby repealed. Former acts repealed.

A. February 19, 1829.

AN ACT appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased.

WHEREAS Flavel Woodruff, late of Chatham, in the county of Morris, died, leaving a last will and testament, which was duly proved in the surrogate's office of the county of Morris, on the twelfth day of August, one thousand eight hundred and nineteen, in which, among other things, he did order and direct as follows, to wit:—"That when my youngest child, which then be living, shall have arrived at the age of eighteen years, that such of my property as shall be then remaining, be divided, as follows, among my children, that is to say, equally share and share alike, according to law."— Preamble.  
 AND WHEREAS the said Flavel Woodruff, at the time of his death, left ten children, nine of whom were minors, under the age of twenty-one years, and left no personal estate for the support and education of the said minors: AND WHEREAS the real estate of the said deceased consists principally in the value of the buildings thereon, which furnish a place of abode for the widow and the minor children of said deceased, but which do not, and cannot produce rents, issues, or profits sufficient for their support, and which, for want of necessary repairs, are going rapidly to decay; and as the undivided right of the said minors, or some of them, must be sold, from time to time, by order of the Orphans' Court, for their support and education, by which reason the real estate of said deceased cannot be kept together till the

youngest child arrives at the age of eighteen years, so as to be divided equally among them at that time; and the widow of the said deceased, and the children who are of lawful age, having petitioned the legislature for a law authorizing the sale of the real estate of the said deceased, as the only means by which any part thereof can be saved for the said minor children; and this being the opinion of the near relations and friends of the family—Therefore,

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That William Brittin, William B. Woodruff, Stephen J. Meeker, and Stephen D. Hunting be, and they are hereby appointed trustees, with full power to sell and convey the lands and real estate late of the said Flavel Woodruff, deceased, situate in the county of Morris, in fee simple, for the highest sum or sums of money the same will bring; and for the same, or any part thereof, to execute and deliver in due form of law, in their own names, or in the name of the survivor of them, as trustees or trustee aforesaid, a good and sufficient deed or deeds of conveyance, according to the estate, right, title, and interest, which the said Flavel Woodruff had in the same at the time of his death, and which sale or sales so made and confirmed by deed, shall entitle the purchaser or purchasers to all the estate, right, title, claim, interest, and demand which the said Flavel Woodruff, deceased; had in the premises at the time of his death, and which the widow and children of the said Flavel Woodruff, deceased, now have in and to the same.

Names of the trustees; their powers and duties prescribed &c.

SEC. 2. *And be it enacted*, That the said trustees, the survivors and survivor of them, shall keep a fair account of the sales so made by them under this act, and after deducting all legal costs and expenses, to be allowed by the Orphans' Court, of the county of Morris, and paying all just debts of the said Flavel Woodruff, which his personal estate may be insufficient to satisfy, if any there be, shall place and keep out all the said money, upon good and sufficient bond and mortgage, under the direction of the said Orphans' Court, and pay over the interest arising therefrom, one-third part to the widow of the said Flavel Woodruff, during her natural life, and the remaining part of the interest to and for the support of the children of the said Flavel Woodruff, until the youngest of the said children then living shall arrive at the age of eighteen years; and after such youngest child shall arrive at that age, to divide the principal moneys among all the said children then alive, share and share alike; and if any of the said children should die before such distribution shall take place, leaving a child or children, such child or children shall take the share its parent would have been entitled to, if living; and if more than one child, share and share alike: *Provided always*, that the one-

Trustees to keep a fair account of the sales,

and to make proper distribution of the moneys received to the widow and children, &c.

third part of the principal moneys reserved for the use of the widow of said Flavel Woodruff, shall not be distributed until the decease of the said widow, or she shall release her right to the same.

SEC. 3. *And be it enacted*, That before the said William Brittin, William B. Woodruff, Stephen J. Meeker, and Stephen D. Hunting, engage in the trust assigned them by this act, they shall enter into bond to the governor of this state, in such sum, and with such security, as the judges of the Orphans' Court of the county of Morris shall approve, conditioned for the faithful performance of the said trusts; which bond shall be deposited in the secretary's office of this state.

Trustees to give bond to the governor, to be filed in the secretary's office.

SEC. 4. *And be it enacted*, That the said William Brittin, William B. Woodruff, Stephen J. Meeker, and Stephen D. Hunting, or the survivor or survivors of them, shall, within six months after the sale or sales of said lands and real estate, make, subscribe, and exhibit, under oath, to the surrogate of the county of Morris, a true statement of the amount of such sales, to be by him recorded and filed; and the said William Brittin, William B. Woodruff, Stephen J. Meeker, and Stephen D. Hunting, their executors, administrators, and assigns, shall be accountable for all moneys received by them, in virtue of this act: *Provided always*, that no sale or conveyance of the lands or tenements of the said deceased, made under this act, shall affect the rights of any person or persons, other than the widow and children of the said Flavel Woodruff, deceased, and their legal representatives.

Trustees, at a specified time to give, under oath, a true statement of their proceedings, &c.

SEC. 5. *And be it enacted*, That the said trustees be, and they are hereby authorized to receive of, and from the executors appointed by the said Flavel Woodruff, deceased, in his said last will and testament, all moneys in their hands belonging to the estate of the said deceased, if any there be; and it is hereby made the duty of the said trustees, to dispose thereof in the same manner as is directed in the second section of this act concerning the proceeds of the real estate of the said deceased,

Further duties of the trustees prescribed.

C. February 12, 1829.

AN ACT to incorporate religious societies worshipping according to the customs and usages of the Protestant Episcopal Church.

WHEREAS the act entitled, "An act to incorporate trustees of religious societies," passed the twelfth day of June, one thousand seven hundred and ninety-nine, is, in some respects,

Preamble.

inconsistent with the constitution, usages, and customs of the Protestant Episcopal Church in this state.—AND WHEREAS the convention of said church have prayed the aid of the legislature in the premises—Therefore,

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That when any congregation of the Protestant Episcopal Church in this state, duly organized according to the constitution and usages of said church, desire to form themselves into a body corporate, notice shall be given of such intention ten days previously, by an advertisement set up in open view at or near the place where such congregation usually assemble for divine service, designating the day when, and the place where, they design to meet for that purpose.

Certain privileges granted to the Episcopal Church.

SEC. 2. *And be it enacted,* That the congregation, having met at the time and place appointed, the rector or minister, or if there be no rector or minister, or he be necessarily absent, one of the churchwardens or vestrymen shall preside at the meeting, and the secretary of the vestry shall record the proceedings of the meeting. The congregation shall then proceed, by a vote of the majority of those present, to designate the corporate name or title by which the church shall be known, which shall be in the manner and form as follows: "the Rector, Wardens, and Vestrymen of \_\_\_\_\_ Church in \_\_\_\_\_."

Who to preside at meetings convened to designate the corporate name of any new church.

The congregation shall then choose two wardens, and not more than ten, nor less than five vestrymen, and also fix and determine the day, annually, on which new elections of officers shall take place. A certificate of these proceedings, under the hands and seals of the president and secretary of the meeting, shall be transmitted to the clerk of the Court of Common Pleas of the county, whose duty it shall be to record the same, for which he shall be entitled to receive the usual compensation for similar service.

SEC. 3. *And be it enacted,* That the rector, wardens, and vestrymen, appointed as aforesaid, shall be a body corporate and politic, in law and in fact, to have continuance for ever, under the same restrictions, and with the same rights and privileges, as are expressed in the "Act to incorporate trustees of religious societies," passed the twelfth day of June, one thousand seven hundred and ninety-nine: *Provided nevertheless,* that if at any time the church be without a minister or rector, the same rights and privileges shall be vested in the wardens and vestrymen.

To be a body corporate and politic.

Proviso.

SEC. 4. *And be it enacted,* That the rector, wardens, and vestrymen, and their successors, or a majority of them, may make such rules, by-laws, and ordinances, and do every thing needful and requisite for the good government and support of the church; all of which shall be entered in a book to be provided and kept for that purpose: *Provided,* that the said rules,

Empowered to make by-laws &c.

Proviso.

by-laws, and ordinances shall not be repugnant to the constitution and laws of this state or of the United States.

SEC. 5. *And be it enacted*, That the qualification of voters at the annual elections shall be conformable to the constitution and principles of the Protestant Episcopal Church in New-Jersey. Qualification of voters, &c.

SEC. 6. *And be it enacted*, That the rector, wardens, and vestrymen shall choose a treasurer, who, when called upon for that purpose, shall render a true and just account to the corporation, of all moneys by him received and expended, and pay over the balance which may remain in his hands at the time of settlement, to his successor in office. A treasurer to be chosen; his duty, &c.

SEC. 7. *And be it enacted*, That when a vacancy shall occur in the office of minister or rector, by death, removal, or otherwise, the said wardens and vestrymen (two-thirds of them concurring in the choice) may choose some fit person, duly qualified, to act as minister or rector of said church, agreeably to the constitution of the Protestant Episcopal Church in the United States of America; and the minister or rector so chosen shall preside at all meetings of the wardens and vestrymen, and have a casting vote, except the business or question to be decided has relation to personal interest of said minister or rector: *Provided*, that, in the absence of the president, the wardens and vestrymen may choose a president pro tempore. Wardens and vestrymen authorized, under certain contingencies, to choose a minister &c.

SEC. 7. *And be it enacted*, That it shall and may be lawful for any Protestant Episcopal Church in this state, incorporated under existing laws, to embrace the privileges of this act, by compliance with, and adopting its provisions. Proviso. Who may embrace the privileges of this act.

C. February 17, 1829.

AN ACT to carry into effect the partition of lands made by Richard Stout and Thomas Stout.

WHEREAS it appears, by the petition of John Stout, administrator, and Sarah Stout, widow and administratrix of Richard Stout, late of the county of Monmouth, deceased, and Thomas Stout, that, by the last will and testament of Thomas Stout, senior, a certain tract of land, situate in the township of Middletown, in said county of Monmouth, containing eighty-one acres and forty-hundredths of an acre, was devised to the said Richard Stout and Thomas Stout, junior, as tenants in common; that, in the year eighteen hundred and twelve, the said Richard Stout and Thomas Stout, having taken possession of said lands, agreed to make partition of the same, and actually made such partition by metes and Preamble.

bounds, since which period each enjoyed the one half of said tract of land, in severalty, until the month of October, eighteen hundred and twenty-eight, when the said Richard departed this life, leaving five children, viz: Peter, Ann, Thomas, Ten Brook, and Edward, all of whom are minors; and without having executed and delivered to the said Thomas a release for the part so held by him in severalty, or having received such release from him.—AND WHEREAS it is represented, that the said Richard, in his lifetime, made considerable valuable improvements on the said lands so as aforesaid held by him in severalty, and that it is for the interest of the heirs at law of the said Richard that the title to said land, so held in severalty by the said Richard in his lifetime, should be confirmed in his heirs at law—Therefore,

BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That John Stout and Sarah Stout, administrators of Richard Stout, deceased, shall have full power and authority to execute and deliver unto Thomas Stout a deed of release, or such other acquittances for the lands so as aforesaid held in severalty by the said Thomas Stout, and that the said Thomas Stout shall have full power and authority to release and convey to the heirs at law of the said Richard Stout the lands so as aforesaid held in severalty by the said Richard in his lifetime; which releases shall be as good and effectual in law as if the same were executed and delivered by the said Richard and Thomas in the lifetime of the said Richard: *Provided always*, that this act shall not affect any dower right which the said Sarah Stout, widow and administratrix, may have in the lands so as aforesaid held in severalty by the said Richard in his lifetime.

C. February 18, 1829.

A FURTHER SUPPLEMENT to an act entitled, "An act to empower the governor of this state to incorporate a company to cut a canal to shorten the navigation of Salem creek, in the county of Salem and state of New-Jersey," passed November seventeenth, one thousand eight hundred.

SEC. 1. BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That if any lands through or over which the said canal is located, or any lands required for the use of the

said canal, not exceeding the quantity authorized by the act to which this is a supplement, or the supplement thereto, passed December fifth, one thousand eight hundred and twenty-five, are possessed by a tenant for a term of years or for life, and the estate in fee simple is owned by a feme covert or person under the age of twenty-one years, or otherwise disqualified to make a contract for the sale of such lands or privileges, when a jury shall be summoned according to the provisions of the act to which this is a supplement, to make a valuation of such lands, it shall be the duty of the said jury to assess the damages of the said tenant for years or life, and the valuation of the said fee in the said lands, separately, and return their said inquest to the clerk of the Supreme Court of New-Jersey, as is provided in and by the said act of November seventeenth, one thousand eight hundred.

On certain contingency, a jury to be called to assess damages, and return their inquest to the clerk of the Supreme Court.

SEC. 2. *And be it enacted*, That the said company shall, within twenty days after the said inquest is made and filed in the said clerk's office, pay the said tenant the sum of money to him awarded.

Duty of the company prescribed.

SEC. 3. *And be it enacted*, That the money assessed by the said jury, as the damages payable to the owner in fee, shall be secured to the said owner by bond given by said company to the said owner or owners, with such security as shall be approved of by two judges of the Court of Common Pleas of the said county of Salem, conditioned for the payment of the said sum of money, at such time as the said owner in fee would be entitled to the possession of said estate, and the same shall remain a lien on the said lands so taken for the use of the said canal.

Damages payable to the owners by said company, to be secured by bond, &c.

SEC. 4. *And be it enacted*, That if there shall not be any person to whom the said money so assessed can be paid, or if the person authorized to receive the same shall refuse to receive it, it may and shall be lawful for the said company, in that case, to pay the said money so assessed into the office of the clerk of the Supreme Court, to be kept by the said clerk until the person entitled to have the same will take it.

On refusal of the owner to receive the money assessed, the company to pay the same to the clerk of the Supreme Court.

SEC. 5. *And be it enacted*, That when the said assessment shall have been made, and the money so assessed by the said jury paid either to the person entitled to the same, or into the clerk's office, or secured by bond, as in and by the third section of this act is provided, it shall be lawful for the said company and their agents to enter into the said lands for the purposes in the said act mentioned; and they shall not be hindered, delayed, or stopped from progressing with the said work by any writ of injunction or other writ.

Previous requisitions being complied with, the company authorized to complete their work.

SEC. 6. *And be it enacted*, That so much of the sixth section of the act entitled, "A supplement to an act entitled an act to empower the governor of this state to incorporate a company to cut a canal to shorten the navigation of Salem creek, in the county of Salem, and state of New-Jersey," passed No-

Certain specified parts of a former act repealed.

member seventeenth, one thousand eight hundred, which supplement was passed the eighth day of December, one thousand eight hundred and twenty-five, as directs the number of managers to be chosen to be ten, be, and the same is hereby repealed.

A. February 19, 1829.

A SUPPLEMENT to the act entitled, "An act to incorporate the Elizabethtown Mutual Assurance Fire Company," passed the tenth day of November, in the year of our Lord one thousand eight hundred and twelve.

SEC. 1. *BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the act to which this is a supplement, and all the provisions thereof, except so far as the same shall be modified, amended, altered, or repealed by this act, shall be, and the same is and are hereby extended and continued in force until the first day of April, in the year one thousand eight hundred and sixty.

Former act extended to a certain period.

SEC. 2. *And be it enacted,* That the property and concerns of the said corporation shall be managed and conducted by fifteen directors.

Number of directors increased.

SEC. 3. *And be it enacted,* That the directors shall meet once in each and every month, and oftener if need be, at such time and place as the said directors shall appoint, for transacting the business of the said company.

To meet once a month.

SEC. 4. *And be it enacted,* That it shall and may be lawful for the said corporation to ensure all kinds of household furniture, goods, wares, and merchandise, in addition to houses, stores, and other buildings, mentioned in the eighth section of the act to which this is a supplement.

Further privileges granted to the corporation.

SEC. 5. *And be it enacted,* That every person who shall be a member of the said company, and continue to pay annually the amount of premium required by the by-laws of said company for and during the period of ten years, or shall pay in advance, at the commencement, the annual premiums for eight years, he or she shall be considered as ensured for and during the time that the said corporation shall continue to exist, without any further payment, unless the losses sustained by the said corporation should exceed the interest of the funds already paid in; and if such loss should occur, it may and shall be lawful for the board of directors for the time being to require such further premium from the members of the said company, to

The privileges of members of the company, &c.

be paid to the treasurer thereof, as shall amount to the sum of ten premiums aforesaid: *Provided nevertheless*, that any member may withdraw from the said company at any time he or she may desire, by forfeiting the premiums already paid into the said company, and shall not be liable to pay any other sum or sums of money, or any other tax or assessment, than that or those already paid, before he or she withdraw from the said company.

Proviso.

SEC. 6. *And be it enacted*, That from and after the passing of this act, no person shall be admitted as a member, and entitled to all the benefits and privileges of the said corporation, unless he or she shall first pay or cause to be paid to the treasurer thereof, the same amount of premium as is already paid to the said company, by the first ensured members thereof, and the interest accrued thereon; nor shall any person be admitted as a member, after the expiration of ten years, from the passing of this act; but any person or persons applying, may have their property ensured by paying or causing to be paid to the treasurer, such premium as may be required by the by-laws of the said corporation.

No member to be admitted, except he pay the amount of premium and interest, &c.

SEC. 7. *And be it enacted*, That so much of the act, to which this is a supplement, as limits the duration of the said company, to the first day of April, one thousand eight hundred and thirty-seven, and all such other parts of said act, as are inconsistent with the provisions of this supplement, be, and the same is and are hereby repealed.

Part of a former act repealed.

C. February 20, 1829.

AN ACT to raise the sum of forty thousand dollars, for the year one thousand eight hundred and twenty-nine.

SEC. 1. *BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That there shall be assessed, levied, and collected, on the inhabitants of this state, their goods and chattels, and on the lands and tenements within the same, the sum of forty 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 thirty.

Amount of tax to be raised for the present year.

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

The sums each county to pay specified.

The county of Bergen shall pay the sum of two thousand five hundred and ninety-nine dollars and eighty-four cents.

The county of Essex shall pay the sum of three thousand eight hundred and twenty-two dollars and four cents.

The county of Middlesex shall pay the sum of three thousand two hundred and fifty-three dollars and thirty-six cents.

The county of Monmouth shall pay the sum of three thousand seven hundred and twenty-three dollars and sixty-eight cents.

The county of Somerset shall pay the sum of two thousand six hundred and forty-two dollars and eighty-six cents.

The county of Burlington shall pay the sum of four thousand three hundred and seven dollars and twelve cents.

The county of Gloucester shall pay the sum of three thousand three hundred and seventy-nine dollars and twenty-six cents.

The county of Cumberland shall pay the sum of one thousand five hundred and eighty-six dollars and eighteen cents.

The county of Salem shall pay the sum of two thousand one hundred and fifty-six dollars and sixty cents.

The county of Cape-May shall pay the sum of six hundred and forty-six dollars.

The county of Hunterdon shall pay the sum of four thousand five hundred and thirty-five dollars and eighty-four cents.

The county of Morris shall pay the sum of three thousand one hundred and thirty-six dollars and two cents.

The county of Sussex shall pay the sum of two thousand and twenty-five dollars and seventy cents.

The county of Warren shall pay the sum of two thousand one hundred and eighty-five dollars and fifty cents.

Ratable articles specified.

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

Every covering horse above three years old, any sum not exceeding ten dollars, to be paid by the person where the horse is kept; all other horses or mules, three years old and upwards, any sum not exceeding six cents.

All neat cattle, three years old and upwards, any sum not exceeding four cents.

Persons, articles, and things, how to be valued.

Proviso.

SEC. 4. *And be it enacted*, That, in assessing the aforesaid sum of forty thousand dollars, the following persons, articles, and things shall be valued and rated at the discretion of the assessors, to wit:—all tracts of land, any sum not exceeding one hundred dollars by the hundred acres: *Provided always*, that houses and lots of ten acres and under shall not be included in the above valuation, but shall be valued by the respective assessors, at their discretion, having regard to the yearly rent and value thereof, proportioning the same, as nearly as may be, to the valuation of the land aforesaid.

All holders, (under which description shall be included

all married men) the estimated value of whose ratable estate does not exceed thirty dollars, any sum not exceeding three dollars over and above their certainties and other estate made ratable by this act.

All merchants, shopkeepers, and traders, any sum not exceeding ten dollars.

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

All gristmills, for each run of stones, any sum not exceeding six 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 furnaces, any sum not exceeding ten dollars.

All sawmills, for each saw, any sum not exceeding eight dollars.

All forges that work pig iron, and forges and bloomeries 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 ten dollars.

All papermills, any sum not exceeding eight dollars.

All snuffmills, any sum not exceeding nine dollars.

All powdermills, any sum not exceeding fifteen dollars.

All oilmills, any sum not exceeding nine dollars.

All fullingmills, not connected with any woollen manufactory, any sum not exceeding four dollars.

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

All tanyards, where leather is tanned for sale or hire, for each vat, any sum not exceeding thirty cents.

Every single man, whether he lives with his parents or not, any sum not exceeding two dollars: *Provided*, that every single man possessed of a ratable estate, the tax whereof amounts to the sum above directed to be rated, shall be assessed for that estate only: *And provided also*, that any one taxed as a single man, shall not be taxed as a householder.

Every male slave under the age of sixty years, any sum not exceeding one dollar: *Provided* no slave shall be taxed who is unable to labor.

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

All other distilleries, used for distilling, any sum not ex-

ceeding nine dollars, having due regard to the size, capacity, and use of said stills.

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, any sum not exceeding five dollars.

Every two-horse stage-wagon, any sum not exceeding two dollars and fifty cents.

Every covered wagon, with a framed or fixed top, any sum not exceeding one dollar.

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

Every riding chair, gig, sulkey, or pleasure wagon, any sum not exceeding seventy-five cents.

Every dearborn-wagon, with steel, iron, or wooden springs, any sum not exceeding seventy-five cents.

Every printing, bleaching, and dyeing company, any sum not exceeding five dollars.

Every glass factory, where glass is manufactured for sale, any sum not exceeding five dollars.

Duties of assessors prescribed, &c.

SEC. 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 fair valuation of all the real estate made liable by law, having regard to the yearly rent and value thereof: and that the amount of the tax assessed in each township, above what is raised from the certainties, shall be levied by a percentage on such valuation.

SEC. 6. *And be it enacted*, That the said sum of forty thousand dollars, shall be assessed, levied, and collected in the manner prescribed in the act entitled, "An act concerning taxes," passed the tenth day of June, Anno Domini, one thousand seven hundred and ninety-nine, and the several supplements thereto; and the several officers therein mentioned are hereby required to perform the several duties on them enjoined thereby, under the pains and penalties for neglect of duty imposed by said acts; 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 the before recited acts.

C. February 21, 1829.

AN ACT to protect certain real property of John G. Leak, deceased.

WHEREAS it is represented to the legislature, that John G. Leak, late of the city of New-York, died seized of a small lot of cedar swamp, meadow ground, &c., situate in the township and county of Bergen, to which there is no heir known of in this country, adjoining lands of Peter Sip and others—  
AND WHEREAS it is further represented, that the said lot, and timber thereon, is daily receiving damage by sundry persons in the vicinity—Therefore,

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That John Engle be, and he is hereby appointed trustee, to take into his possession the lot of ground, cedar swamp, and meadow ground above described, with full authority to prosecute, in the name of the state, in an action of trespass, every person committing trespass thereon; and that the said trustee shall have care of, and prevent from waste the said premises, the same as if the title was vested in him, until this act be repealed, or other trustees appointed in his place: *Provided,* the said John Engle shall, when thereunto legally required, surrender the premises to the right heirs at law to the same, or to the authorities of this state, as the case may be, on further investigation of the descent of the real estate of the said John G. Leak, deceased.

SEC. 2. *And be it enacted,* That the said lot of cedar swamp and meadow ground shall be chargeable with the expenses of the said trustee in protecting the same, payment of taxes, and other reasonable charges, he, the said trustee, rendering a true account of the damages recovered on actions of trespass brought to the attorney-general of this state, and make report of his proceedings hereof to the next legislature.

A. February 21, 1829.

AN ACT appointing a trustee to sell and convey the real estate of Thomas Parker, deceased.

WHEREAS Thomas Parker, late of the county of Monmouth, by his last will and testament, made and executed in due form of law, gave and devised to his wife Ursula, the whole of his real and personal estate, during her natural life, and directed the same to be sold at her decease, without directing or appointing any persons to sell and convey the same—

AND WHEREAS the said Ursula hath departed this life, and the devisees and legatees, mentioned and named in said last will and testament, have petitioned for the appointment of a trustee to sell the estate so as aforesaid directed to be sold—Therefore,

Trustee appointed; his power and duty.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That Hiram Mount be, and he hereby is appointed trustee, with full power and authority to sell and convey the estate of the said Thomas Parker, deceased, remaining unsold, and directed by said will to be sold, giving such notice of said sale or sales as is required by law in case of sales by executors or administrators by virtue of an order of the Orphans' Court, and to dispose of, and distribute the proceeds of said sale or sales, according to the directions of said last will and testament, or to such person or persons as may by law be entitled to receive the same.

Trustee to give bond.

SEC. 2. *And be it enacted*, That before the said Hiram Mount shall enter upon the execution of the trust reposed in him by this act, he shall enter into bond to the governor of this state, with such sureties, and in such amount, as shall be approved by the Orphans' Court of the county of Monmouth, conditioned for the faithful performance of the trust reposed in him by this act, which bond shall be deposited in the office of the secretary of this state.

To exhibit to surrogate a statement of sales, &c.

SEC. 3. *And be it enacted*, That the said Hiram Mount shall, within six months after the sale of the said estate shall be completed, exhibit, under oath, unto the surrogate of the said county of Monmouth, an exact statement of the amount of the said sales, to be by him recorded and filed in his office, according to law; and that the said Hiram Mount shall be accountable for all moneys by him received by virtue of this act.

C. February 21, 1829.

### AN ACT to incorporate the Evesham and Northampton Manufacturing Company.

Style of the incorporation; its powers and privileges.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That Edward Thomas, Richard Eayre, and Samuel Fenimore, or the survivor them, and such other persons as may be hereafter associated with them or him, and their successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name of "The Eves-

ham and Northampton Manufacturing Company,<sup>2</sup> for the sole purpose of manufacturing flour, wool, cotton, flax, and hemp, in their several and various branches; and, by the same name they and their successors and assigns shall have power and continue a body politic and corporate, during the term of twenty-one years from and after the passing of this act, and be capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts of justice, or any other place whatever; to make and use a common seal, and the same to alter and renew at pleasure; and they and their successors and assigns, in their corporate name, shall be able and capable to acquire, purchase, receive, have, hold, and enjoy any lands, tenements, hereditaments, goods, and chattels, of what kind or quality soever, necessary or useful for the said corporation to carry on the manufacturing operations above mentioned, and all other real estate which shall have been bona fide mortgaged to the said corporation by way of security, or conveyed to them in satisfaction of debts previously contracted in the course of business, or purchased at sales upon judgments which shall have been obtained for such debts: *Provided always*, that the funds of said corporation, or any part thereof, shall not be applied, used, or employed at any time in banking operations.

No part of the funds to be employed in banking.

SEC. 2. *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 to be president, who shall hold their offices for one year; and that the said directors shall be chosen on the second Tuesday in July in every year, at such place and time as shall be directed by the by-laws of the said corporation; and public notice shall be given of the time and place of holding every such election, not less than ten days previous, in one or more newspapers printed nearest the place where said election shall be made, by such of the stockholders as shall attend for that purpose, either in person or by proxy, and each stockholder shall be entitled in person or by power of attorney, to as many votes as he or she shall hold shares of the capital stock of said company; and the persons having the greatest number of votes, being stockholders, shall be directors; and the directors chosen at one election shall be capable of serving by virtue thereof until another election shall have been had, and the directors so chosen may appoint such officers and superintendants, and assign such compensations, as they shall think fit, not less than a majority of the whole number of directors being present when the same shall be done; and if it shall at any time happen that any vacancy or vacancies occur by death, resignation, or otherwise, among the directors, officers, or superintendants, such vacancy or vacancies shall be filled by such person or persons as the remainder of the directors for the time being, or a majority of them, shall appoint; and the first directors shall be Edward Thomas, Richard Eayre, Benjamin Davis, Samuel Fenimore, and Tho-

Number of directors, to hold their offices for one year.

Vacancies, how to be filled.

Names of the first directors, &c.

mas Wilkins, and the survivor or survivors of them, who shall hold their offices until the first Tuesday of January next, or until others are legally chosen.

Amount of the capital stock, and price of shares.

Subscriptions to be paid on demand, under penalty of forfeiture.

Subscription to be kept open for thirty days, &c.

Stock to be deemed personal estate, and transferable.  
Proviso.

On certain contingencies, when elections may be held.

Powers of the board of directors.

Proviso.

SEC. 3. *And be it enacted,* That the capital stock of the said company shall not exceed the sum of one hundred thousand dollars, which shall be divided into shares of one hundred dollars each; but so soon as the sum of thirty thousand dollars of the said capital stock shall have been subscribed and paid, or satisfactorily secured to be paid, it shall and may be lawful to and for the said company to commence their said business, and, with that capital, conduct and carry it on, until they shall deem it expedient to extend their operations; and it shall be lawful for the directors of the said company to call and demand from the said stockholders, respectively, all such sums of money by them subscribed, at such times, and in such proportions as they shall deem proper, under pain of forfeiting the shares of the said stockholders, and all previous payments thereon, if such payments shall not be made within sixty days after a notice shall have been published for the space of thirty days in one or more newspapers published in or near the place where such payment shall be required to be made.

SEC. 4. *And be it enacted,* That the subscription for the said stock shall be open, and kept open for any number of days, not exceeding thirty, under the direction of Edward Thomas, Richard Eayre, and Samuel Fenimore, or the survivor or survivors of them.

SEC. 5. *And be it enacted,* That the stock or property of the said corporation, of whatsoever nature or kind, shall be deemed personal estate, and be transferable in such manner as shall be prescribed by the by-laws of the said corporation: *Provided,* that no dividends shall be made to and among the stockholders except from and out of the profits of the said corporation.

SEC. 6. *And be it enacted,* That in case it should at any time happen that an election 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 days, in the manner aforesaid, as shall be prescribed by the by-laws and ordinances of the said corporation.

SEC. 7. *And be it enacted,* That a majority of directors for the time being, shall form a board for transacting the business of said corporation, and shall have power to ordain, establish, and put in execution such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government, management, and disposition of the stock, effects, profits, and concerns of the said corporation: *Provided* the same are not contrary to the constitution and laws of the United States or of this state.

SEC. 8. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, proper books of accounts, in which shall be regularly entered all the transactions of the said corporation; which books shall at all times be open to the inspection of the stockholders of the said company, or their legal attorney or attorneys: *And further*, that 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 by the president and directors for the purpose.

Proper books of account to be kept, in which the transactions of the company are to be registered.

SEC. 9. *And be it enacted*, That the said company may be dissolved at a general meeting of the stockholders, specially summoned for that purpose: *Provided* at least three-fourths in value of the stockholders shall be present or represented therein; and, upon such dissolution, the directors for the time being, and the survivors and survivor of them, shall be ipso facto trustees for settling all the affairs of the said corporation, disposing of its effects, recovering and paying its debts, and dividing the surplus among the stockholders, in proportion to their respective interest in the stock, unless the stockholders at such general meeting shall appoint other persons, not less than three, nor more than five in number, for such purpose, in which case the persons so appointed, and the survivors and survivor of them, shall be trustee and trustees for the purpose aforesaid.

Company may be dissolved at a general meeting.

SEC. 10. *And be it enacted*, That the legislature shall have full power, at any time hereafter, to alter, amend, modify, or repeal this act, whenever they shall deem it necessary, and this charter is expressly granted upon that condition.

Legislature may repeal, &c.

C. & A. February 23, 1829.

A SUPPLEMENT to an act entitled, "An act for the relief of the State Bank at Trenton," passed fourth of March, one thousand eight hundred and twenty-eight.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That the time limited in the first section of the act to which this is a supplement, within which the creditors of the said bank shall severally present their respective claims to, and make their deposits with the cashier of the said bank, be, and the same is hereby extended for the period of one year from and after the passing of this act, and no longer, any thing in the said act to which this is a supplement to the contrary notwithstanding.

A. February 21, 1829.

AN ACT to repeal an act entitled, "A supplement to the act entitled an act to establish State Banks in New-Jersey," passed January the twenty-eighth, one thousand eight hundred and twelve; which said supplement was passed the fourteenth day of December, one thousand eight hundred and twenty-four.

Certain act  
repealed.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the act entitled, "A supplement to the act entitled an act to establish State Banks in New-Jersey," passed the twenty-eighth day of January, one thousand eight hundred and twelve; which said supplement was passed the fourteenth day of December, one thousand eight hundred and twenty-four, be, and the same is hereby repealed from and after the twenty-eighth day of January, one thousand eight hundred and thirty-two.

C. February 23, 1829.

AN ACT to authorize the Morris Canal and Banking Company to borrow money, and for other purposes.

The company  
authorized to  
borrow money.

Proviso.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the said the Morris Canal and Banking Company to borrow the sum of five hundred thousand dollars, and to issue therefor their post notes, bearing an interest of six per cent. per annum, payable to the owners or bona fide holders thereof: *Provided,* that no such post-note shall be issued of a less denomination than three hundred dollars.

Authorized to  
assign and  
convey the  
canal &c. as  
collateral security.

SEC. 2. *And be it enacted,* That, for the purpose of securing the punctual payment of the interest, and the redemption and payment of the principal sums so to be borrowed as aforesaid, the Morris Canal and Banking Company be, and they are hereby authorized to execute and deliver to any person or persons, body corporate or politic, an assignment, conveyance, or transfer of the said Morris Canal, with its appendages and appurtenances, and of all the lands, tenements, and premises belonging to the said company, and of the charter, chartered rights, and privileges of the same, and conditioned for the purpose aforesaid; which assignment, conveyance, or transfer shall be entered of record in the office of the secretary of this state,

and shall be valid and effectual as a collateral security for the payment of the principal and interest of the said post notes, according to the tenor and effect thereof.

SEC. 3. *And be it enacted*, That if the said company shall neglect or refuse to pay to any person or persons, being the owners or bona fide holders or assignees of any post note or post notes so to be issued by the said company for said loan of five hundred thousand dollars, the interest due thereon, as the same may become due, or the principal amount of such post note or post notes, when the principal thereof shall become due, at the banking house or other office of the said company in this state, the same having been presented for payment, then, and in either of the cases aforesaid, upon such failure and default being proved, or otherwise made to appear to the satisfaction of the chancellor of this state, the said Morris Canal, with all its appendages and appurtenances, and all its chartered rights and privileges, shall become the property of the said assignees or transferees, for the use and benefit of the bona fide owners of the post notes that may have been issued by the said company under the provisions of this act; and thereafter the said assignees or transferees shall hold, use, and enjoy the said canal, with its appendages and appurtenances, and take and receive the tolls, rents, issues, and profits thereof, in trust for the owners, as aforesaid, of the said post notes, in proportion to their respective interest therein, during the whole of the residue of the term for which the said company was chartered, in as full and ample a manner as the stockholders of the said company could or might have used and enjoyed the same, subject, nevertheless, to all the restrictions, limitations, and conditions contained in the said charter.

Penalty for non-compliance with their engagements, &c.

SEC. 4. *And be it enacted*, That if the said Morris Canal and Banking Company shall pay to the owners or bona fide holders of the post notes so to be issued by them for the said loan, the interest to become due thereon in manner aforesaid, and the principal sums due thereon, when the same shall become payable, according to the tenor and effect of such post notes, then and from thenceforth the said Morris Canal and Banking Company shall stand seized and possessed of said canal, with all its appendages and appurtenances, and of and with all the rights, immunities, and privileges contained in and guaranteed to them by their original charter, in as full and ample a manner as if this act had not been passed, and the grant, conveyance, or assignment of the said canal, with the lands, appendages, and appurtenances herein before provided for, shall cease and be utterly null and void, and as if the same had never been made.

The interest to be punctually paid, &c.

C. & A. February 23, 1829.

## AN ACT to defray Incidental Charges.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That it shall be lawful for the treasurer of this state to pay the several persons herein after named the following sums; to wit:—

To Isaac H. Williamson, esquire, for postages of letters relating to the public concerns of the state, during the last year, ending October first, one thousand eight hundred and twenty-eight, forty-seven dollars and seventy cents.

To David Taylor, for repairs done to the public buildings, and materials found, five dollars.

To Ebenezer P. Rose, for wood furnished for the use of the legislature, thirty dollars.

To Andrew Howell, for nine days spent in viewing the Morris Canal, under a resolution of the legislature, twenty-seven dollars.

To William Stites for the like services, twenty-seven dollars.

To William B. Ewing, for nine days spent in examining the Morris Canal, twenty-seven dollars, and travelling expenses from home to Jersey City, and from Bethlehem home, two hundred and forty miles, thirty dollars.

To Robert Baird, for the expenses in publishing, for the use of the state, fifteen hundred copies of the report of the committee on the subject of common school education in the state of New-Jersey, one hundred and seven dollars and eleven cents.

To John Noble, for carriage hire on account of the state-prison committee, six dollars.

To George Maxwell, for money paid by him to Charles Bonnell for carrying the commission of Alexander White, as one of the electors in the year one thousand eight hundred and twenty-eight, four dollars.

To William Hancock, for repairing locks and the press in the secretary of state's office, four dollars.

To John C. Chambers, for a pitcher, tumblers, candles, &c., furnished Supreme Court, three dollars and twenty-one cents.

To George Sherman, for publishing the proclamation of the governor on several occasions, and notice of the Court of Appeals, furnishing the legislature, during the session, with the Trenton Federalist, and printing public acts, seventy-six dollars and twenty-nine cents.

To Zachariah Rossell, for sundry postages as adjutant general, eight dollars and seventy-five cents, and for a screw press for the office of the clerk of the Supreme Court, five dollars.

To George Sherman, for paper furnished the secretary of state and commissions, sixteen dollars and fifty cents.

To John Bellerjeau, for sawing and cutting wood for the use of the legislature, eight dollars and fifty cents.

To John N. Simpson, for his expenses in procuring information respecting the Delaware and Raritan Canal, as the agent of his excellency the governor, under a resolution of the legislature, fifty-one dollars and ninety-three cents; and for his services twenty-nine days, fifty-eight dollars.

To John Davisson, for paper and ink for the Court of Chancery and for the secretary of state, four dollars and eighty-three cents.

To Thomas Cain, for candles furnished the legislature, four dollars and sixty-two cents.

To William Gould, for two pokers for coal grates and three earthen pans, &c., one dollar and fifteen cents.

To William L. Prall, for advertising governor's proclamation and notice of the Court of Appeals, for furnishing the True American to the House during this sitting, and publishing laws, as per bill rendered, forty-three dollars and fifty-eight cents.

To Daniel Fenton, for stationary furnished the legislature and the engrossing clerk, tape, &c., forty-three dollars and fifty-six cents.

To Charles Parker, for cash advanced by him for payment of sundries, per bills, as follows:—

For eight tons of Lehigh coal, and for putting five tons and one hundred bushels of charcoal in cellar, fifty-eight dollars.

For expenses going to, while at, and returning from Philadelphia three times, on business for the state, twenty-six dollars and fifty cents.

For four coal grates, fire brick, lime, sand, clay, and postage, fifty-four dollars and twelve cents: for corn basket, one hundred bushels of charcoal, broom, corn broom, and cleaning cellar, eight dollars and eighty-six cents: for painting directions on twenty-six tin cases, containing Gordon's map, for the respective states and territories, postage, putting up, two cupola stoves, pipes for the same, &c. &c., twenty-one dollars and forty-seven cents; making an aggregate of one hundred and sixty-seven dollars and ninety-six cents.

To George Laning, for blacksmith work for grates in the Assembly room, three dollars.

To William Ellis, for splitting wood &c., four dollars and twelve cents.

To John R. Smith, for one coal riddle, one dollar and seventy-five cents.

To William Marseilles, for work done and fixtures about the entry doors of Assembly room, six dollars and forty-nine cents.

To Alexander Witherup, for making coal boxes, &c., three dollars and seventy-five cents.

To Scudder & Reeder, for nails, ninety-six cents.

To Jasper Scott, for mason work, eleven dollars and sixty-two cents.

To Andrew Allison, for soapstones for grate tops, seven dollars and seventy-seven cents.

To Martin C. How, for putting glass in the state buildings, seven dollars and forty-one cents.

To Joseph Justice, for publishing, in Trenton Emporium, the governor's proclamation, special term of the Court of Appeals, stationary furnished, printing report of the committee on the Delaware and Raritan Canal, governor's message, the act to carry into effect the act for the punishment of crimes, and furnishing the Trenton Emporium to the legislature, one hundred and twenty-six dollars and fifty cents.

To T. J. Stryker, for bell rope, seventy-five cents.

To Samuel Evans, for riband for engrossing bills, one dollar and one cent.

To Isaac Worthington, for repairs, as per bill, to the office of the clerk in chancery, fifteen dollars and sixty-three cents.

To William Kerwood, to fitting two locks in Council chamber, fifty cents.

To A. W. Phillips, for printing the public acts during the present session, with reports of committees &c., as per bill rendered, one hundred ninety-seven dollars and seven cents.

To Benjamin Fish, for timber &c. furnished for sundry repairs to state house, twelve dollars and fifty-five cents.

C. & A. February 23, 1829.

A SUPPLEMENT to an act entitled, "An act to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors."

SEC. 1. BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That in all cases where any debtor, being a tenant, shall make an assignment under the act to which this is a supplement, all the goods and chattels of such tenant on the premises, in the possession of such tenant, shall be first bound for the payment of rent due to his landlord; and the said claim for rent in favor of the landlord, not exceeding one year's rent, shall be first paid and satisfied by the assignee, out of the goods and chattels of the said tenant which were on the demised premises at the time of the assignment.

SEC. 2. And be it enacted, That if the tenant, his assignee, or any other person or persons, shall remove any goods and chattels off or from the said demised premises, after the said

Any tenant making an assignment, his goods and chattels shall be first bound for rent, which shall be paid by assignee.

assignment, it shall and may be lawful for the said landlord, at any time within forty days after such removal, to seize the said goods and chattels, in whose hands soever the same may be found, as a distress for his said rent, and proceed with the same in the manner directed by the act concerning distresses, whether the rent by the terms of the lease be due or not, making a rebate on the sum not due, pursuant to the directions of the act entitled, "A supplement to an act entitled an act concerning landlords and tenants," passed the fifteenth day of February, eighteen hundred and twenty.

Goods being removed from premises, landlord may seize them as a distress within forty days after removal.

A. & C, February 11, 1829.

AN ACT for the purpose of effecting an arrangement between the states of New-Jersey and Pennsylvania for the mutual use of the waters of the river Delaware for canals and for other purposes.

WHEREAS it is believed that the waters of the river Delaware may, by a proper, just, and equal arrangement between the two states, be used for feeding canals and creating water-powers, to the great and lasting advantage of both; to these ends—Therefore,

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That the governor of this state be authorized to appoint three commissioners, who shall be entitled to a reasonable compensation, with full powers, on the part of New-Jersey, to meet commissioners that may be appointed by the state of Pennsylvania with like full powers on the part of that state, and, in conjunction with them, to employ competent engineers, and take all necessary measures to ascertain and determine how, in what manner, and at what place or places the waters of the Delaware may be most advantageously taken for the purposes aforesaid, and to make and conclude an agreement respecting the same, between the said states, taking care, in such agreement, to guard from injury, in the best manner, the shad fisheries and navigation of the said river; and their agreement in the premises, signed and sealed by the said commissioners, or a majority of them, when ratified and confirmed by the legislatures of the states of New-Jersey and Pennsylvania, respectively, and the consent of Congress thereto shall be obtained, shall be binding and conclusive on both states.

Preamble:  
Commissioners to be appointed on the part of New-Jersey, to make an arrangement with Pennsylvania relative to the waters of the Delaware.

SEC. 2. *And be it enacted,* That the said commissioners shall meet at such times and places as they may agree upon;

Commissioners, when to meet.

Vacancies,  
how to be  
filled.

Copy to be  
forwarded to  
the governor  
of Pennsylv-  
ania.

and if, by death, resignation, or otherwise, a vacancy should happen among those appointed on behalf of this state, the governor, or person administering the government, is hereby authorized to supply said vacancy or vacancies, and to draw from the treasury of this state such sum or sums of money as may be necessary for defraying the expenses of said commissioners.

SEC. 3. *And be it enacted,* That the governor of this state do transmit to the governor of Pennsylvania a copy of this act, duly authenticated, with a request that he will submit the same to the legislature of Pennsylvania, at their present session.

C. & A. February 18, 1829.

A SUPPLEMENT to the act entitled, "An act directing the mode of entering judgments upon bonds with warrants of attorney to confess judgments," passed the twenty-fourth of February, one thousand eight hundred and twenty.

No judgment  
to be entered  
except a spe-  
cific affidavit  
be presented  
&c.

SEC. 1. *BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That no judgment shall be entered in any court of record of this state on a warrant of attorney to confess such judgment, or by the defendant appearing in person in open court and confessing the same, unless the plaintiff or his attorney shall produce, at the time of confessing such judgment to the court, judge, or justice before whom the judgment shall be confessed, an affidavit of the plaintiff, his attorney, or agent, of the true consideration of the bill, bond, deed, note, or other instrument of writing or demand for which the said judgment shall be confessed; which affidavit shall further set forth, that the debt or demand for which the judgment is confessed is justly and honestly due and owing to the person or persons to whom the judgment is confessed, and that the said judgment is not confessed to answer any fraudulent intent or purpose, or to protect the property of the defendant from his other creditors.

Before whom  
affidavit may  
be taken &c.

SEC. 2. *And be it enacted,* That the affidavit required by this act may be made before any justice of the Supreme Court, judge of any inferior Court of Common Pleas, commissioner for taking affidavits, or justice of the peace of this state; or, if the plaintiff be out of this state, before any court of judicature or notary public of the state, kingdom, or nation in which the said plaintiff resides or shall happen to be; which affidavit, together with a copy of the bill, bond, deed, note, contract, instrument of writing, account, or particulars of the demand on

or for which the judgment is confessed, shall be filed with the other papers in the cause. To be filed &c.

SEC. 3. *And be it enacted*, That the fifth and sixth sections of the act to which this is a supplement, be, and the same are hereby repealed.

C. February 19, 1829.

A SUPPLEMENT to an act entitled, "An act concerning promissory notes, inland bills of exchange, and notaries public," passed the thirtieth of January, one thousand seven hundred and ninety-nine.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That it shall be the duty of every notary public or justice of the peace in this state, upon protesting any foreign or inland bill of exchange or promissory note, in addition to the duties already prescribed by law, and without further compensation, to record, in a book to be kept for that purpose, the time when, place where, and upon whom demand of payment was made, with a copy of the notice of non-payment, how served, and the time when; or if sent, in what manner, and the time when; and if sent by post, to whom the same was directed, at what place, and when the same was put into such post office, to which record they shall sign their names.

Notary public—further specific duties enjoined &c.

SEC. 2. *And be it enacted*, That it shall always be lawful for such notary public or justice of the peace, when called upon to give evidence in any court of this state upon the subject of such protest, to recur to such record for his own satisfaction; and, upon the death or removal out of the state of such notary or justice, such record shall be deposited in the office of the clerk of the county in which he last resided.

Reference to be made to the record &c., which is to be deposited in the clerk's office of the county.

SEC. 3. *And be it enacted*, That whenever any question shall arise in any court of this state touching the protest of any such promissory note or inland bill of exchange, and it shall be made to appear that the notary or justice by whom the same was made is dead, or has removed out of this state, and, after diligent inquiry, his place of residence cannot be discovered, then the said record so deposited in the office of the clerk of the county, or a certified copy thereof, by the said clerk, under his seal of office, shall be received as competent evidence of the matters contained in said record.

A certified copy of the record to be good evidence.

SEC. 4. *And be it enacted*, That every notary public in this

Notary public  
required to  
take an oath,  
&c.

state, now commissioned, or who may be hereafter commissioned, shall take and subscribe an oath or affirmation before the clerk of the county in which he resides, faithfully and honestly to discharge all the duties appertaining to his said office, and that he will make and keep a true record of all such matters as are required by law; which oath or affirmation shall be filed with the said clerk: and that the said clerk, for drawing, taking, and filing such oath or affirmation, shall be entitled to the sum of fifty cents.

When to take  
effect.

SEC. 5. *And be it enacted*, That this act shall take effect on the fourth day of July next, and not before.

A. February 21, 1829.

---

A FURTHER SUPPLEMENT to an act entitled, "An act for the limitation of actions," passed the seventh day of February, one thousand seven hundred and ninety-nine.

Constable's  
bonds, the  
manner of  
prosecuting  
the same pre-  
scribed.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That from and after the passing of this act, any prosecution hereafter to be had or commenced upon any bond heretofore given by any constable and his securities for the true and faithful performance of all the duties enjoined on him as constable, shall in no wise operate against, or in any manner affect the said securities mentioned or bound in said bond, unless such prosecution shall be commenced within three years after the passing of this act, nor shall any prosecution, had or commenced upon any bond hereafter to be given by any constable and his securities as aforesaid, in any wise operate against or affect the said securities named and bound in said bond, unless such prosecution shall be commenced within four years after the date of the said bond, and not after.

A. February 21, 1829.

---

AN ACT making provision for carrying into effect the "Act for the punishment of crimes."

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That every person sentenced to hard labor and imprisonment, agreeably to the directions of the "Act for the

punishment of crimes," for a longer time than one year, shall, within twenty days after his or her conviction, be transported, at the expense of the state, to the state-prison, by the sheriff of the county where such conviction may be had, or his lawful deputy, and there delivered into the custody of the keeper of said prison, with a copy of the sentence of the court ordering such punishment, together with the taxed bill of costs of prosecution against such offender, certified under the hand and seal of the clerk of said court, to be there safely kept until the term of his or her confinement shall have expired, and until the fine or fines and costs of prosecution shall be paid, or until he or she shall be discharged by due course of law; for which service the said sheriff or his deputy shall receive the sum of ten cents per mile going to the said prison with one or more prisoners, and ten cents per mile returning from the said prison, to be calculated from the jail of the county in which the conviction was had, for his time and expenses, together with all reasonable expenses for sustaining, transporting and securing such offender or offenders while on his way to the said prison; all which sums, together with the bill of costs aforesaid, shall be certified by two or more of the inspectors herein after mentioned; and the said certificate of the said inspectors shall be delivered to the treasurer, and the amount be paid on their order by the treasurer of this state, out of any moneys in his hands belonging to the state: *Provided always, and be it enacted*, that every person sentenced to imprisonment, agreeably to the act aforesaid, for any time not exceeding one year, shall be confined in the common jail of the county where the conviction was had, there to be safely kept until the term of his or her confinement shall have expired, and until the fine or fines and costs of prosecution shall be paid, or until he or she shall be discharged by due course of law.

Criminals to be transported to the state-prison in twenty days after conviction, at the expense of the state &c.

Two or more inspectors to certify the amount of costs.

SEC. 2. *And be it enacted*, That at the first joint-meeting in each and every year, after the accounts of the state-prison are settled, a suitable person shall be appointed to be the principal keeper of the said prison, who shall hold his said office for one year from the date of his appointment, and until a successor is chosen, and who shall reside, during his term of office, at the said prison, and shall receive as a compensation for his services eight hundred dollars, to be paid quarterly, by orders drawn on the treasurer of this state by any two of the inspectors, herein after provided for; and the said keeper shall have power to appoint as many deputy keepers and assistants as the said inspectors shall deem necessary to enable him to carry this law into effect; which said deputies and assistants shall have such reasonable allowances as the said inspectors shall think just and proper; which allowances shall be paid quarterly in like manner: and before such keeper shall exercise any part of said office, he shall give bond to the treasurer of this state, with two sufficient sureties, to be approved of by the said trea-

When the principal keeper is to be chosen.

Compensation.

Power, duties and privileges prescribed.

To give bond for the faithful performance of the duties of his office, &c.

And to be recorded in the office of the secretary of this state, &c.

Vacancies, how to be filled.

Inspectors to be annually appointed by the joint-meeting.

Vacancies of the inspectors, how filled.

Inspectors authorized to appoint their officers, &c. and make them compensation for their services.

Inspectors &c. required to take oath &c. of office, before entering on the duties of the same,

and to be filed in the office of the secretary of this state.

sure, in the sum of two thousand dollars, upon condition that he and his deputies and assistants shall well and faithfully perform the trusts and duties in them reposed; which bond, the due execution thereof being proved before, and certified by any one of the justices of the Supreme Court, or any one of the judges of the county wherein it may be executed, shall be recorded in the office of the secretary of this state, and copies thereof, legally exemplified by the said secretary, shall be legal evidence in all courts of law in any suit against such keeper or his sureties; and if any vacancy shall occur, during the recess of the legislature, by the death, resignation, removal, or refusal to act of the keeper, the inspectors shall elect a suitable person to fill his place until the next meeting of the legislature, who shall give bond as above prescribed and directed.

SEC. 3. *And be it enacted*, That at the joint-meeting aforesaid, in each and every year, five suitable persons shall be chosen as inspectors of the said prison, who shall be entitled to receive the sum of one dollar and fifty cents per day for every day necessarily employed in the duties of their appointment, out of any moneys in the funds of said prison, and who shall continue in office one year, and until others are chosen in their stead; and if any vacancy shall happen, by the death, removal, resignation, or refusal to act, or other inability of any of the inspectors, in the recess of the legislature, it shall and may be lawful for the person administering the government to appoint a person or persons to fill the vacancy.

SEC. 4. *And be it enacted*, That the said inspectors, at their first meeting, shall appoint one suitable person to be the clerk of the said prison, and one suitable person to be the physician of the said prison, who shall hold their offices one year, and until others are appointed in their places, subject, however, to removal by the said inspectors, at any time, upon just cause shown, and who shall be paid such sum or sums as the said inspectors may deem reasonable and just, in the manner above prescribed.

SEC. 5. *And be it enacted*, That the said inspectors, keeper, his deputies, and assistants, and the clerk of the said prison, before they enter on the duties of their respective offices, shall take and subscribe, before a justice of the peace, the following oath or affirmation, viz:—"I do solemnly swear (or affirm) as the case may be, that I will well and faithfully serve the state of New-Jersey in the office of \_\_\_\_\_ and will faithfully and diligently execute all the duties required of me as such officer, and carry into execution all the laws and regulations of the said prison, so far as concerns my said office, according to the best of my ability, so help me God;" which said oath or affirmation shall be, by the said justice, delivered to the secretary of state, to be by him filed in his office.

SEC. 6. *And be it enacted*, That the said inspectors shall

meet once in every three months, at the said prison, or oftener, if specially requested so to do by the acting inspectors herein after provided for, and shall, at their first meeting after they shall be appointed, choose two of their number to be acting inspectors, who shall continue such for such time as shall be directed by a majority of said inspectors, when so met together: and the said acting inspectors shall attend at the said prison, at least once in every week, and shall examine into and inspect the management of said prison, and perform the several services and duties enjoined by this act, and make a report of the situation of the same, and of all such matters and things connected therewith, as they shall deem necessary, to the quarterly or other meetings of the board.

Inspectors to meet once in every three months, at the state-prison, &c.

The acting inspectors to attend at the said prison once in each week, and make report to the quarterly or other meetings of the board.

The powers, privileges and duties of the board of inspectors prescribed, &c.

SEC. 7. *And be it enacted*, That the board of inspectors, at their quarterly or other meetings, may make such orders and regulations for the purpose of carrying this act into effect, and for the good government of the said prison, not repugnant to law, as they shall deem necessary; and shall cause the same to be written or printed in pamphlet form, and a copy to be furnished to the keeper, his deputies, and assistants and the clerk and physician of the prison: and if it shall appear by the report of the said acting inspectors, to the satisfaction of the board, that the said keeper, or any of his deputies or assistants, neglect strictly to perform all the duties enjoined upon him or them, by this act, or by the orders and regulations of the said board; or that the said keeper or his deputies, in any way mismanage the affairs of the said prison, then, and in that case, it shall be the duty of the said board to notify the said keeper of the said charge, and of their disapproval of the said conduct, in writing, particularly specifying the nature of the conduct so complained of, and disapproved; and if the said keeper shall persist in his neglect, disobedience, or mismanagement, the said board shall petition the governor, or person administering the government of this state, or one of the justices of the Supreme Court, for the removal from office of the said keeper; and it shall be the duty of the said governor, or person administering the government, or justice of the Supreme Court, as the case may be, upon receiving the said petition, to institute in a summary way, such inquiry into the facts charged as he may think fit, and if, upon hearing the allegations of the board, and the defence of the said keeper, he shall be of opinion that the said keeper has wilfully persisted in such neglect of duty, disobedience, or mismanagement, he shall remove the said keeper forthwith from office: and in case the said causes of complaint shall lie against the said deputy or assistant keepers, or either of them, and the said neglect, disobedience, or mismanagement be persisted in on his or their part, after notice as aforesaid, the said board shall have power to discharge him or them; and the person or persons so discharged shall not again be eli-

gible to the appointment of deputy or assistant keeper or keepers.

The keeper's accounts to be examined by the board &c.

SEC. 8. *And be it enacted,* That if the said inspectors, at their quarterly or other meetings, shall suspect any fraudulent or improper charges, or any omission in any of the accounts laid before them by the said keeper, they may examine, upon oath or affirmation, the said keeper, clerk, or deputy keepers, or any of the assistants or servants of the said keeper, or any person or persons of whom any necessaries, stock, materials, or other things have been purchased for the use of the said prison, or any person or persons to whom any stock or materials, wrought or manufactured therein, have been sold, or any other person or persons, concerning any of the articles contained in such accounts, or any omission thereof.

Further powers of the board specified.

SEC. 9. *And be it enacted,* That the said inspectors, or a majority of them, are hereby authorized, from time to time, to repair, enlarge, or alter, at their discretion, the workshops situate within the walls of the said state-prison, or to erect new workshops, if they or a majority of them shall deem it useful or expedient, and to make such repairs in the main building and wings of said prison as may become necessary from time to time.

Certain duties enjoined on the board of inspectors.

SEC. 10. *And be it enacted,* That it shall be the duty of the said board of inspectors to keep minutes of their proceedings, in which the reports of the acting inspectors, made from time to time, shall be recorded, and to make a written report of the general concerns of the said prison, and of all such other information as they may deem important, accompanied by an account of the receipts and expenditures of the prison for the year; all which shall be exhibited to the committee of the legislature annually appointed to inspect the state of the prison, and settle its accounts.

An agent may be appointed, &c.

SEC. 11. *And be it enacted,* That it shall be lawful for the inspectors of the said prison to appoint an agent in any place where they may deem the same expedient for the sale of any articles manufactured in the said prison, and to allow to every such agent reasonable commissions on all sales by him made.

Duties enjoined on the keeper, &c.

SEC. 12. *And be it enacted,* That the keeper of the said prison shall from time to time, with the assistance and advice of the acting inspectors, provide a sufficient quantity of stock and materials, working tools and implements, for such offenders; for which materials, tools, and implements, when received, the said keeper shall be accountable: and the said keeper and acting inspectors shall have power to advertise for all or any of the supplies and articles required under this act, in three of the newspapers printed in this state, at least thirty days, and to make contracts with any person whatever for the clothing, diet, and all other necessaries for the maintenance and support of such offenders, and for the implements and materials of any

kind of manufacture, trade, or labor in which such offenders shall be employed, or any part thereof, and for the sale of such goods, wares, and merchandise as shall be there wrought and manufactured, always taking the lowest offer for supplies, and the best terms for sales: and the said keeper shall cause all accounts concerning the maintenance of such offenders to be entered regularly in a book or books, and shall also cause to be kept separate accounts of the stock and materials so wrought, manufactured, sold, or disposed of, and the moneys for which the same shall be sold, and when sold, and to whom, in books to be provided for those purposes; all which books and accounts shall be at all times open for the examination of the inspectors, and shall be regularly laid before them, at their quarterly or other meetings, for their approbation and allowance, and shall pay all moneys so received into the hands of the treasurer of the state; and, for the expenditures above mentioned, the said keeper is hereby authorized to draw orders, to be approved and countersigned by the acting inspectors, or, in their absence, by any two inspectors, on the treasurer of the state, specifying, in such orders, the quantity and nature of the materials, tools, or implements contracted for and delivered; which orders the said treasurer is hereby required to discharge out of the moneys in his hands: and an abstract of the expenditures and receipts of moneys, the amount of labor, the purchase of raw materials, and sale of articles manufactured, shall be laid before the committee of the legislature annually appointed to settle the accounts of the state-prison, and before the legislature itself, at such times as it shall require and direct.

SEC. 13. *And be it enacted*, That it shall be the duty of the said keeper to have his accounts ready for examination and settlement on the fourth Tuesday of October in every year, and that to this end he be, and is hereby authorized to close his accounts for the year on the fifteenth day of October in every year hereafter.

Further duties specified and prescribed.

SEC. 14. *And be it enacted*, That it shall be the duty of the said keeper, and he is hereby authorized and required to receive and safely keep in the state-prison, at the expense of the United States, all prisoners committed under the authority of the United States, until they shall be discharged by due course of the laws thereof.

U. States' prisoners; duty of the keeper respecting.

SEC. 15. *And be it enacted*, That the particular employment of each prisoner committed to the said prison shall be such as the said keeper may consider best adapted to his or her state and condition, having due regard to that employment which is most profitable; and the convicts shall be supplied, as far as practicable and consistent with the interests of the state, with articles manufactured by the prisoners.

Keeper to regulate the employment of prisoners.

SEC. 16. *And be it enacted*, That no letter or communica-

Correspondence by letter with prisoners prohibited, &c.

tion in writing shall be suffered to go in or out of the said prison, until the same shall have been examined and approved by the keeper, nor shall any person, without his consent, take any thing in or out of the said prison, for the use of any prisoner.

Escapes to be advertised by the keeper.

SEC. 17. *And be it enacted*, That if any prisoner shall escape from the said prison, it shall be the duty of the keeper to advertise a reasonable reward for his or her apprehension, and by and with the advice of the acting inspectors, to take such other measures as may be necessary to effect the same; and also to make a written report thereof to the board of inspectors, at their next meeting thereafter, whose duty it shall be to inquire into the circumstances of said escape, and enter the same on their minutes.

The keeper required to furnish each prisoner with a Bible, &c.

SEC. 18. *And be it enacted*, That it shall be the duty of the said keeper to furnish each and every prisoner confined in the said prison with a copy of the Bible; and the said keeper, under the direction of the board of inspectors, shall also provide for the religious instruction of the said prisoners every Sabbath, by some licensed clergyman or clergymen, at the expense of the state, provided the said expense shall not exceed one hundred and fifty dollars per annum.

Roll of the prisoners to be kept, and read twice each day, &c.

SEC. 19. *And be it enacted*, That it shall be the duty of the keeper to cause a roll of the prisoners to be kept by the clerk; which roll shall be called morning and evening, when the said prisoners are assembled to their meals: and the said keeper, or one of his deputies, shall be present at the calling of the said roll, to see that each prisoner answers; and shall not permit any prisoner to be absent from said roll-call, unless sick or in the cells, upon any account whatever.

Clerk's duty prescribed.

SEC. 20. *And be it enacted*, That it shall be the duty of the said clerk to keep the accounts of the said prison, and perform such other duties as are prescribed by this act, or as he may be directed by the board of inspectors to perform relative to the same: and it shall be the duty of the physician of the said prison, at least once in every week, to visit every cell in the said prison in which a prisoner is confined; and whenever, in his opinion, the enlargement of any prisoner so confined in the cells shall be absolutely necessary in order to preserve life, it shall be lawful for the said keeper to cause such prisoner to be removed from his or her cell from time to time, and for such length of time, as he shall think necessary and proper; but such prisoner shall, in every case, be kept from all society: and the said physician shall give every proper and necessary attendance on the sick of the said prison, and, for this purpose, shall visit the said prison frequently, and at all times when specially requested so to do by the keeper or inspectors.

Physician—his duty specified.

Further regulations enjoined, &c.

SEC. 21. *And be it enacted*, That every person sentenced to hard labor and imprisonment, as aforesaid, shall be separately washed and cleansed, and kept apart from the other

prisoners, until it shall be certified by the physician, that he or she is fit to be received among the other prisoners; and the clothes in which the said person shall then be clothed shall either be burned, baked, fumigated, or carefully laid by, at the discretion of the keeper, or any two of the inspectors, until the expiration of the term of confinement of such offender, to be then returned to him or her.

SEC. 22. *And be it enacted*, That every such offender shall, at the expense of the state, during the term of his confinement, be clothed in habits of coarse materials, uniform in color and make; and the males shall have their hair cut short once every month, and their beards close shaven at least once in every week: and all the said offenders shall, during the said term, be sustained upon plain food, at the discretion of the said keeper, with the approbation of the said inspectors, and shall be kept, as far as may be consistent with their sex, age, health, and ability, rigidly to labor of the hardest and most servile kind, in which the work is least liable to be spoiled by ignorance, neglect, or obstinacy, and where the materials are not easily embezzled or destroyed; and if the work to be performed is of such a nature as may require previous instruction or constant oversight and superintendance, proper persons for that purpose, to whom a suitable allowance shall be made, shall be provided by the said keeper, with the approbation of the acting inspectors; during the time of which labor the said offenders shall be kept as far separate and apart from each other as the nature of their several employments will admit; and the said keeper or one of his deputies, shall be constantly present, and shall not, in any case or under any pretence, suffer or allow the slightest intercourse between them by word or action.

The clothing of prisoners prescribed.

SEC. 23. *And be it enacted*, That every such offender, unless prevented by ill health, shall be employed in work every day in the year except Sundays, and the hours of work of each day, shall be as many as the season of the year will permit, and when in each day such hours of work are passed, the working tools implements, and materials, shall be properly secured and kept in safe custody by the said keeper or his deputies, until the hour of labor shall return.

Prisoners to be kept constantly employed, &c.

SEC. 24. *And be it enacted*, That in order to encourage industry, as an evidence of reformation, separate accounts shall be opened in books to be provided and kept for the purpose, for all persons sentenced to hard labor and imprisonment, in which such persons shall be credited the amount of all the labor by them performed over and above what in the opinion of the said keeper and acting inspectors shall be deemed the fair amount of labor which such persons ought to perform, the said keeper to have regard to the ability of the said persons severally to labor, which amount shall be laid out in decent raiment for such persons at their discharge, or paid, or otherwise ap-

Extra labor of prisoners to pass to their credit, &c.

Proviso.

plied to their use and benefit, as the inspectors shall upon such occasions direct: *Provided*, that no credit for overwork be allowed to any convict whose whole weekly earnings do not exceed the whole weekly expense of his maintenance in the prison: *And provided also*, that if such convict, at the end or other determination of his term of confinement, shall labor under any acute or dangerous distemper, he shall not be discharged, unless at his own request, until he can be safely discharged.

Further duties of the keeper and inspectors prescribed.

Authorized to remit costs, &c. on certain contingency

SEC. 25. *And be it enacted*, That it shall be the duty of the said keeper and inspectors to detain every offender imprisoned in said prison by sentence of any court, at hard labor in said prison, after the expiration of the term of his or her sentence until he or she shall have discharged the fine and costs of prosecution, together with whatever sum shall be due from such offender to the prison for his support over and above the whole amount of his earnings, while he may have been confined, unless the costs and sums due shall be remitted according to the provisions of this or some other act of the legislature of this state: *And further*, that the board of inspectors shall have power to remit any costs of prosecution or debt that shall or may be due from any criminal imprisoned in the state-prison, on a recommendation from the keeper of the said prison, certifying, that, in his opinion, the said criminal has no property, and, from bodily inability or other cause, is unable to earn, and, in his opinion, will continue to be unable to earn more than is sufficient to defray the expense of his or her clothing and provisions, or other cause, which, in his opinion, entitles the said prisoner to be discharged.

Who may have access to the prisoners.

The cells to be locked each night, and watchmen to patrol the prison &c.

SEC. 26. *And be it enacted*, That no person whatever, except the keeper, his deputies, assistants, or servants, the said inspectors, officers, and ministers of justice, counsellors or attorneys at law employed by a prisoner, members of the legislature, during the sitting of the legislature, ministers of the gospel, or persons producing a written permit, signed by one of the said inspectors, shall be permitted to enter within the walls where such offenders shall be confined; and that the doors of all the cells in the said prison shall be locked by the keeper, or one of his deputies, as soon as the prisoners are put therein each night; and one or more watchmen shall patrol the said prison, at least twice in every hour, until the return of the time of labor in the morning of the next day.

The cells to be cleansed whenever necessary.

An infirmary to be fitted up for male convicts, when sick.

SEC. 27. *And be it enacted*, That the cells of said prison shall be properly purified and cleansed, as often as may be necessary for the health of the prisoners, which service may be performed by any prisoner or prisoners, at the discretion, and under the direction of the said keeper.

SEC. 28. *And be it enacted*, That one or more apartments in the said prison shall be fitted up as an infirmary for male convicts; and in case any offender being sick, shall, upon such

examination by the physician, be found to require it, he shall be removed to the infirmary, and his name shall be entered in a book to be kept for that purpose; and when such physician shall report to the said keeper, that the said offender is in a proper condition to quit the infirmary, and return to his employment or confinement, such report shall be entered, by the said keeper, in a book to be kept for that purpose, and the said keeper shall order him back to his former labor or confinement.

SEC. 29. *And be it enacted*, That the said keeper shall preserve the strictest order, and the most exemplary conduct among the said convicts, and shall require and compel an exact observance of all the rules and regulations for the government of the same; and he shall specially charge his under keepers to exercise the utmost vigilance in detecting any departure from the same, upon the observance of which they shall report the offender to the said keeper; and the said keeper shall have the said offender, and the said under keeper preferring the charge, before him, in some place out of the sight and hearing of the other prisoners, and shall inquire into the offence, adjudge the case, and award such punishment as in his discretion he shall think fit; not to exceed close confinement in the cells, on bread and water for sustenance, for the space of six days: *Provided*, that if the nature of the case shall, in the opinion of the keeper, require a longer confinement, he shall report it to the acting inspectors, who are hereby authorized to extend the said close confinement at their discretion.

Further duties  
of the keeper  
enjoined.

Proviso.

SEC. 30. *And be it enacted*, That any prisoner who shall commit an assault, or who shall curse or swear or use indecent language or behavior, or who shall be idle, neglect his work, wilfully mismanage it, disobey any order or regulation, speak to another prisoner without permission, or communicate with him by sign or otherwise, when in or out of the cells, shall be punished in the manner and form above directed.

Prisoners—  
how to be  
punished for  
certain offences,  
&c.

SEC. 31. *And be it enacted*, That the sheriffs of the several counties of this state, and their lawful deputies, during the time that they or either of them shall, agreeably to the directions of this act, be employed in conveying to the said prison any person or persons sentenced to hard labor and imprisonment as aforesaid, shall have the same power and authority to secure him, her, or them in any jail in this state, and to demand the assistance of any sheriff, jailer, or other person within the state, in securing all such offenders, as if such sheriff were in his own proper county; and all sheriffs, jailers, and other persons aforesaid shall be aiding and assisting such sheriff or his lawful deputy, under the same penalties as if such officer was in his proper county, without any fee or reward therefor.

The powers  
of sheriffs,  
when convey-  
ing prisoners  
to the state-  
prison, speci-  
fied.

SEC. 32. *And be it enacted*, That any constable or other

Reward for taking up &c. prisoners who may have escaped from prison &c.

person who shall take up, and convey to the said prison, any offender who shall escape from his confinement, shall be allowed mileage, going and returning, at the rate of ten cents per mile, and such additional sum as the board of inspectors shall think reasonable for the necessary expenses incurred, to be paid by the treasurer of the state, on orders drawn by the said inspectors, or any of them.

Penalty for introducing spirituous liquors, &c. into the prison.

SEC. 33. *And be it enacted*, That if any keeper, deputy, or assistant keeper, clerk, or other person employed in or about said prison, shall introduce into, or give away, barter, or sell within the said prison any vinous, spirituous, or fermented liquors, excepting only such as the keeper shall make use of in his own family, or such as may be required for any prisoner in a state of ill health, and for such purpose prescribed by the attending physician, and delivered into the hands of such physician, or other person appointed to receive them; every person so offending shall forfeit and pay the sum of thirty dollars, to be deducted out of the salary or wages of the said person, by the inspectors, and credited to the prison account.

Former acts repealed.

SEC. 34. *And be it enacted*, That the act entitled, "An act making provision for carrying into effect the act for the punishment of crimes," passed the fifteenth day of February, one thousand seven hundred and ninety-eight, and so much of an act entitled, "An act relative to the accounts of the treasury and the state-prison," passed the third day of November, one thousand eight hundred and ten, as comes within the purview of this act, and an act entitled, "An act to authorize the keeper and inspectors of the state-prison to receive and safely keep prisoners committed under the authority of the United States," passed the fifteenth of February, one thousand eight hundred and nineteen, and so much of the act entitled, "A supplement to an act entitled an act making provision for carrying into effect the act for the punishment of crimes, &c." passed the thirtieth of May, one thousand eight hundred and twenty, as comes within the purview of this act, and the act further supplementary to the same, passed the eleventh of November, one thousand eight hundred and twenty, and the act further supplementary to the same, passed the twenty-eighth of November, one thousand eight hundred and twenty-two, and the act further supplementary to the same, passed the thirty-first of December, one thousand eight hundred and twenty-four, be, and the same are hereby repealed: *Provided*, that nothing herein contained shall in any way affect any thing heretofore done or performed under any of the said acts,

Provided.

C. February 23, 1829.

AN ACT to authorize Abraham C. Van Dorn and John C. Van Dorn, executors of Christian Van Dorn, deceased, to fulfil a certain contract made by deceased with one Joseph Pittenger.

WHEREAS Christian Van Dorn, late of the county of Somerset, deceased, in his lifetime, bargained and sold unto the said Joseph Pittenger, of said county, a lot of land and premises, situate in the township of Hillsborough, in said county of Somerset, commonly called the Porter Farm, containing about forty-five acres, more or less, adjoining lands lately owned by I. Van Middlesworth, N. Williamson, and others; and the said Joseph was put into the possession thereof, and still occupies the same under said agreement, and the said Christian departed this life before any deed was executed for said lands and premises—Therefore,

Preamble.

BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That John C. Van Dorn and Abraham C. Van Dorn, executors of the said Christian Van Dorn, deceased, are hereby authorized and empowered to execute and deliver to the said Joseph Pittenger a deed for said land and premises, pursuant to said contract between him and said deceased; which deed shall have the same force and effect as a deed from the said Christian Van Dorn, in his lifetime, would have had.

Executors, &c. authorized and empowered to ratify an agreement made by testator, &c.

A. February 21, 1829.

---

AN ACT to establish Common Schools.

SEC. 1. BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That it shall be the duty of the trustees of the school fund of this state, for the time being, on or before the first Monday of April next, and also on or before the first Monday of April in every year thereafter, to appropriate, for the support of common schools, out of the annual income of said school moneys, the sum of twenty thousand dollars; and if the annual income of said school moneys shall not have been received in full, or shall be insufficient for that purpose, then the said trustees of the school fund shall have power to draw upon the treasurer of this state, by warrant signed by the governor, for any sum necessary to make up the deficiency, who is hereby directed to pay the same; which sum so as aforesaid drawn or to be drawn from the treasury, shall be

Trustees of the school fund to make annual appropriations for the support of common schools.

again replaced by the annual receipts of said school fund, as soon as the same shall be received.

To be apportioned among the several and respective counties in the state.

SEC. 2. *And be it enacted,* That, as soon as the said appropriation shall be made, it shall be the duty of the said trustees of the school fund to apportion the same among the several counties of this state, in the ratio that taxes for the support of the government of this state are paid by the respective counties; a true list of which apportionment shall be made out and filed with the the treasurer, whose duty it shall be forthwith to notify, in writing, the collectors of the several counties of the sum apportioned to each county respectively, who are hereby authorized to draw for the same.

The board of chosen freeholders, at their annual town meetings, authorized to apportion among the several townships the moneys received, &c.

SEC. 3. *And be it enacted,* That the boards of chosen freeholders in the several counties of this state shall, at their annual meetings in each year, apportion among the several townships in their respective counties the money so as aforesaid received by the collector of said county from the treasurer, in the ratio of the county tax paid by the several townships, a true list of which apportionment shall be filed by the clerk of said board, and a duplicate copy thereof filed with the county collector: and it shall be the duty of the clerks of the said boards of chosen freeholders, respectively, as soon as such apportionment shall be made and filed as aforesaid; to notify, in writing, the collectors of the several townships in his respective county the amount so apportioned to the respective townships, whose duty it shall be, on the receipt of such notice, to report the amount thereof to the inhabitants of their respective townships, at their next annual town meeting.

The inhabitants of the several townships invested with specified privileges &c.

SEC. 4. *And be it enacted,* That the inhabitants of the several townships in this state are hereby authorized and empowered, at their annual town meetings, upon the report of the township collector of the amount so apportioned to their use, to elect and choose, by the vote of the town meeting so assembled, whether or not an additional amount shall be raised by said township, by tax or otherwise, for the same object; and in case the same be agreed upon, said township shall be entitled to the full amount of such apportionment, and the township collector is hereby authorized to draw upon the county collector accordingly.

And authorized to choose three or more persons as a school committee, &c.

SEC. 5. *And be it enacted,* That the inhabitants of the several townships in this state are hereby authorized and empowered, at their annual town meetings, to elect and choose, in the same manner as other town officers are elected, three or more suitable persons, who shall constitute the school committee for the respective townships, and who shall have power to set off and divide their respective townships into convenient school districts, and afterwards to alter and change them as circumstances may require; and in case a district can be more conveniently formed of parts of two or more adjacent

townships, it shall be the duty of the school committees of said adjacent townships, collectively, to make such division.

SEC. 6. *And be it enacted*, That it shall also be the duty of the said school committees, respectively, to examine and license, by certificate under their hands and seals, suitable persons as teachers of common schools, having regard always to their scholarship and moral character; which license shall be restricted to the township where the same may be given, and shall be in force for one year only, and no longer, but may be revoked and renewed at the pleasure of the school committee by whom the same was granted.

The duty of the school committee prescribed.

SEC. 7. *And be it enacted*, That it shall be the duty of the school committee in the respective townships, within twenty days after the respective school district shall be formed in the same, to prepare a notice, in writing, describing such district, and appointing the time and place for the first district meeting, and to set up such notice in three of the most public places within the said district, which said notice is to be set up at least ten days previous to the time of such meeting; and that a like district meeting, upon like notice, shall be held annually, on the same day fixed for the first district meeting.

Further duties prescribed.

SEC. 8. *And be it enacted*, That it shall be lawful for the inhabitants of the several school districts in the respective townships, as soon as the same shall be formed, when assembled in pursuance of the notice given, as aforesaid, of the time and place of meeting, to elect, by a plurality of votes, (taxable inhabitants only voting) three discreet persons, who shall be denominated trustees, and hold their office for one year, or until others are chosen; and also to determine how many months in the year a school shall be kept and maintained within their respective districts.

The inhabitants of the several school districts, &c. to appoint three trustees &c.

SEC. 9. *And be it enacted*, That it shall be the duty of the trustees, when elected as provided for in the preceding section, to provide a suitable house or room where a school shall be taught, and to employ a licensed teacher; likewise, to make out a list of the children between the ages of four and sixteen years within their said district, and transmit the same to the school committee of their respective township.

Trustees, their duties prescribed, &c.

SEC. 10. *And be it enacted*, That it shall be the duty of the said school committees in the several townships of this state, upon the receipt of the lists of the children within the respective districts so transmitted to them, to apportion the money so as aforesaid received by their respective township collectors; and also all other moneys which may be raised by their respective townships for the support of common schools, among the several school districts so as aforesaid formed, in the ratio of the number of children in each said district between the ages of four and sixteen years, a true list of which apportionment shall be made out, a copy whereof shall be filed with the collector of

The further duties of the school committees, &c.

the respective township, who, at the end of each quarter, upon the order of the respective school committee, shall pay the proportion that may then be due, to the trustees of the respective districts, for the use and benefit of the district school, to be applied in such form and manner as the respective school committees may from time to time order and direct.

School committee directed to visit the schools semi-annually.

SEC. 11. *And be it enacted*, That it shall further be the duty of the said school committees, or a majority of them, to visit and examine the schools in their respective townships at least once in every six months, and, on or before the first Monday of March, in each and every year, make out a report of the state of the schools within their respective townships, the number of scholars taught therein, the terms of tuition, and the length of time the school has been kept open, the amount of money received by them from the township collector, and the manner in which the same has been expended; which report shall be exhibited and read at the next annual town meeting in their respective townships, for the information of the inhabitants thereof.

The clerks of the respective boards of chosen freeholders to make and transmit to the trustees of the school fund a report in writing of the number of school districts, &c.

SEC. 12. *And be it enacted*, That it shall be the duty of the school committee of the several townships in this state, on or before the second Wednesday of May in each and every year, to transmit to the clerk of the board of chosen freeholders of their respective counties the reports by them respectively made, for the information of the said board, to be filed by their respective clerks: and it shall be the duty of the said clerks, respectively, to make and transmit to the trustees of the school fund a report, in writing, of the number of school districts in the several townships in their respective counties, the length of time a school shall have been kept in each, the amount of moneys received in each township by the town collectors of said township, and how the same has been expended, and the number of children educated in each district between the ages of four and sixteen years, with such further information as they may think useful, to be condensed by them into a single report, and to be laid before the legislature by the said trustees.

C. February 24, 1829.

AN ACT to authorize John Budd, of the county of Morris, to remove the obstructions from the outlet of Budds Lake, in said county of Morris.

WHEREAS it is represented, that the outlet of Budds Lake, in the township of Roxbury, in the county of Morris, has been obstructed by the wash of the road and stone placed at said outlet, by means of which the waters of said lake have been raised so high as to overflow a large quantity of land—  
Therefore,

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That it shall be lawful for John Budd to clear out and remove, or cause to be cleared and removed, the obstructions at the outlet of said Budds Lake, in the township of Roxbury, in said county of Morris: *Provided nevertheless,* that the same shall be done at the proper expense of the said John Budd.

C. February 23, 1829.

AN ACT for the punishment of crimes.

SEC. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That if any person or persons, owing allegiance to this state, shall levy war against it, or shall adhere to its enemies, or to the enemies of the United States, giving them aid or comfort within this state or elsewhere, or by giving them advice or intelligence by letters or writing of any kind, or by messages, words, signs, or tokens, or in any way whatsoever within this state or elsewhere, or by procuring for, or furnishing to them, money or any kind of provisions, arms, or war-like stores within this state or elsewhere, or by bribery, or for reward, or promise thereof, or through favor, partiality, or treachery, yielding or surrendering to them any town or fortress, castles, garrisons, troops, militia, citizen, or citizens of this state or of the United States, or any ship, boat or vessel of this state, or of the United States, or by giving them aid or comfort in any other way, and shall be thereof convicted or attainted on confession in open court, or on the testimony of two witnesses, to the same overt act of the treason whereof he, she, or they shall stand indicted, such person or persons shall be adjudged guilty of treason, and shall suffer death.

SEC. 2. *And be it enacted,* That if any person or persons, having knowledge of the commission of any of the treasons

Preamble.

Improvement authorized.

Treason, what cases shall be adjudged, how proved and punished.

Misprision of treason, what, and how punished.

aforesaid, shall conceal, and not, as soon as may be, disclose and make known the same to the governor of this state, or to some one of the justices of the Supreme Court thereof, or to some one of the justices of the peace in and for any of the counties of this state, such person or persons, on conviction, shall be adjudged guilty of misprision of treason, and shall suffer an imprisonment at hard labor for any term not exceeding seven years, or be fined not exceeding one thousand dollars, or both, at the discretion of the court before whom such offender or offenders shall be convicted.

Murder to be punished with death; and court may deliver criminals to surgeon for dissection.

SEC. 3. *And be it enacted,* That every person who shall commit murder, or shall aid, abet, counsel, hire, command, cause, or procure any person or persons to commit murder, shall, on being thereof convicted or attainted, suffer death; and in such case the court may, at their discretion, add to the judgment, that the body of such offender shall be delivered to a surgeon for dissection: and the sheriff who is to cause such sentence to be executed, shall accordingly deliver the body of such offender, after execution done, to such surgeon as the court shall direct, for the purpose aforesaid: *Provided,* that such surgeon, or some person by him appointed for the purpose, shall attend to receive and take away the dead body at the time of the execution of such offender.

Rescue of body delivered for dissection, punishment for.

SEC. 4. *And be it enacted,* That if any person or persons, after such execution had, shall rescue, or attempt to rescue the body of such offender out of the custody of the sheriff or his officers, or the surgeon or his agents, during the conveyance of such body to any place for dissection, as aforesaid, or shall rescue, or attempt to rescue such body from the house of any surgeon where the same shall have been deposited in pursuance of this act, every person so offending shall be liable to a fine not exceeding one hundred dollars, and an imprisonment at hard labor not exceeding twelve months, or either of them, at the discretion of the court.

Manslaughter, how punished.

SEC. 5. *And be it enacted,* That if any person or persons commit the crime of manslaughter, and be thereof convicted, such person or persons shall be liable to a fine, not exceeding one thousand dollars, and an imprisonment at hard labor, not exceeding ten years, or either of them, at the discretion of the court.

Petit treason to be deemed murder only, and punished accordingly.

SEC. 6. *And be it enacted,* That from and after the passage of this act, in all cases wherein heretofore any person or persons would have been deemed or taken to have committed the crime of petit treason, such person or persons shall be deemed and taken to have committed the crime of murder only, and shall be indicted and prosecuted to final judgment accordingly; and the same punishment and no other shall be inflicted as in case of murder.

SEC. 7. *And be it enacted,* That sodomy, or the infamous

crime against nature, committed with mankind or beast, shall be adjudged a high crime and misdemeanor, and be punished by fine not exceeding one thousand dollars, or imprisonment at hard labor, for any term not exceeding twenty-one years, or both.

Sodomy, how punished.

SEC. 8. *And be it enacted,* That any person who shall have carnal knowledge of a woman, forcibly and against her will, or who shall aid, abet, counsel, hire, cause, or procure any person or persons to commit the said offence, or who being of the age of fourteen years, shall unlawfully and carnally know and abuse any woman child, under the age of ten years, with or without her consent, shall, on conviction, be adjudged guilty of a high misdemeanor, and be punished by fine not exceeding one thousand dollars, or imprisonment at hard labor for any term not exceeding fifteen years, or both.

Rape, what, and how punished.

Carnal knowledge of a female under ten years of age, how punished.

SEC. 9. *And be it enacted,* That if any person shall unlawfully take any maid, widow, or wife, contrary to her will, and shall marry her himself, or cause or procure her to be married to another, either with or without her consent, or shall defile, or cause her to be defiled, such person so offending, his aiders, abettors, counsellors, and procurers, and such as wittingly receive such woman so taken against her will, and knowing the same, shall be deemed guilty of a high misdemeanor, and on conviction thereof, shall be fined and sentenced to imprisonment at hard labor, for any term not exceeding twelve years; and every such marriage shall be void; and also the person to whom such woman shall be so married, shall not receive, take, hold, possess, or enjoy any part of her estate, real or personal, by any gift, grant, bequest, or devise, of, from, or under her; but every such gift, grant, bequest, or devise so made to him, or for his use, shall be void, and of no effect.

Abduction of a woman, &c., how punished.

Such marriages void, and the pretended husband deprived of possessing her estate &c.

SEC. 10. *And be it enacted,* That if any person shall unlawfully convey or take away any woman child, unmarried, whether legitimate or illegitimate, being within the age of fifteen years, out of or from the possession, custody, or governance, and against the will of the father, mother, or guardian of such woman child, though with her own consent, with an intent to seduce, deflower, or contract matrimony with her, such offender shall be deemed guilty of a misdemeanor, and on conviction, shall be punished by fine and imprisonment at hard labor for any term not exceeding two years, or either of them, and if he deflower such woman child, or without the consent of her father, mother, or guardian, contract matrimony with her, then, and in such case, he shall be deemed guilty of a high misdemeanor, and on conviction, shall be punished by fine and imprisonment at hard labor, for any term not exceeding five years; and further, every such marriage shall be void.

Taking a woman child under the age of fifteen years from the possession, or against the will of parents &c. with intent to defile her, how punished &c.

Polygamy, what, and how punished &c.

SEC. 11. *And be it enacted,* That if any person being married, or who hereafter shall marry, shall marry any person,

the former husband or wife being alive; then the person so offending shall be deemed guilty of a high misdemeanor, and on conviction thereof, shall be punished by fine and imprisonment at hard labor for any term not exceeding ten years, or either of them, at the discretion of the court before whom such conviction shall be had; but neither this act, nor any thing therein contained shall extend to any person whose husband or wife shall be continually remaining without the United States of America for the space of five years together, or whose husband or wife shall absent him or herself, the one from the other, for the space of five years together in any parts within this state or the United States; the one of them not knowing the other to be living within that time; nor to any person who is, or shall be, at the time of such marriage, divorced by the sentence or decree of any authority or court having cognizance thereof; nor to any person where the former marriage hath been, or shall be, by the sentence or decree of any such authority or court declared to be void and of no effect; nor to any person for or by reason of any former marriage had or made, or to be had or made within the age of consent.

Women pregnant with bastard children, concealing their pregnancy, and being delivered in secret, how punished.

SEC. 12. *And whereas* many lewd and dissolute women, being pregnant with bastard children, but regardless of natural affection, or to avoid shame or escape punishment, conceal their pregnancy and the birth of such children, whereby many of them perish for want of the usual and necessary aid and assistance, and also conceal the death of such children, so that it cannot be known whether they were murdered or not, *Be it therefore enacted*, that if any woman shall conceal her pregnancy, and shall willingly and of purpose be delivered in secret by herself, of any issue of her body, male or female, which shall by law be a bastard, every such woman so offending shall be adjudged to be guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine, not exceeding one hundred dollars, or by imprisonment at hard labor, not exceeding four months, or both. *And be it further enacted*, that if any woman shall endeavor privately, by drowning or secret burying, or in any other way, either by herself, or the procurement of others, to conceal the death of any such issue of her body, which if it were born alive would by law be a bastard, so that it may not come to light whether it were born alive or not, or whether it were murdered or not, then in every such case, the woman so offending, her aiders, abettors, counsellors, and procurers shall be adjudged to be guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine, not exceeding two hundred dollars, or by imprisonment at hard labor, not exceeding one year, or both, at the discretion of the court before whom such conviction shall be had.

Concealing death of bastard child, the punishment prescribed.

Incest, what constitutes it, and how to be punished.

SEC. 13. *And be it enacted*, That all persons who shall intermarry within the degrees prohibited by law, shall be ad-

judged to be guilty of incest and a misdemeanor, and, on conviction thereof, shall be punished by fine, not exceeding five hundred dollars, or by imprisonment at hard labor, not exceeding eighteen calendar months, or both, at the discretion of the court before whom such conviction shall be had.

SEC. 14. *And be it enacted*, That every person who shall commit adultery, and be thereof convicted, shall be punished by fine, not exceeding one hundred dollars, or by imprisonment, not exceeding the term of six months.

Adultery, how punished.

SEC. 15. *And be it enacted*, That every person who shall commit fornication, and be thereof convicted, shall be punished by a fine of fourteen dollars, to be paid to the overseers of the poor of the township where the offence was committed, for the use of the poor of said township.

Fornication, how punished &c.

SEC. 16. *And be it enacted*, That every person who shall be guilty of open lewdness or any notorious act of public indecency, grossly scandalous, and tending to debauch the morals and manners of the people, shall, on conviction, be liable to a fine, not exceeding one hundred dollars, and to an imprisonment at hard labor, not exceeding twelve months, or either of them, at the discretion of the court.

Open lewdness &c. to be punished &c.

SEC. 17. *And be it enacted*, That no prosecution, suit, or proceeding shall be commenced or carried on in any court of this state against any person for conjuration, witchcraft, sorcery, or enchantment, or for charging another with any such offence.

No suit against witchcraft, conjuration, &c. to be carried on.

SEC. 18. *And, for the effectual prevention and punishment of any pretences to such arts or powers as are before mentioned, whereby ignorant persons are frequently deluded or defrauded, Be it enacted*, that if any person shall pretend to exercise, or use any kind of conjuration, witchcraft, sorcery, or enchantment, or pretend, from his or her skill or knowledge in any occult or crafty science, to discover where, or in what manner any goods or chattels, supposed to have been stolen or lost, may be found, every person so offending, being thereof convicted, shall, for every such offence, be punished by fine, not exceeding fifty dollars, or imprisonment, not exceeding three months, or both, at the discretion of the court.

Persons pretending to witchcraft, or occult science, how punished.

SEC. 19. *And be it enacted*, That all impostors in religion, such as personate our Saviour Jesus Christ, or suffer their followers to worship or pay them divine honors, or terrify, delude, or abuse the people by false denunciations of judgments, shall, on conviction, be punished for every such offence by a fine, not exceeding one hundred dollars, or an imprisonment, not exceeding six months, or both, at the discretion of the court.

Religious impostors, how to be punished.

SEC. 20. *And be it enacted*, That if any person shall wilfully blaspheme the holy name of God, by denying, cursing,

Blasphemy, how punished.

or contumeliously reproaching his being or providence, or by cursing or contumeliously reproaching Jesus Christ, or the Holy Ghost, or the Christian religion, or the holy word of God, that is the canonical Scriptures contained in the books of the Old and New Testaments, or by profanely scoffing at or exposing them, or any of them, to contempt and ridicule, then every person so offending shall, on conviction thereof, be punished by a fine, not exceeding two hundred dollars, or an imprisonment at hard labor, not exceeding twelve months, or both, at the discretion of the court.

Perjury, and subornation of perjury, how to be punished.

SEC. 21. *And be it enacted,* That if any person shall wilfully and corruptly commit perjury, or shall by any means procure or suborn any person to commit corrupt and wilful perjury, on his or her oath or affirmation, in any action, plea, suit, bill, answer, complaint, indictment, controversy, matter, or cause depending, or which may depend, in any of the courts of this state, or before any referees or arbitrators, or in any deposition taken or to be taken pursuant to the laws of this state, every person so offending shall be deemed guilty of a high misdemeanor, and, on being thereof convicted, shall be punished by fine, not exceeding eight hundred dollars, or by imprisonment at hard labor, not exceeding seven years, or both, at the discretion of the court, and be thereafter rendered incapable of giving testimony in any of the courts of this state, until such time as the judgment so given against the said offenders shall be reversed.

In prosecutions for perjury, it is sufficient to set forth the substance of the charge.

SEC. 22. *And be it enacted,* That in every presentment or indictment to be prosecuted against any person for wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence charged upon the defendant, and by what court, and before whom the oath or affirmation was taken; averring such court or person or persons to have competent authority to administer the same, together with the proper averment or averments to falsify the matter or matters wherein the perjury or perjuries is or are assigned, without setting forth the bill, answer, information, indictment, declaration, or any part of any record or proceedings, either in law or equity, other than as aforesaid, and without setting forth the commission or authority of the court or person or persons before whom the perjury was committed.

Also, in prosecutions for subornation of perjury.

SEC. 23. *And be it enacted,* That in every presentment or indictment for subornation of perjury, or for corrupt bargaining or contracting with others to commit wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence charged upon the defendant, without setting forth the bill, answer, information, indictment, declaration, or any part of any record or proceedings, either in law or equity, and without setting forth the commission or authority of the court.

or person or persons before whom the perjury was committed, or was agreed or promised to be committed.

SEC. 24. *And be it enacted*, That if any person shall directly or indirectly give any sum or sums of money, or any goods, chattels, lands, or real estate, or any other bribe, present, or reward; or give or make any promise, contract, covenant, obligation, or security for the payment, delivery, alienation, or transfer of any money, goods, chattels, lands, or real estate, or other bribe, present, or reward to obtain, procure, or influence the opinion, judgment, decree, or behavior of any judge or judges, justice or justices, of this state, in any action, plea, suit, complaint, indictment, controversy, matter, or cause depending, or which shall depend before him or them, such person so giving, promising, contracting, covenanting, or securing to be given, paid, delivered, aliened, or transferred any sum or sums of money, goods, chattels, lands, real estate, or other present, reward, or bribe as aforesaid, and the judge or judges, justice or justices, who shall in any wise receive or accept the same, shall be adjudged guilty of a high misdemeanor, and, on conviction thereof, be punished by fine or imprisonment, or both; or by fine or imprisonment at hard labor, or both; but such fine shall not exceed eight hundred dollars, and such imprisonment shall not exceed five years: and also shall for ever be disqualified to hold any office of honor, trust, or profit under this state.

Bribery, what cases shall be adjudged, and how punished.

SEC. 25. *And be it enacted*, That no judge, justice, sheriff, coroner, constable, jailer, or other officer of this state, ministerial or judicial, shall receive or take any fee or reward to execute and do his duty and office, but such as is or shall be allowed by the laws of this state; and if any doth, he shall restore to the party grieved double damages and costs: *And further*, that if any such judge, justice, sheriff, coroner, constable, jailer, or other officer as aforesaid, shall receive or take, by color of his office, any fee or reward whatsoever, not allowed by the laws of this state, for doing his office, and be thereof convicted, he shall be punished by fine or imprisonment, or both, or by fine or imprisonment at hard labor, or both, the fine not to exceed four hundred dollars, nor the imprisonment the term of two years.

Extortion, what, and how punished.

SEC. 26. *And be it enacted*, That embracery, and all attempts to corrupt or influence a jury, or any of them, or any way to incline such jury, or any of them, to be more favorable to the one side than to the other, by promises, persuasions, entreaties, threats, letters, money, entertainments, or other sinister means, and all indirect, unfair, and fraudulent practices, arts, and contrivances to obtain a verdict, and all attempts to instruct a jury or juror beforehand, or at any place or time, or in any manner or way, except only in open court at the trial of the cause by the strength of the evidence, the arguments of the parties or their counsel, or the opinion or

Embracery, how punished.

A juror who shall take a bribe, how to be punished.

charge of the court, shall be deemed misdemeanors, and be punished by fine or imprisonment, or both, or by fine or imprisonment at hard labor, or both, the fine in such case not to exceed three hundred dollars, nor the imprisonment the term of one year: *And further*, if any juror take money, goods, chattels, or other reward of the one party or the other, or be so as aforesaid embraced, then every such juror shall, on conviction, be punished by fine or imprisonment, or both, or by fine or imprisonment at hard labor, or both, the fine in such case not to exceed six hundred dollars, nor the imprisonment the term of two years, and, also, shall be for ever disqualified to serve or act as a juryman.

Arson, and the punishment thereof.

SEC. 27. *And be it enacted*, That if any person wilfully and maliciously shall burn, or cause to be burned, or aid, counsel, procure, or consent to the burning of the dwelling house of another, or any kitchen, shop, barn, stable, or other out-house that is parcel thereof, or belonging or adjoining thereto, or any other building, by means whereof a dwelling house shall be burnt, then, and in every such case, the persons so offending shall be adjudged guilty of arson, and be proceeded against for a high misdemeanor, and, on conviction, shall be punished by fine, and imprisonment at hard labor for any term not exceeding fifteen years.

Burning public buildings, mills, and out-houses, how to be punished.

SEC. 28. *And be it enacted*, That if any person wilfully and maliciously shall burn, or cause to be burned, or aid, counsel, procure, or consent to the burning of any barn, stable, or other building of another, not parcel of the dwelling house, or any shop, storehouse, warehouse, malthouse, mill, or other building of another, or any ship, boat, or other vessel of another, lying within the body of any county in this state, or any church, meetinghouse, courthouse, workhouse, jail, or other public building, then, and in every such case, the person so offending shall be adjudged guilty of a misdemeanor, and, on conviction, shall be liable to a fine, and imprisonment at hard labor for any term not exceeding ten years, or either of them.

Dwelling houses, mills, &c., setting fire to, with intention to burn, how punished.

SEC. 29. *And be it enacted*, That if any person shall wilfully and maliciously set fire to, or aid, procure, or consent to the setting fire to any church, meetinghouse, courthouse, workhouse, jail, or other public building, or any dwelling-house, kitchen, shop, storehouse, warehouse, malthouse, mill, barn, stable, or other house or building of another, or any ship, boat, or other vessel of another, lying within the body of any county in this state, with intent to burn the same, then, and in every such case, the person so offending shall be adjudged guilty of a misdemeanor, and, on being thereof convicted, shall be punished by fine, and imprisonment at hard labor for any term not exceeding five years, or either of them.

SEC. 30. *And be it enacted*, That if any person shall, by

night, wilfully and maliciously break and enter any church, meetinghouse, dwellinghouse, shop, warehouse, mill, barn, stable, outhouse, or other building whatsoever, with intent to kill, rob, steal, commit a rape, mayhem, or battery, every such offender, and his and her procurers, counsellors, aiders, and abettors shall be deemed guilty of a high misdemeanor, and, on being thereof convicted in due course of law, shall be punished by fine, not exceeding five hundred dollars, and imprisonment at hard labor, not exceeding ten years, or both, at the discretion of the court before whom such conviction shall be had.

Burglary defined, and punishment prescribed.

SEC. 31. *And be it enacted*, That if any person shall steal of the money or personal goods and chattels of another under the price or value of twenty dollars, he or she so offending shall be deemed guilty of a misdemeanor, and, on conviction of any such offence, shall be punished in the county where the conviction may be had by fine, or imprisonment in the cells, or imprisonment at hard labor in the common jail of the county, or by whipping; at the discretion of the court before whom such conviction shall be had, the fine not to exceed one hundred dollars, nor the term of imprisonment three months, nor the whipping to exceed thirty-nine lashes; and that every person accused of offending as aforesaid may be taken before any two of the justices of the peace of the county, city, or town corporate where the offence was committed, who are hereby authorized and required to hear and determine the same, if the person accused shall consent thereto; and if on trial such person shall, from the evidence produced, appear to be guilty, the said justices shall sentence him or her accordingly;—and no person hereafter convicted of larceny under the value of twenty dollars, shall be sent to the state-prison for such offence: *And further*, all fines that are imposed upon any person for offences that are tried and punished in any of the courts in this state (fornication excepted) shall be paid to the county collector, for the use of the county.

Larceny to the value of twenty dollars, how punished.

SEC. 32. *And be it enacted*, That if any person shall steal of the money or personal goods and chattels of another, under the sum or value of twenty dollars, such person being committed to jail for the same for want of bail, and requesting to be tried before two justices of the peace, in the manner prescribed in the next preceding section; shall and may, by virtue of a warrant under the hands and seals of any two justices of the county, city, or town corporate wherein such fact was committed, or wherein such money, goods, or chattels were found on the person, or in his custody, to the sheriff or constable of such county, city, or town corporate, directed to be brought before the said justices, at such time and place as in the said warrant shall be appointed; and such sheriff or constable shall attend the said justices with the prisoner, during such reasonable time as the said justices shall direct: that the

No person convicted of stealing, under the sum of twenty dollars, to be sent to the state-prison.

said justices shall then cause the clerk of the Court of Quarter Sessions of the county, city, or town corporate, or such other person as the said justices shall see fit to appoint and direct, to prefer to the said justices an accusation, in writing, alleging the time, place, and nature of the offence of the prisoner so as aforesaid brought before them, which the said justices are hereby fully empowered and required to hear and determine, to which accusation the said prisoner shall plead: and on refusal to plead, or on trial and conviction in manner aforesaid, shall suffer and incur, by order of the said justices, the punishment, penalty, and forfeiture prescribed and directed in the preceding section of this act, at the discretion of the said justices.

Above the value of twenty dollars &c., how to be punished.

SEC. 33. *And be it enacted*, That if any person shall steal of the money or personal goods and chattels of another of or above the price or value of twenty dollars, or shall steal the money or personal goods and chattels of another, from his or her person, whether privately or without his or her knowledge, or openly and in his presence, to any value whatever above the sum of twenty dollars, or shall, in any church, meetinghouse, or place of worship, or any dwellinghouse, shop, storehouse, warehouse, mill, barn, stable, outhouse, or other building, steal of the money or personal goods and chattels of another, to any value whatever above the said sum of twenty dollars, every person so offending shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine, not exceeding five hundred dollars, or imprisonment at hard labor, not exceeding ten years, or both.

Robbery, how punished.

SEC. 34. *And be it enacted*, That if any person shall forcibly take from the person of another money or personal goods and chattels, to any value whatever, by violence, or putting him or her in fear, every person so offending, and his or her aiders, procurers, and abettors shall be adjudged guilty of a high misdemeanor, and, on conviction, shall be punished by a fine, not exceeding one thousand dollars, or imprisonment at hard labor for any term not exceeding fifteen years, or both.

Assault, with intent to rob, or house-breaking, by day, with intent to kill, rob, &c., how punished.

SEC. 35. *And be it enacted*, That if any person shall unlawfully and maliciously assault another with any offensive weapon or instrument, or by menaces, or in and by other forcible and violent manner and means, demand of another any money or personal goods and chattels, with intent to rob him or her, or shall, by day, wilfully and maliciously break and enter any dwelling-house, shop, warehouse, storehouse, mill, barn, stable, outhouse, or other building whatever, with intent to kill, rob, steal, or commit a rape, mayhem, or battery, then, and in every such case, the person so offending, and his or her counsellors, procurers, aiders, and abettors shall be deemed guilty of a high misdemeanor, and, on being thereof convicted, shall be punished by fine, not exceeding five hundred dollars,

or imprisonment at hard labor for any term not exceeding ten years, or both.

SEC. 36. *And be it enacted*, That if any person shall wilfully and maliciously enter, either by day or by night, without breaking the same, any church, meetinghouse, or place of worship, or any dwellinghouse, shop, warehouse, storehouse, mill, barn, stable, outhouse, or other building whatsoever, with intent to kill, rob, steal, or commit a rape, mayhem, or battery, then, and in every such case, the person so offending, and his or her counsellors, procurers, aiders, and abettors shall be deemed guilty of a high misdemeanor, and, on being thereof convicted, shall be punished by fine, not exceeding three hundred dollars, or imprisonment at hard labor for any term not exceeding five years, or both.

Entering dwelling house without breaking, with intent to kill &c., how punished.

SEC. 37. *And be it enacted*, That if any apprentice or servant, whether bound or hired, to whom any money, bank bill or note, or goods or chattels, shall be, by his or her master or mistress, delivered to be safely kept, shall withdraw himself or herself from his or her said master or mistress, and go away with the said money, bank bill or note, goods or chattels, or any part thereof, with intent to steal the same, and defraud his or her said master or mistress thereof, contrary to the trust and confidence in him or her reposed by his or her said master or mistress, or, being in the service of his or her said master or mistress, without assent or commandment of his or her said master or mistress, shall embezzle the said money, bank bill or note, goods or chattels, or any part thereof, or otherwise shall convert the same to his or her own use, with like purpose to steal the same, then, and in every such case, the person so offending shall be judged guilty of a high misdemeanor, and, on being thereof convicted, shall be punished by fine, not exceeding one hundred dollars, or imprisonment at hard labor for any term not exceeding two years, or both: *Provided*, that this clause or section shall not extend to any apprentice or servant, guilty of any of the premises therein mentioned, within the age of fourteen years.

Apprentices or servants, intrusted by their masters with money or goods, and who shall go away, with intent to steal them, or who shall embezzle them, how punished.

Proviso.

SEC. 38. *And be it enacted*, That if any lodger shall take away, with intent to steal, embezzle, or purloin any bedding, furniture, goods, or chattels, which by contract or agreement he or she is to use, or shall be let to him or her to use, in or with his or her lodging, then, and in such case, every person so offending shall be deemed guilty of a misdemeanor, and, on being thereof convicted, shall be punished by fine, not exceeding two hundred dollars, or imprisonment at hard labor, not exceeding two years, or both.

Lodger, stealing goods from his landlord, how punished.

SEC. 39. *And be it enacted*, That if any person shall steal, or take by robbery, any bank bill or note, bill of exchange, order, warrant, draught, check, bond, bill, or promissory note for payment of any money, or any certificate or other public

For stealing bills, bonds, notes &c., how punished.

security of the United States, or of this state, or of any of the United States, for payment of money, or acknowledging the receipt of money or goods, being the property of any other person or persons, or of any corporation, notwithstanding the said particulars, or any of them are, or may be termed in law choses in action, it shall be deemed and construed a misdemeanor of the same nature, in the same degree, and in the same manner, as it would have been if the offender had stolen or taken by robbery any other goods of like value, with the money due on such bank bill or note, bill of exchange, order, warrant, draught, check, bond, bill, or promissory note, or certificate or other public security, or secured thereby and remaining unsatisfied, and such offender shall suffer such punishment as he or she should or ought to have done if he or she had stolen or taken by robbery other goods of the like value, with the money due on such bank bill or note, bill of exchange, order, warrant, draught, check, bond, bill, or promissory note, or certificate or other public security, respectively, or secured thereby, and remaining unsatisfied.

Stealing  
deeds &c.,  
how punished.

SEC. 40. *And be it enacted*, That if any person shall steal or take, by robbery, any letters patent, charter, testament, will, or deed, whether indented or poll, covenant, assurance, lease, indenture of apprenticeship, articles of agreement, contract, letter of attorney, or other power, or any instrument of writing respecting any property, real or personal, or any release, acquittance, voucher, receipt, receipt book, waste book, day book, journal, leger, or other book of accounts of or belonging to another, every such offender shall be deemed guilty of a misdemeanor, and, on being convicted thereof, shall be punished by fine, not exceeding five hundred dollars, or imprisonment at hard labor, not exceeding ten years, or both.

Persons steal-  
ing and alter-  
ing records  
&c., whereby  
any judgment  
is reversed,  
their punish-  
ment pre-  
scribed.

SEC. 41. *And be it enacted*, That if any clerk, coroner, sheriff, justice, or judge, or any other person, shall steal, embezzle, take away, alter, withdraw, falsify, or avoid any record, or parcel of the same, writ, return, panel, process, minutes, documents, book, or other proceeding, of or belonging to any of the courts of this state, or of or belonging to the office of the secretary of this state, or of the office of the clerk of the Supreme Court, or of the Inferior Court of Common Pleas, or General Quarter Sessions of the Peace, of any city or county in this state, by means whereof any verdict, judgment, sentence, or decree shall be reversed, annulled, made void, or lose its force and effect, then every such offender, his or her procurers, counsellors, aiders, and abettors, shall be adjudged guilty of a high misdemeanor, and, on being convicted thereof, shall be punished by fine, not exceeding seven thousand dollars, or imprisonment at hard labor, not exceeding seven years, or both; and in case no verdict, judgment, sentence, or decree shall be reversed, annulled, made void, or lose its force and effect by

And if judg-  
ment &c. be  
not reversed,  
the punish-  
ment pre-  
scribed.

any such stealing, embezzling, taking away, altering, withdrawing, falsifying, or avoiding of any of the records, proceedings, minutes, books, matters, or things aforesaid; then every such offender, his or her procurers, counsellors, aiders, and abettors shall, on conviction, be punished by fine, not exceeding one thousand dollars, or imprisonment at hard labor, not exceeding four years, or both: *Provided always*, that this act shall not extend to any amendment or entry made, or to be made, by any rule, order, judgment, or decree of any court.

Proviso.

SEC. 42. *And be it enacted*, That if any person shall falsely make, alter, forge, or counterfeit, or cause, counsel, hire, command, or procure to be falsely made, altered, forged, or counterfeited, or willingly act or assist in the false making, altering, forging, or counterfeiting any record or other authentic matter of a public nature, charter, letters patent, deed, lease, writing sealed, will, testament, annuity, bond, bill, writing obligatory, bank bill or note, check, draught, bill of exchange, promissory note for the payment of money, endorsement, or assignment of any bill of exchange or promissory note for the payment of money, or any acceptance of a bill of exchange, or the number or principal sum of any accountable receipt for any note, bill, or other security for the payment of money, or any warrant, order, or request for the payment of money, or delivery of goods or chattels of any kind, or any acquittance or receipt, either for money or goods, or any acquittance, release, or discharge of any debt, account, action, suit, demand, or other thing, real or personal, or any transfer or assurance of money, stock, goods, chattels, or other property whatsoever, or any letter of attorney or other power to receive money, or to receive or transfer stock or annuities, or to let, lease, sell, dispose of, alien, or convey any goods or chattels, lands or tenements, or other estate, real or personal, with intent to prejudice, injure, demand, or defraud any person or persons, body politic or corporate, or shall utter or publish, or cause, counsel, hire, command, or procure to be uttered or published, as true, any of the above false, altered, forged, or counterfeited matters; as above specified and described, knowing the same to be false, altered, forged, or counterfeited, with intent to prejudice, injure, damage, or defraud any person or persons, body politic or corporate, then every such offender shall be deemed guilty of a high misdemeanor, and, on being thereof convicted, shall be punished by fine and imprisonment at hard labor, or both, provided such imprisonment shall not exceed the term of ten years.

Forgery, the punishment thereof prescribed.

Persons acquainted with the names of others, not privy thereto, or personating others as bail, their punishment prescribed.

SEC. 43. *And be it enacted*, That if any person shall acknowledge, or procure to be acknowledged, any fine or fines, common recovery or recoveries, deed or deeds, recognizance or recognizances, bail or bails, judgment or judgments, in the

name or names of any other person or persons not privy or consenting to the same; and if any person shall, before any person or persons authorized to take bail or bails, represent or personate any other person or persons, whereby the person or persons so represented or personated may be liable to the payment of any sum or sums of money for debt or damages, to be recovered in the same suit or action wherein the person or persons are represented or personated, as if he, she, or they had really acknowledged and entered into the same bail or bails, every such person or persons so offending shall be adjudged guilty of a high misdemeanor, and, on being thereof convicted, shall be punished by fine, not exceeding seven thousand dollars, or imprisonment at hard labor, or both: *Provided* such imprisonment shall not exceed the term of seven years: *And provided also*, that this act shall not extend to the acknowledgment of any judgment or judgments by any attorney or attorneys, duly admitted, for any person or persons against whom any such judgment or judgments shall be had or given.

Proviso.

Persons using any false token or writing to obtain money or goods with intent to cheat or defraud, how punished.

SEC. 44. *And be it enacted*, That all persons who knowingly and designedly, by color of any false token, counterfeit letter or writing, or false pretence or pretences, shall obtain from any person money, wares, merchandise, goods, or chattels, or other valuable thing, with intent to cheat or defraud any person or persons, body politic or corporate, of the same, then every person so offending shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine, not exceeding one thousand dollars, or imprisonment at hard labor, not exceeding three years.

The obstructing the execution of process by any officer &c., how to be punished.

SEC. 45. *And be it enacted*, That if any person or persons shall knowingly and wilfully obstruct, resist, or oppose any sheriff, coroner, constable, or other officer of this state, or other person or persons duly authorized, in serving or attempting to serve or execute any mesne process, writ, warrant, rule, or order of any of the courts of this state, or any other legal or judicial writ, warrant, or process whatsoever, or shall assault, beat, or wound any sheriff, coroner, constable, or other officer or person duly authorized, in serving or executing any writ, rule, order, process, or warrant aforesaid, or for having served or executed the same, every person so knowingly and wilfully offending in the premises shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine, not exceeding eight hundred dollars, or by imprisonment at hard labor, not exceeding two years, or both.

Sheriffs and other officers, guilty of voluntary escapes in capital cases, how punished.

SEC. 46. *And be it enacted*, That if any sheriff, coroner, jailer, keeper of a jail, constable, or other officer or person whatsoever, having any offender guilty of treason, murder, or other crime punishable with death, in his custody for any such crime, shall voluntarily permit or suffer such offender to es-

escape and go at large, then every such sheriff, coroner, jailer, keeper of a jail, constable, or other officer or person so offending shall be adjudged guilty of a high misdemeanor, and, on being thereof convicted, shall suffer death: *Provided*, that nothing herein contained shall be construed to prevent any sheriff, coroner, jailer, keeper of a jail, constable, or other officer or person so guilty of such voluntary escape as aforesaid from being prosecuted or proceeded against for a misdemeanor at common law.

*Proviso.*

SEC. 47. *And be it enacted*, That all voluntary escapes in cases not punishable with death, and all negligent escapes, of whatever kind, in criminal matters, shall be deemed misdemeanors, and punished by fine, not exceeding one thousand dollars, or imprisonment at hard labor, not exceeding three years, or both: *And further*, any sheriff, coroner, jailer, keeper of a jail, constable, or other officer who shall be guilty of any voluntary escape in any criminal case whatever, shall for ever be disqualified to hold any office of honor, trust, or profit under this state.

Voluntary escapes, in cases not capital, and negligent escapes, the penalty for.

SEC. 48. *And be it enacted*, That all rescues of any person or persons guilty of treason, murder, or other crime punishable with death, shall be deemed high misdemeanors, and every person so offending shall, on conviction, suffer death: *Provided*, that nothing herein contained shall be construed to prevent any such rescue as aforesaid from being prosecuted and proceeded against for a misdemeanor at common law.

Rescuer of persons guilty of capital crimes, penalty &c. *Proviso.*

SEC. 49. *And be it enacted*, That all rescues in criminal cases not punishable with death, and in all civil cases, shall be deemed misdemeanors; and every such rescuer shall, on conviction, be liable to a fine, not exceeding one thousand dollars, or an imprisonment at hard labor, not exceeding three years, or both.

Rescuers in criminal cases which are not capital, and in all civil cases, the penalty &c.

SEC. 50. *And be it enacted*, That from henceforth no person who, being imprisoned, shall break prison shall have judgment of life or member for breaking prison only, except the cause for which such prisoner was taken and imprisoned did require such judgment if he had been convicted thereupon: and if any person, being imprisoned for a crime not punishable with death, shall break prison, and escape, or shall break prison, although no escape be actually made, he or she so offending shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine, not exceeding one thousand dollars, or imprisonment at hard labor, not exceeding three years, or both.

Prisoner breaking prison, not to suffer death, except confined for a crime punishable with death.

SEC. 51. *And be it enacted*, That if any person shall, by any means whatsoever, be aiding or assisting to any prisoner in jail, indicted for, or convicted of any offence against this state, or sentenced to imprisonment on such conviction, or lawfully committed or detained in such jail for any crime

Assisting a prisoner in jail to escape penalty for.

Conveying to such prisoner any disguise or arms proper to facilitate his escape, the penalty for,

against this state, expressed in the warrant of his or her commitment or detainer, to make or to attempt to make his escape from any jail, although no escape be actually made, every person so offending as aforesaid, and being thereof convicted, shall be deemed to be guilty of a misdemeanor, for which he or she shall be liable to a fine, not exceeding five hundred dollars, or an imprisonment at hard labor, not exceeding two years, or both: and if any person shall convey, or cause to be conveyed, into any jail or house of correction any mask, visor, or other disguise, or any instrument or arms proper to facilitate the escape of such prisoners as aforesaid, and the same shall deliver, or cause to be delivered to any such prisoner in any such jail or house of correction, or to any other person there, for the use of any such prisoner, without the consent or privity of the keeper of such jail or house of correction, every such person, although no escape, or attempt to escape be actually made, shall be deemed to have delivered such mask, visor, or other disguise, instrument, or arms, with intent to aid or assist such prisoner to escape, and being thereof convicted, shall be deemed and judged to be guilty of a misdemeanor, for which he or she shall be liable to a fine, not exceeding five hundred dollars, or an imprisonment at hard labor, not exceeding two years, or both: *And further*, if any person shall aid or assist any prisoner to attempt to make his or her escape from the custody of any constable, officer, or other person who shall have the lawful charge of such prisoner, in order to conduct or carry him or her to jail by virtue of a warrant of commitment for any crime against this state, expressed in such warrant, or to the house of correction, by virtue of any order, sentence, or judgment of imprisonment on conviction of any crime against this state, then every person so offending, on being thereof convicted, shall be deemed and adjudged to be guilty of a misdemeanor, for which he or she shall be liable to a fine, not exceeding five hundred dollars, or an imprisonment at hard labor, not exceeding two years, or both.

Assisting a prisoner to escape from a constable or other person, how punished.

Compounding of treason and other crimes, how punished.

SEC. 52. *And be it enacted*, That if any person take money, goods, chattels, lands, or other reward, or promise thereof, to compound, or upon agreement to compound, any treason, misprision of treason, murder, manslaughter, sodomy, rape, arson, forgery, burglary, housebreaking, robbery, larceny, kidnapping, escape, rescue, breach of prison, embracery, bribery, perjury, or subornation of perjury, every person so offending shall be deemed to be guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine, not exceeding three hundred dollars, or imprisonment at hard labor, not exceeding twelve months, or both.

Conspiracy, what, and how punished.

SEC. 53. *And be it enacted*, That all such as combine, unite, confederate, conspire, or bind themselves by oath, covenant, agreement, or other alliance, that they shall and will mutually

aid, support, and help one another falsely and maliciously to indict, or cause or procure to be indicted, any person or persons, shall be deemed guilty of conspiracy, and, on being thereof convicted, shall be punished by fine, not exceeding five hundred dollars, or imprisonment at hard labor, not exceeding two years, or both.

SEC. 54. *And be it enacted*, That if any person shall kidnap or steal, or forcibly take away any man, woman, or child, bond or free, and send or carry, or with intent to send or carry such man, woman, or child from this state into another state or country, or shall spirit, persuade, or entice any child within the age of fourteen years to leave his or her father, mother, or guardian, or other person or persons intrusted with the care of such child, and the same child shall secrete and conceal, then the person so offending in any of the premises, and his or her procurers, shall be adjudged to be guilty of a high misdemeanor, and, on conviction, shall be punished by fine, not exceeding one thousand dollars, or imprisonment at hard labor, not exceeding five years, or both.

Kidnapping and spiriting away children, punishment for.

SEC. 55. *And be it enacted*, That if any person shall voluntarily, unlawfully, and on purpose cut off the ear or ears, or cut out or disable the tongue, put out an eye, slit the nose, lip, or ear, cut off the nose or lip, or cut off or disable any limb or member of any person, or brand any person with intention of so doing, to murder or kill, to maim or disfigure, such person, in any of the manners before mentioned, then, and in every such case, the person so offending shall, on conviction, be punished by fine, not exceeding one thousand dollars, or imprisonment at hard labor, not exceeding seven years, or both.

Cutting out, or attempting to cut out the tongue, cutting off, or maiming the nose, ear, lip, &c. of any person, how punished.

SEC. 56. *And be it enacted*, That if any person shall, by word, message, letter, or any other way, challenge another to fight a duel with a rapier or smallsword, backsword, pistol, or other dangerous weapon, or shall accept a challenge, although no duel be fought, or knowingly be the bearer of such challenge, or shall any way abet, prompt, encourage, persuade, seduce, or cause any person to fight a duel, or to challenge another to fight such duel, every person so offending shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine, not exceeding five hundred dollars, or imprisonment at hard labor, not exceeding two years, or both: *And further*, if any person shall engage in, and fight a duel with another, with a rapier, or smallsword, backsword, pistol, or other dangerous weapon, although death does not thereby ensue, or shall be a second in any such duel, then, and in such case, every person so offending shall be adjudged to be guilty of a high misdemeanor, and, on conviction, shall be punished by fine, not exceeding one thousand dollars, or imprisonment at hard labor, not exceeding four years, or both, and shall not, after such conviction, hold any office of profit or trust under this state.

Challenging to fight a duel, though no duel be fought, the penalty for &c.

Duel, punishment for fighting, where death does not ensue.

Sending letter or other writing threatening to accuse of an indictable offence, with intent to extort money, or demanding money, or threatening to maim or kill, or to burn houses &c., how punished.

SEC. 57. *And be it enacted*, That if any person shall knowingly send or deliver any letter or writing, with or without a name subscribed thereto, or sign, with a fictitious name, letter or letters threatening to accuse any person of a crime of an indictable nature by the laws of this state, with intent to extort from him or her any moneys, wares, merchandise, goods, or chattels, or other valuable thing, or demanding money, goods, or chattels, or other valuable thing, or threatening to maim, wound, kill, or murder any person, or to burn his or her house, outhouse, barn, or other building, or stack or stacks of corn, grain or hay, though no money, goods, or chattels, or other valuable things be demanded by such letter or writing, then every person so offending shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine, not exceeding three hundred dollars, or imprisonment at hard labor, not exceeding nine months, or both.

Stealing lead or iron, fixed to a house, or grass or grain standing and growing, how punished.

SEC. 58. *And be it enacted*, That if any person shall steal, or shall rip, cut, or break, with intent to steal, any lead or iron, bar iron rail, iron gate, or iron palisado, or any lock fixed to any dwellinghouse, outhouse, stable, or any other building, or shall pull, cut, gather, or take away, with intent to steal, any flax, grass, or indian corn, wheat, rye, barley, oats, or grain of any kind, standing and growing, of another, then every person offending in any of the premises shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine, not exceeding fifty dollars, or imprisonment at hard labor, not exceeding nine months, or both.

Stealing, in the nighttime, vegetables or fruit standing or growing, how punished. See supplement 31st of May, 1820.

SEC. 59. *And be it enacted*, That if any person shall dig, pull up, pick, or gather, with intent to steal, any turnips, potatoes, cabbage, parsnips, carrots, peas, beans, muskmelons, watermelons, apples, peaches, plums, cherries, or other roots, vegetables, or fruit of any kind, standing or growing, of another, under the value of twenty dollars, every person so offending shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine, not exceeding forty dollars, or imprisonment in the county jail, not exceeding three months, or both; and that every person accused of offending, as aforesaid may be taken before any two of the justices of the peace of the county, city, or town corporate where the offence was committed, who are hereby authorized and required to hear and determine the same, if the person accused shall consent thereto; and if, on the trial, such person shall, from the evidence produced, appear to be guilty, the said justices shall sentence him or her accordingly.

Persons maliciously destroying deeds, bonds, and other writings, how punished.

SEC. 60. *And be it enacted*, That if any person shall willfully, unlawfully, and maliciously tear, cut, burn, or in any way whatever destroy any letters patent, charter, deed, indented or poll, lease, indenture of apprenticeship, writing sealed, will, testament, bond, annuity, bill writing obligatory, release, bank bill or note, check, draught, bill of exchange, promissory note,

for the payment of money, endorsement, or assignment of any bill of exchange or promissory note for the payment of money, or any acceptance of any bill of exchange, or the number or principal sum of any accountable receipt for any note, bill, or other security for the payment of money, or any warrant, order, or request for the payment of money, or the delivery of goods or chattels of any kind, any certificate or other public security of the United States, or of this state, or of any of the United States, for the payment of money, or acknowledging the receipt of money or goods, or any acquittance or receipt, either for money or goods, or any acquittance, release, or discharge of any debt, account, action, suit, demand, or other thing, real or personal, or any transfer or assurance of money, stock, goods, chattels, or other property whatsoever, or any letter of attorney, or other power, or to receive money, or to receive or transfer stock or annuities, or to let, lease, sell, dispose of alien, or convey any goods or chattels, lands, or tenements, or other estate, real or personal, or any day book, journal, ledger, or book of accounts, or any agreement or contract in writing, whether sealed or not, respecting any estate, real or personal, with intent to prejudice, injure, damage, or defraud any person or persons, body politic or corporate, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine, not exceeding eight hundred dollars, or imprisonment at hard labor, not exceeding ten years, or both.

SEC. 61. *And be it enacted*, That if any person shall wilfully, unlawfully, and maliciously cut down, break down, level, demolish or otherwise destroy or damage any bridge, or sea or river-bank, or any meadow-bank, or mill-dam, or break or destroy the windows or doors of any dwellinghouse, or other house, or building, or set fire to, or burn, or destroy, or procure, or cause to be burned or destroyed, any barrack, cock, crib, rick, or stack of hay, corn, wheat, rye, barley, oats, or grain of any kind, or any fences, piles of wood, boards, or other lumber, or shall wilfully, unlawfully, and maliciously kill or destroy any horse, mare, or gelding, or any bull, ox, steer, bullock, cow, heifer, or calf, or any sheep or lamb, every person so offending shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine, not exceeding one hundred and fifty dollars, or imprisonment at hard labor, not exceeding two years, or both.

Malicious mischief to bridges, houses, horses, cattle, grain, lumber, &c., how punished.

SEC. 62. *And be it enacted*, That if any person or persons shall receive or buy any goods or chattels that shall be stolen or taken by robbery from any other person, knowing the same to have been so stolen or taken by robbery, or shall receive, harbor, or conceal any thief or thieves, robber or robbers, knowing him, her, or them to be so, he, she, or they so offending shall be deemed guilty of a high misdemeanor, and, on conviction, be punished by fine, not exceeding three hundred dol-

Receivers of goods stolen and taken by robbery, and harborers of thieves or robbers, how to be punished.

lars, or imprisonment at hard labor, not exceeding three years, or both.

Concealment of burglary, robbery, &c., how to be punished.

SEC. 63. *And be it enacted*, That if any person or persons, having knowledge of the actual commission of murder, manslaughter, sodomy, rape, arson, burglary, robbery, or forgery, within the jurisdiction of this state, shall conceal, and not, as soon as may be, disclose and make known the same to some one of the justices of the Supreme Court, or one of the justices of the peace in and for any of the counties of this state, such person or persons, on conviction thereof, shall be adjudged guilty of a misdemeanor, and shall be fined, not exceeding five hundred dollars, or suffer an imprisonment at hard labor, not exceeding three years, or both.

Persons killing others attempting to rob, murder, &c. to be acquitted.

SEC. 64. *And be it enacted*, That if any person shall attempt to commit murder, sodomy, rape, robbery, arson, or burglary, and in such attempt shall be slain, the slayer shall be deemed faultless, be liable to no forfeiture, and be totally acquitted and discharged.

Persons killing others by misadventure, or in their own defence &c. to be acquitted.

SEC. 65. *And be it enacted*, That if any person kill another by misadventure, or in his or her own defence, or in the defence of his or her husband, wife, parent, child, master, mistress, or servant, then the person so killing shall be deemed guiltless, be liable to no forfeiture, and be totally acquitted and discharged.

If persons attempting to commit robbery, burglary, arson, &c. shall kill another, or death shall ensue; or if any officer of justice be killed in the execution of his office &c., such killing shall be murder.

SEC. 66. *And be it enacted*, That if any person or persons in committing, or attempting to commit sodomy, rape, arson, robbery, or burglary, or any unlawful act against the peace of this state, of which the probable consequence may be bloodshed, shall kill another, or if the death of any one shall ensue from the committing, or attempting to commit any such crime or act as aforesaid, or if any person or persons shall kill any judge, justice of the peace, sheriff, coroner, constable, or other commonly known officer of justice, either civil or criminal, of this state, or the marshal or other commonly known officer of justice, either civil or criminal, of the United States, in the execution of his office or duty, or shall kill any of his assistants, whether specially called to his aid or not, endeavoring to keep and preserve the peace or apprehend a criminal, knowing the authority of such assistant, or shall kill a private person endeavoring to suppress an affray or to apprehend a criminal, knowing the intention with which such private person interposes, then such person or persons so killing as aforesaid, on conviction, shall be adjudged to be guilty of murder, and shall suffer death.

Persons maintaining the authority of foreign powers over this state, how punished.

SEC. 67. *And be it enacted*, That if any person, owing allegiance to this state, shall, by speech, writing, open deed, or act, advisedly and wittingly maintain and defend the authority or jurisdiction of any foreign power, potentate, republic, king, state, or nation whatsoever, in and over this state, or the peo-

pie thereof, such person so offending shall, on conviction, be punished by fine or imprisonment, or both, or by fine or imprisonment at hard labor, or both, the fine not to exceed four hundred dollars, nor the imprisonment the term of one year.

SEC. 68. *And be it enacted*, That if a butcher or other person shall sell, offer, or expose to sale the flesh of any animal dying otherwise than by slaughter, or slaughtered while diseased, or any contagious or unwholesome flesh; or, if a baker, brewer, distiller, or other person shall sell unwholesome bread, drink, or liquor, he or she shall be adjudged guilty of a misdemeanor, and, on conviction, shall be punished by fine, not exceeding fifty dollars, or by imprisonment in the county jail, not exceeding four months.

Assaults, batteries, and other offences at common law, not provided for by this or some other act, how punished.

SEC. 69. *And be it enacted*, That the court or justices before whom any negro, indian, or mulatto slave shall be convicted of any offence not punishable with death, shall have authority to impose, instead of the punishment by this act prescribed, such corporal punishment, not extending to life or limb, as such court or justices, in their discretion, shall direct.

In what case corporal punishment may be imposed on negroes, indians and mulattoes.

SEC. 70. *And be it enacted*, That if any person shall sell or exchange, or offer for sale or exchange, or willingly receive, any forged or counterfeit promissory note, with intention to have the same uttered or passed to defraud any person or body politic or corporate, then every such person, being thereof convicted by due course of law, shall be deemed guilty of a high misdemeanor.

Criminals sentenced to hard labor, escaping, how to be punished.

SEC. 71. *And be it enacted*, That if any person shall make or engrave, cause or procure to be made or engraved, any plate for forging or counterfeiting any promissory note, for the payment of money, in the name of any person or body politic or corporate, then every such person, being thereof convicted by due course of law, shall be deemed guilty of a high misdemeanor.

Any person making or procuring a plate for the purpose of counterfeiting any promissory note &c., guilty of a misdemeanor.

SEC. 72. *And be it enacted*, That if any person shall have in his or her possession, or receive from any other person, any forged or counterfeited promissory note for the payment of money, with intent to utter or pass the same, or to permit, or cause, or procure the same to be uttered or passed, with intention to defraud any person or body politic or corporate whatsoever, knowing the same to be forged, or counterfeited, then every such person, being thereof convicted by due course of law, shall be deemed guilty of a high misdemeanor.

Any person having or receiving counterfeit money, with the intention of passing the same &c., how considered.

SEC. 73. *And be it enacted*, That if any person shall have or keep in his or her possession any blank or unfinished note, made in the form and similitude of any promissory note for the payment of money, made to be issued by any incorporated bank of this state, or any of the United States, with intention to fill up and complete such blank or unfinished note, or to permit, cause, or procure the same to be filled up and completed, in order to

Persons having any blank or unfinished note, filling up, or permitting the same to be filled up, in order to pass the same, how considered.

utter or pass the same, or permit, cause, or procure the same to be uttered or passed to defraud any person, or body politic or corporate whatsoever, the person in whose custody or possession such blank or unfinished note shall be found, being thereof convicted by due course of law, shall be deemed guilty of a high misdemeanor.

Persons having in their possession or keeping any plate for forging &c., how considered.

SEC. 74. *And be it enacted*, That if any person shall have, or keep in his or her custody or possession, any plate for forging or counterfeiting any promissory note for the payment of money, in the form or similitude of any promissory note issued by any of the banks aforesaid, with intent to forge or counterfeit, or to assist in forging or counterfeiting, or to permit, cause, or procure to be counterfeited any promissory note issued by any of the aforesaid banks, the person in whose possession or custody such plate shall be found, being thereof convicted by due course of law, shall be deemed guilty of a high misdemeanor.

The punishment for the several preceding offences prescribed.

SEC. 75. *And be it enacted*, That any person convicted of any of the offences mentioned and described in either of the five next preceding sections of this act, shall be punished by fine or imprisonment at hard labor, or both: *Provided*, that such imprisonment shall not exceed the term of ten years, nor such fine the sum of two thousand dollars, at the discretion of the court.

Punishment for the counterfeiting gold or silver coin, prescribed.

SEC. 76. *And be it enacted*, That if any person or persons shall counterfeit, or cause or procure to be counterfeited, any of the species of gold or silver coins now current, or which hereafter shall be current in this state, or shall pass or give in payment, or offer to pass or give in payment the same, knowing the same to be counterfeit; such person or persons so offending shall be deemed guilty of a high misdemeanor, and, being thereof convicted by due course of law, shall be punished by fine or imprisonment at hard labor, or both, at the discretion of the court before whom such conviction shall be had: *Provided* the imprisonment at hard labor shall not exceed the term of ten years; nor the fine the sum of two thousand dollars.

The several specified offences, how punished.

SEC. 77. *And be it enacted*, That assaults, batteries, false imprisonments, affrays, riots, routs, unlawful assemblies, nuisances, cheats, deceits, and all other offences of an indictable nature at common law, and not provided for by this or some other act of the legislature of New Jersey, shall be deemed and taken to be misdemeanors; and any person so offending shall, on being convicted by due course of law, be punished by fine, not exceeding one hundred dollars, or imprisonment, not exceeding six months, or both.

Further offences specified, and the punishment of the same prescribed.

SEC. 78. *And be it enacted*, That if any person shall commit the crime of mayhem or an atrocious assault and battery upon another, such person shall be deemed guilty of a high

misdemeanor, and, on being thereof convicted by due course of law, shall be punished by fine, not exceeding one thousand dollars, or imprisonment at hard labor, not exceeding ten years, or both, at the discretion of the court before whom such conviction shall be had.

SEC. 79. *And be it enacted*, That if any offender, sentenced to hard labor, shall escape, he or she shall, on conviction thereof, suffer such additional confinement at hard labor as the court shall direct.

SEC. 80. *And be it enacted*, That if any offender, sentenced to imprisonment at hard labor for manslaughter, sodomy, rape, arson, burglary, robbery, or forgery, shall be convicted of a second offence of a like nature, such offender shall suffer death.

SEC. 81. *And be it enacted*, That if any offender, who shall have been sentenced to imprisonment at hard labor for any other crime than those specified in the next preceding section, shall be convicted of a second offence of a like nature, such offender shall be sentenced to imprisonment at hard labor for any period not exceeding double the time for which said offender might have been sentenced for the first offence.

SEC. 82. *And be it enacted*, That if any person be convicted of any offence against this state, not punishable with death, it shall be lawful for the court before whom such conviction shall be had, to order, besides the punishment prescribed by law, that such offender shall find surety to keep the peace, or be of good behavior, or both, in such sum, for such time, and in such number and sufficiency as they shall judge proper.

SEC. 83. *And be it enacted*, That no person or persons shall be prosecuted, tried, or punished for treason or other offence punishable with death, (murder excepted) unless the indictment for the same shall be found by a grand jury within three years next after the treason or other offence punishable with death, shall be done or committed; nor shall any person be prosecuted, tried, or punished for any offence not punishable with death, unless the indictment shall be found within two years from the time of committing the offence, or incurring the fine or forfeiture aforesaid: *Provided*, that nothing herein contained shall extend to any person or persons fleeing from justice.

SEC. 84. *And be it enacted*, That the manner of inflicting the punishment of death, shall be by hanging the person convicted by the neck until dead.

SEC. 85. *And be it enacted*, That no conviction or judgment for any of the offences aforesaid, or any other offence against this state, shall make or work corruption of blood, disinherison of heirs, loss of dower, or forfeiture of estate.

SEC. 86. *And be it enacted*, That the benefit of clergy shall be, and the same is hereby abolished and for ever done away.

Escapes from prison &c., how punished.

Conviction of a second offence in certain specified cases, to be punished with death.

Time of imprisonment on certain occasions to be doubled.

Offences not punishable with death on conviction, besides the punishment prescribed by law, the offender to give security &c.

No prosecution for treason or other capital offence, murder excepted, unless indictment be found within three years, nor in other cases, unless within two years.

No conviction or judgment to work corruption of blood, forfeiture of estate &c.

Benefit of clergy abolished for ever.

The action of appeal for murder &c. likewise for ever abolished.

SEC. 87. *And be it enacted*, That the suit or action of appeal for murder, manslaughter, rape, arson, larceny, mayhem, or other offence or wrong, whatsoever, shall be, and the same hereby is abolished and for ever done away.

Slaves convicted of certain crimes, may be sent out of this state and of the United States &c.

SEC. 88. *And be it enacted*, That when any slave shall hereafter be convicted of manslaughter, arson, burglary, rape, robbery, or burning a barn, stable, or other outbuilding, to the value of one hundred dollars, or of setting fire thereto, with intent to burn the same, or of an assault and battery, with intent to commit murder, arson, burglary, rape, or robbery, or of a misdemeanor in poisoning or attempting to poison, and so to endanger the life of any person whatsoever, and shall have judgment of imprisonment for the same, it shall be lawful for the governor of this state, at any time during the said imprisonment, by writing sealed with the great seal, to authorise and empower the owner of such slave to send him or her out of this state and the United States, and to direct the officer in whose custody such slave may be, to deliver him or her to such owner, for that purpose accordingly: *Provided*, that such owner, before he or she shall obtain such authority, shall enter into bond to this state, with one or more surety or sureties, to be approved of by the governor, and filed in the secretary's office, in the penal sum of four hundred dollars, conditioned, that such slave shall be so sent out of this state and the United States, within ten days after such delivery by the said officer, and shall never return to this state without lawful permission: *And provided also*, that such owner, before the delivery of such slave by such officer, shall pay all the costs of the prosecution, imprisonment, and maintenance of such slave, up to the time of such delivery.

Proviso.

The power of the governor and council specified.

SEC. 89. *And be it enacted*, That the governor and council shall have power to liberate from imprisonment any criminal now confined in the prison of this state, or who shall hereafter be confined in said prison after the time for which said criminal hath been sentenced shall have expired, or said criminal hath been pardoned, in cases wherein the said governor and council shall be satisfied that the said criminal hath no property, and is unable, and will continue unable, to earn more than is sufficient to defray the expenses of his or her food and clothing: *Provided*, that nothing in this section shall be construed to destroy, or in any way to impair the right of the state to the property of the said criminal so liberated, wherever any such property can be found.

Proviso.

The punishment of certain specified crimes prescribed.

SEC. 90. *And be it enacted*, That all wilful poisoning of any person or persons that shall hereafter be done, perpetrated, or committed, or attempted to be done, perpetrated, or committed, with intent to kill, although death shall not ensue therefrom, shall be adjudged a high misdemeanor, and the offender or offenders therein, on being thereof convicted, shall be punished by fine, not exceeding one thousand dol-

bars, or imprisonment at hard labor for any term not exceeding fifteen years, or both, at the discretion of the court before whom such conviction shall be had.

SEC. 91. *And be it enacted*, That the act entitled, "An act for the punishment of crimes," passed the eighteenth day of March, seventeen hundred and ninety-six, and an act entitled, "A supplement to the act for the punishment of crimes," passed the eighteenth day of March, seventeen hundred and ninety-six, which said supplement was passed the thirty-first day of May, eighteen hundred and twenty, and the act entitled, "A further supplement to the act entitled an act for the punishment of crimes," passed the eighteenth day of March, seventeen hundred and ninety-six, which said further supplement was passed the third day of November, one thousand eight hundred and twenty, and the act entitled, "A further supplement to the act entitled an act for the punishment of crimes," passed March the eighteenth, seventeen hundred and ninety-six, which said further supplement was passed the seventh day of November, eighteen hundred and twenty-five, and the act entitled, "An additional supplement to the act entitled an act for the punishment of crimes," passed the eighteenth day of March, seventeen hundred and ninety-six, which said additional supplement was passed the seventh day of March, eighteen hundred and twenty-eight, and all other acts or parts of acts coming within the purview of this act, and contrary thereto, be, and the same are hereby repealed: *Provided always*, that such repeal shall in no wise impair or invalidate any thing had or done under or by virtue of any of the aforesaid acts.

Certain acts repealed.

C. February 17, 1829.

---

A SUPPLEMENT to the act entitled, "An act for the punishment of crimes," passed February seventeenth, one thousand eight hundred and twenty-nine.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That nothing contained in the ninety-third section of the act to which this is a supplement shall affect or prevent any proceedings now pending, or which may hereafter be had for any crime or offence committed before the passing of the said act; but all indictments which shall have been found, or which may hereafter be found for any crime or offence committed before the passing of the said act, may be proceeded upon the same as if the said act had not been passed.

See 93d section of "An act for the punishment of crimes."

C. February 23, 1829.

[N. B. Through mistake, this act was not printed with the others of the same date, and is now inserted for the first time.]

A FURTHER SUPPLEMENT to an act entitled, "An act to incorporate a part of the township of Trenton, in the county of Hunterdon."

Requisite qualifications of a voter &c. prescribed.

SEC. 1. *BE IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That every person who is a free white male citizen of this state, of the age of twenty-one years; and whose name shall be enrolled on the duplicate list of the last tax of the city of Trenton, and shall have paid a tax for the use of the city, and resided therein for at least one year immediately preceding, shall be adjudged to be a freeholder and inhabitant of the city of Trenton, and entitled to vote at all elections and town meetings to be held in the said city for the purposes mentioned in the act to which this is a supplement.

Mistakes, how to be rectified.

SEC. 2. *And be it enacted,* That, from and after the passing of this act, no freeholder and inhabitant of the city of Trenton shall be adjudged to be entitled to vote at any such election or town meeting except those possessing the qualification required in the first section of this act, and those who may have arrived at the age of twenty-one years since the date of the last duplicate, or of persons who may have been inadvertently overlooked by the assessor, in either of which cases such persons claiming a vote, and being in other respects qualified, shall be admitted to vote, and their names shall be immediately entered on the tax list.

Annual town meeting, when to be holden.

SEC. 3. *And be it enacted,* That the annual town meeting of the said freeholders and inhabitants, for the purposes mentioned in the act to which this is a supplement, shall in future be held on the fourth Monday in April; and that the officers chosen at the last annual election shall hold their offices until the fourth Monday in April next.

In what manner elections are to be conducted.

SEC. 4. *And be it enacted,* That the elections to be held in the said city, by virtue of the act to which this is a supplement, shall be conducted in the manner prescribed by the act entitled, "An act to regulate the election of members of the Legislative Council and General Assembly, sheriffs, and coroners, in this state," and the supplement thereto; and the officers con-

ducting the same shall be invested with all the powers and authority, and the said officers and all other persons shall be subject to all the penalties for neglect of duty or misbehavior, and liable to the punishment given or inflicted by the said acts, or either of them.

SEC. 5. *And be it enacted*, That the third section of the act entitled, "An act further supplementary to an act entitled an act to incorporate a part of the township of Trenton, in the county of Hunterdon," passed the third day of January, one thousand eight hundred and seventeen, and so much of the act to which this is a supplement as comes within the purview hereof, and is consistent herewith, be, and the same is hereby repealed. Parts of former acts repealed.

SEC. 6. *And be it enacted*, That this act shall be deemed and taken to be a public act.

C. November 19, 1822.



## RESOLUTIONS &c.

---

RESOLVED, *by the Council and General Assembly of this State*, That the vice-president of Council, and speaker of the House of Assembly, be appointed to receive proposals for engrossing the bills ordered to be engrossed by either branch of the legislature during the present session.

C. November 4. 1828.

---

RESOLVED, *by the Council and General Assembly of this State*, That the governor be requested, during the recess of the legislature, to procure, in such manner as he may deem most expedient, the entire amount of tonnage of all goods, wares, merchandise, and produce which passes annually between the city of New-York and all ports and places on the Delaware river and bay, and the average price per ton from Philadelphia to New-York, coastwise; and also, between said city and all ports and places on and around the Chesapeake bay, with a view of ascertaining, as near as may be, what would be the probable amount of tonnage which would yearly pass through a canal, if constructed, to connect the tide waters of the Delaware and Raritan; also to ascertain, and report to the House, the amount of tonnage of all goods, wares, merchandise, and products that have been transported on the Erie canal, in the state of New-York, during the present year; and also the amount of tolls that have been paid for transportation of the same.

C. & A. November 11, 1828.

---

THE committee to whom was referred the resolution on the subject of "The Salem and Philadelphia Manufacturing Company," beg leave to REPORT—

That the legislature of this state, on the thirtieth day of November, one thousand eight hundred and twenty-five, incorporated the said company by an act entitled, "An act to incorpo-

S

rate the Salem Steam-Mill and Manufacturing Company," in the county of Salem; that the objects of the said corporation were solely for the purposes of manufacture, and without any banking privileges; that it was provided by the tenth section of that act, in express terms, that the said corporation should not carry on any banking operations. The legislature, at their last session, and on the twenty-sixth day of February of the present year, passed a supplement to the said act, changing the name of the said corporation to that of "The Salem and Philadelphia Manufacturing Company," and authorizing the company to increase their capital stock to a sum not exceeding two hundred thousand dollars; but this supplement did not change or extend, in the opinion of the committee, the powers and privileges granted by the original charter.

Your committee have satisfactorily ascertained, from information derived from the members of this House, residing in the county of Salem and other counties, that the said corporation have issued a very considerable number of bills, and that they are now extensively circulating, contrary to the provisions and powers granted by the aforesaid acts. Some of these bills, signed by R. Craven, as president, and M. W. Miller, as treasurer, have been produced and shown to your committee. Under these circumstances, and believing, from full and general information, that the foregoing statement is true, your committee are of opinion that the said corporation have transcended their privileges, and that their charter rights should be repealed. Upon looking into the act, no power is reserved, in express terms, in the legislature to repeal the charter, in case of its abuse; and, according to the opinion of the attorney general, contained in his report, at the last session, on the subject of the Jersey Bank and others, the right to repeal in such case by an act of the legislature, seems to be questioned; and, at all events, he recommends, in such case, that legal proceedings be adopted in the Supreme Court.

*RESOLVED, by the Council and General Assembly of this State,* That the attorney general be, and he is hereby requested to take such legal measures against "The Salem and Philadelphia Manufacturing Company," as in his opinion may be necessary for the purpose of judicially investigating the legality of their proceedings, and of forfeiting their charter."

C. & A. November 11, 1828.

RESOLVED, *by the Council and General Assembly of this State of New-Jersey*, That they feel it to be a solemn duty which they owe to their fellow citizens, whose interest they represent, to bring before them, in this public manner, the vice of intemperance that now afflicts our land, and spreads desolation and death through all ranks and classes of our people. As guardians of the public welfare, we cannot refrain from expressing our conviction, that should this sin make equal progress in future with its past wide and wasteful course, all the best hopes of our country must soon suffer a dreadful overthrow.

Under this too well founded apprehension, we do earnestly recommend to our fellow citizens, by their individual example and countenance, to raise a standard against the flood of iniquity, by prudent, yet decided measures, to repress the habits which lead to intemperance, and to warn our youth away from its snares, and we may still hope, by the blessing of God, to rescue our country from the fatal influence of this destroyer.

C. & A. January 29, 1829.

---

#### JOINT ORDER OF THE COUNCIL AND GENERAL ASSEMBLY.

ORDERED, That the secretary of Council, and clerk of Assembly, deliver a copy of each and every bill printed by order of the Council or House of Assembly, to the state librarian, to be by him filed and preserved in the library.

A. February 3, 1829.

---

RESOLVED, *by the Council and General Assembly*, That the thanks of the legislature, on behalf of the state of New-Jersey, be given to the honorable the Mayor and Common Council of the city of New-York, for the prompt and efficient manner in which they have furnished the information requested relative to the account of tonnage passing between that city and the ports and places on the Delaware and Chesapeake; and that his excellency the governor be requested to communicate to them a copy of this resolution.

C. February 23, 1829.

RESOLVED, *by the Council and General Assembly of this State*, That his excellency the governor be requested to make application to the government of the United States to cause the grounds and streams lying between the rivers Delaware and Raritan, and its branches, and Amboy bay, which may lie upon, or contiguous to the probable course and range of the contemplated canal and feeder, to be explored and examined by the Board of Engineers of the United States, for the purpose of ascertaining the most eligible and proper route for the same, and the probable expense thereof: and that his excellency be further requested to communicate to the next legislature the result of his proceedings herein.

C. & A. February 24, 1829.

# CONTENTS.

---

	PAGE.
An act authorizing the sale of an undivided moiety of certain lands and water privileges, commonly known by the name of the Elizabethtown-Point Ferries,	3
A supplement to an act entitled, "An act to enable William S. Pennington, of the county of Essex, to carry into effect a trust therein named," passed on the twenty-seventh day of November, one thousand eight hundred and twenty-three,	5
An act respecting the real estate of Jacob Armstrong, deceased,	7
An act to divorce Elizabeth Drummond from her husband John Drummond,	ib.
An act to incorporate the Trenton Calico Printing Manufactory,	8
An act for the support of the government of this state,	11
An act to defray incidental charges,	12
An act to incorporate the Pleasant Mills Manufacturing Company, in Gloucester county, New-Jersey,	17
An act to divorce Lydia Kirby from her husband Jonathan Kirby,	20
An act authorizing the commissioners therein named to divide the real estate which was of John Hewlings, late of the county of Burlington, at the time of his death, into two equal parts,	ib.
An act to divorce Amelia Garretson from her husband Joseph Garretson,	21
An act to divorce Abraham Goltry, of the county of Somerset, from his wife Sarah,	22
An act to authorize Nathan Vail and Randolph Dunham, administrators, with the will annexed, of Isaac Clark, deceased, to sell and convey the real estate of said deceased,	ib.
A supplement to the act entitled, "An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen," passed February seventh, eighteen hundred and fifteen,	24

	PAGE.
An act to divorce Laurretta Bagg from her husband Thomas Bagg, junior,	24
An act to divorce Samuel C. Halsted from his wife Eme-line Halsted,	ib.
An act to authorize Joshua R. Smith and George R. Smith, executors of the last will and testament of Mary D. Smith, late of the city of Burlington, deceased, and the survivor of them, to sell and convey two certain lots of ground, and to divide the proceeds thereof among the legal heirs of the said Mary D. Smith's real estate,	25.
An act for the preservation of muskrat fur,	26
An act to repeal the act entitled, "An act to raise money to drain the drowned lands in the county of Sussex," passed the twenty-eighth day of November, eighteen hundred and six, and the supplement thereto, passed the twenty-fifth day of November, eighteen hundred and nine,	ib.
A supplement to an act entitled, "An act to incorporate the Columbian Steam-Boat Company," passed the twelfth day of February, in the year of our Lord one thousand eight hundred and twenty-eight,	27
An act for the relief of George P. Woolley,	ib.
A further supplement to the act entitled, "An act to enable the owners of tide swamps and marshes to improve the same, and the owners of meadows already banked in, and held by different persons, to keep the same in good repair," passed the twenty-ninth day of November, in the year of our Lord one thousand seven hundred and eighty-eight,	28
An act to divorce Betsey Voorhees, of the county of Somerset, from her husband Lucas L. Voorhees,	29.
An act to assist the inhabitants of the townships of Paha-quary and Knowlton, in the county of Warren, to complete that part of a public highway, in said townships, which crosses the Blue Mountain at the Water Gap,	30.
An act to incorporate the City of Jersey, in the county of Bergen, and to repeal a former act,	ib.
An act to divorce Susan Ann Baldwin from her husband Abraham Baldwin,	36.
An act to enable Andrew A. Ten Eyck, of the county of Somerset, to carry into effect a certain trust, created by Garret Tunison, of said county, for the benefit of Ari-antie Compton, by deed bearing date the fourth of April, eighteen hundred and fifteen,	ib.
An act directing the mode of proceeding in cases of vio-lent, sudden, or casual deaths,	37

	PAGE
A supplement to an act entitled, "An act to alter and amend the act entitled an act concerning inns and taverns," passed the first day of June, one thousand eight hundred and twenty,	39
An act authorizing the enclosure of a certain tract of land situate in the township of Caldwell, in the county of Essex, called the Hetfield Swamp,"	ib.
A further supplement to an act entitled, "An act to incorporate the Newark and Mount Pleasant Turnpike Company,	43
* An act for the relief of the devisees and heirs at law of Stephen Condit, late of Hanover, in the county of Morris, deceased,	44
An act to alter the time of electing trustees of the first Presbyterian Church in Orange,	ib.
An act to alter the boundary line between the townships of Green and Byram, in the county of Sussex,	45
An act concerning the new town dock, and other matters, in the township of Newark, in the county of Essex,	ib.
An act to authorize the chosen freeholders of the county of Gloucester to build a drawbridge over Nacott creek, at a place called Port Republic,	48
An act to incorporate the Union Line Stage and Steam-Boat Company,	49
An act to divorce Thomas Bullock from his wife Rebecca Bullock,	52
An act to extend the charter of the State Bank at Trenton, for certain purposes,	53
A further supplement to the "Act concerning taxes," passed June tenth, one thousand seven hundred and ninety-nine,	ib.
An act to incorporate the New-Jersey Flax and Hemp Manufacturing Company,	54
An act for the relief of Catharine Patterson,	57
An act to prevent frauds by Incorporated Companies,	58
A supplement to an act entitled, "An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen," passed February twenty-fifth, eighteen hundred and twenty-eight,	65
An act to repeal an act establishing the township of Centreville, in Salem county, and the supplement thereto,	ib.
An act to extend the "Act incorporating State Banks in New-Jersey,"	ib.
An act concerning the public streets and highways in the township of Salem,	66

	PAGE.
An act to restore the navigation of Woodbury Creek, in the county of Gloucester, - - - - -	67
An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased, - - - - -	69
An act to incorporate religious societies worshipping according to the customs and usages of the Protestant Episcopal Church, - - - - -	71
An act to carry into effect the partition of lands made by Richard Stout and Thomas Stout, - - - - -	73
A further supplement to an act entitled, "An act to empower the governor of this state to incorporate a company to cut a canal to shorten the navigation of Salem creek, in the county of Salem and state of New-Jersey," passed November seventeenth, one thousand eight hundred, - - - - -	74
A supplement to the act entitled, "An act to incorporate the Elizabethtown Mutual Assurance Fire Company," passed the tenth of November, in the year of our Lord one thousand eight hundred and twelve, - - - - -	76
An act to raise the sum of forty thousand dollars, for the year one thousand eight hundred and twenty-nine, - - - - -	77
An act to protect certain real property of John G. Leak, deceased, - - - - -	81
An act appointing a trustee to sell and convey the real estate of Thomas Parker, deceased, - - - - -	ib.
An act to incorporate the Evesham and Northampton Manufacturing Company, - - - - -	82
A supplement to an act entitled, "An act for the relief of the State Bank at Trenton," passed fourth of March, one thousand eight hundred and twenty-eight, - - - - -	85
An act to repeal an act entitled, "A supplement to the act entitled an act to establish State Banks in New-Jersey," passed January the twenty-eighth, one thousand eight hundred and twelve; which said supplement was passed the fourteenth day of December, one thousand eight hundred and twenty-four, - - - - -	86
An act to authorize the Morris Canal and Banking Company to borrow money, and for other purposes, - - - - -	ib.
An act to defray Incidental Charges, - - - - -	88
A supplement to an act entitled, "An act to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors," - - - - -	90
An act for the purpose of effecting an arrangement between the states of New-Jersey and Pennsylvania for the mutual use of the waters of the river Delaware for canals and other purposes, - - - - -	91

	PAGE
A supplement to the act entitled, "An act directing the mode of entering judgments upon bonds with warrants of attorney to confess judgments," passed the twenty-fourth of February, one thousand eight hundred and twenty,	92
A supplement to an act entitled, "An act concerning promissory notes, inland bills of exchange, and notaries public," passed the thirtieth of January, one thousand seven hundred and ninety-nine,	93
A further supplement to an act entitled, "An act for the limitation of actions," passed the seventh day of February, one thousand seven hundred and ninety-nine,	94
An act making provision for carrying into effect the "Act for the punishment of crimes,"	ib.
An act to authorize Abraham C. Van Dorn and John C. Van Dorn, executors of Christian Van Dorn, deceased, to fulfil a certain contract made by deceased with one Joseph Pittenger,	105
An act to establish Common Schools,	ib.
An act to authorize John Budd, of the county of Morris, to remove the obstructions from the outlet of Budds Lake, in said county of Morris,	109
An act for the punishment of crimes,	ib.
A supplement to the act entitled, "An act for the punishment of crimes," passed February seventeenth, one thousand eight hundred and twenty-nine,	133
A further supplement to an act entitled, "An act to incorporate a part of the township of Trenton, in the county of Hunterdon,"	134
RESOLUTIONS &c.	137, 138, 139, 140



# INDEX.

## A

	PAGE.	BUD
ARMSTRONG—An act respecting the real estate of Jacob Armstrong, deceased,	7	<hr/>
ASSIGNMENTS—A supplement to an act entitled, "An act to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors,"	90	

## B

BANK—An act to extend the "Act incorporating State Banks in New-Jersey,"	65	
—— An act to extend the charter of the State Bank at Trenton, for certain purposes,	53	
—— A supplement to an act entitled, "An act for the relief of the State Bank at Trenton," passed fourth of March, one thousand eight hundred and twenty-eight,	85	
—— An act to repeal an act entitled, "A supplement to the act entitled an act to establish State Banks in New-Jersey," passed January the twenty-eighth, one thousand eight hundred and twelve; which said supplement was passed the fourteenth day of December, one thousand eight hundred and twenty-four,	86	
BAGG—An act to divorce Laurretta Bagg from her husband Thomas Bagg, junior,	24	
BALDWIN—An act to divorce Susan Ann Baldwin from her husband Abraham Baldwin,	36	
BILLS OF EXCHANGE—A supplement to an act entitled, "An act concerning promissory notes, inland bills of exchange, and notaries public," passed the thirtieth of January, one thousand seven hundred and ninety-nine,	93	
BUDDS LAKE—An act to authorize John Budd, of the county of Morris, to remove the obstructions from the outlet of Budds Lake, in said county of Morris,	109	

COM		PAGE.
	BULLOCK—An act to divorce Thomas Bullock from his wife Rebecca Bullock,	52

## C

	CANAL—An act relative to a canal to shorten the navigation of Salem creek,	74
	CENTREVILLE—An act to repeal an act establishing the township of Centreville, in Salem county, and the supplement thereto,	65
	CITY OF JERSEY—An act to incorporate the City of Jersey, in the county of Bergen, and to repeal a former act,	30
	CHARGES—An act to defray incidental charges,	12
	Do. do.	88
	COMPANY—An act to incorporate the Trenton Calico Printing Manufactory,	8
	————— An act to incorporate the Pleasant Mills Manufacturing Company, in Gloucester county, New-Jersey,	17
	————— A supplement to an act entitled, "An act to incorporate the Columbian Steam-Boat Company," passed the twelfth day of February, in the year of our Lord one thousand eight hundred and twenty-eight,	27
	————— A further supplement to an act entitled, "An act to incorporate the Newark and Mount Pleasant Turnpike Company,	43
	————— An act to incorporate the Union Line Stage and Steam-Boat Company,	49
	————— An act to incorporate the New-Jersey Flax and Hemp Manufacturing Company,	54
	————— An act to prevent frauds by incorporated companies,	58
	————— A further supplement to an act entitled, "An act to empower the governor of this state to incorporate a company to cut a canal to shorten the navigation of Salem creek, in the county of Salem, and state of New-Jersey," passed November seventeenth, one thousand eight hundred,	74
	————— A supplement to the act entitled, "An act to incorporate the Elizabethtown Mutual Assurance Fire Company," passed the tenth of November, in the year of our Lord one thousand eight hundred and twelve,	76
	————— An act to incorporate the Evesham and Northampton Manufacturing Company,	82

COMPANY—An act to authorize the Morris Canal and Banking Company to borrow money, and for other purposes,	86
CONDIT—An act for the relief of the devisees and heirs at law of Stephen Condit, late of Hanover, in the county of Morris, deceased,	44
CRIMES—An act making provision for carrying into effect the “ Act for the punishment of crimes,”	94
——— An act for the punishment of crimes,	109
——— A supplement to an act entitled, “ An act for the punishment of crimes,”	133

D

DEATH—An act directing the mode of proceeding in cases of violent, sudden, or casual deaths,	37
DELAWARE RIVER—An act for the purpose of effecting an arrangement between New-Jersey and Pennsylvania, for the use of the waters of the Delaware river,	91
DIVORCE—An act to divorce Elizabeth Drummond from her husband John Drummond,	7
——— An act to divorce Lydia Kirby from her husband Jonathan Kirby,	20
——— An act to divorce Amelia Garretson from her husband Joseph Garretson,	21
——— An act to divorce Abraham Goltry, of the county of Somerset, from his wife Sarah,	22
——— An act to divorce Laurretta Bagg from her husband Thomas Bagg, junior,	24
——— An act to divorce Samuel C. Halsted from his wife Emeline Halsted,	ib.
——— An act to divorce Betsey Voorhees, of the county of Somerset, from her husband Lucas L. Voorhees,	29
——— An act to divorce Susan Ann Baldwin from her husband Abraham Baldwin,	36
——— An act to divorce Thomas Bullock from his wife Rebecca Bullock,	52
DOCK—An act concerning the new town dock, and other matters, in the township of Newark, in the county of Essex,	45
DRAWBRIDGE—An act to authorize the chosen freeholders of the county of Gloucester to build a draw-bridge over Nacott creek, at a place called Port Republic,	48
DRUMMOND—An act to divorce Elizabeth Drummond from her husband John Drummond,	7

HIG

## E

- |   | PAGE. |
|---|-------|
| ELIZABETHTOWN-POINT FERRIES---An act authorizing the sale of an undivided moiety of certain lands and water privileges, commonly known by the name of the Elizabethtown-Point Ferris, | 3     |
| EPISCOPAL CHURCH---An act to incorporate religious societies worshipping according to the customs and usages of the Protestant Episcopal Church,                                      | 71    |

## F

- |  |    |
|--|----|
| FIRE COMPANY---A supplement to the act entitled, "An act to incorporate the Elizabethtown Mutual Assurance Fire Company," passed the tenth of November, in the year of our Lord one thousand eight hundred and twelve, | 76 |
| FRAUDS---An act to prevent frauds by incorporated companies,   | 58 |

## G

- |  |    |
|--|----|
| GARRETSON---An act to divorce Amelia Garretson from her husband Joseph Garretson,          | 21 |
| GOLTRY---An act to divorce Abraham Goltry, of the county of Somerset, from his wife Sarah, | 22 |

## H

- |  |    |
|--|----|
| HALSTED---An act to divorce Samuel C. Halsted from his wife Emeline Halsted,   | 24 |
| HETFIELD SWAMP---An act authorizing the enclosure of a certain tract of land situate in the township of Caldwell, in the county of Essex, called the Hetfield Swamp,   | 39 |
| HEWLINGS---An act authorizing the commissioners therein named to divide the real estate which was of John Hewlings, late of the county of Burlington, at the time of his death, into two equal parts,                            | 20 |
| HIGHWAYS---An act to assist the inhabitants of the townships of Pabaquary and Knowlton, in the county of Warren, to complete that part of a public highway, in said townships, which crosses the Blue Mountain at the Water Gap, | 30 |
| ----- An act concerning the public streets and highways in the township of Salem,  | 66 |

## I

## MUS

PAGE.

12, 18

INCIDENTAL CHARGES—*See* pages

INCORPORATION—A further supplement to the act entitled, "An act incorporating the township of Trenton, in the county of Hunterdon," 134

INNS—A supplement to an act entitled, "An act to alter and amend the act entitled an act concerning inns and taverns," passed the first day of June, one thousand eight hundred and twenty, 39

## J

JUDGMENT—A supplement to the act entitled, "An act directing the mode of entering judgments upon bonds with warrants of attorney to confess judgments," passed the twenty-fourth of February, one thousand eight hundred and twenty, 92

## K

KIRBY—An act to divorce Lydia Kirby from her husband Jonathan Kirby, 20

## L

LANDS—An act to repeal the act entitled, "An act to raise money to drain the drowned lands in the county of Sussex," passed the twenty-eighth day of November, eighteen hundred and six, and the supplement thereto, passed the twenty-fifth day of November, eighteen hundred and nine, 26

LEAK—An act to protect certain real property of John G. Leak, deceased, 81

LIMITATION—A further supplement to an act entitled, "An act for the limitation of actions," passed the seventh day of February, one thousand seven hundred and ninety-nine, 94

## M

MARSHES—A further supplement to the act entitled, "An act to enable the owners of tide swamps and marshes to improve the same, and the owners of meadows already banked in, and held by different persons, to keep the same in good repair," passed the twenty-ninth day of November, in the year of our Lord one thousand seven hundred and eighty-eight, 28

MEADOW—*See Marshes.*

MUSKRAT FUR—An act for the preservation of muskrat fur, 26

## SUP

## N

	PAGE
NEWARK---An act concerning the new town dock and other matters, in the township of Newark, in the county of Essex,	45
NOTARY PUBLIC---A supplement to an act entitled, "An act concerning promissory notes, inland bills of exchange, and notaries public," passed the thirtieth of January, one thousand seven hundred and ninety-nine,	93

## P

PRESBYTERIAN CHURCH---An act to alter the time of electing trustees of the first Presbyterian Church in Orange,	44
PARTITION---An act to carry into effect the partition of lands made by Richard Stout and Thomas Stout,	73
PATTERSON---An act for the relief of Catharine Patterson,	57
PROMISSORY NOTES---See <i>Notary Public</i> .	

## R

REAL ESTATE---An act authorizing the division of the real estate of John Hewlings, deceased,	20
----- An act to authorize Nathan Vail and Randolph Dunham, administrators, with the will annexed, of Isaac Clark, deceased, to sell and convey the real estate of said deceased,	22
----- An act to authorize Joshua R. Smith and George R. Smith, executors of the last will and testament of Mary D. Smith, late of the city of Burlington, deceased, and the survivor of them, to sell and convey two certain lots of ground, and to divide the proceeds thereof among the legal heirs of the said Mary D. Smith's real estate,	25
----- An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased,	69
RESOLUTIONS &c.	137

## S

SALEM---An act concerning the public streets and highways in the township of Salem,	66
SCHOOLS---An act to establish common schools,	105
SUPPORT---An act for the support of the government of this state,	11

## T

## WOO

	PAGE.
TAXES---A further supplement to the "Act concerning taxes," passed June tenth, one thousand seven hundred and ninety-nine,	53
----- An act to raise the sum of forty thousand dollars for the year 1829,	77
TOWNSHIP---An act to alter the boundary line between the townships of Green and Byram, in the county of Sussex,	45
TRUST---A supplement to an act entitled, "An act to enable William S. Pennington, of the county of Essex, to carry into effect a trust therein named," passed on the twenty-seventh day of November, one thousand eight hundred and twenty-three,	5
----- An act to enable Andrew A. Ten Eyck, of the county of Somerset, to carry into effect a certain trust, created by Garret Tunison, of said county, for the benefit of Ariantie Compton, by deed bearing date the fourth of April, eighteen hundred and fifteen,	36
TRUSTEES---An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased,	69
----- An act appointing a trustee to sell and convey the real estate of Thomas Parker, deceased,	81

## V

VANDORN---An act to authorize Abraham C. Van Dorn and John C. Van Dorn, executors of Christian Van Dorn, deceased, to fulfil a certain contract made by deceased with one Joseph Pittenger,	105
---	-----

## W

WOODBURY CREEK---An act to restore the navigation of Woodbury Creek, in the county of Gloucester,	67
WOODLAND---A supplement to the act entitled, "An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen," passed February seventh, eighteen hundred and fifteen,	24
----- A supplement to an act entitled, "An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen," passed February twenty-fifth, eighteen hundred and twenty-eight,	65
WOOLLEY---An act for the relief of George P. Woolley,	27